United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, MARCH 10, 2010 No. 34

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 10, 2010.

I hereby appoint the Honorable LOUISE MCINTOSH SLAUGHTER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

O God of all the living, at times You are silent or seem to be absent.

When we are busy or fully occupied, we often do not turn to You. But when we do seek Your presence or pray asking for an answer, You may be silent.

Sometimes You may draw back from our momentary attention just to make us pray all the more ardently and increase our desire for Your presence or refine our request.

Hopefully, when You break Your silence and speak to us or any Member of Congress, we will be ready to respond to Your inspiration and be prepared to do Your will.

Although we are not always faithful, You are faithful both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. HARE 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.

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. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are founded under that Act, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING GERALDINE JORDAN

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

Mr. HARE. Madam Speaker, I rise today to pay tribute to a member of the Women's Air Force Service Pilots, Geraldine Hardman-Jordan of Moline, Illinois. And I would like to recognize her family who is sitting in the gallery with us this morning.

Madam Speaker, at the young age of 21, Geraldine was one of the first women in history trained to fly American military aircraft. Her call to serve did not end after her military career. Geraldine also prevailed in her second battle, the one to achieve full veteran status for her WASP sisters.

Today, I also honor Geraldine as the mother of nine wonderful children and a community leader who advocated on behalf of several worthy causes.

Madam Speaker, later today, Geraldine and other WASP pioneers will be awarded the Congressional Gold Medal for their invaluable service more than 60 years ago. Unfortunately, Geraldine passed away in 2001 and cannot be here to receive the award in person, but I am very happy that her family will proudly represent her at the ceremony.

Madam Speaker, Geraldine is a true American hero and a great source of pride for the 17th Congressional District of Illinois, and I can think of no better recognition of her services to this country than the Congressional Gold Medal.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CUELLAR). The Chair will remind Members to refrain from referring to occupants of the gallery.

AFGHANISTAN RETREAT RESOLUTION

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

Mr. WILSON of South Carolina. Mr. Speaker, the House is considering today a dangerous resolution: the Afghanistan retreat. As a father of four sons in the military and as a former member of the 218th Brigade of the South Carolina National Guard, which served for a year in Afghanistan led by Major General Bob Livingston, I know we should trust our military leaders led by General David Petraeus and General Stanley McChrystal with

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Major General Larry Nicholson of the Marines. These leaders will fight for victory to protect American families by defeating terrorists overseas.

Even liberal Newsweek highlights the success of the surge in the March 8 edition with the title, ''The Surge is Working'' with the subtitle, ''All Signs Point America's Way.''

Though the Taliban is entrenched in Helmand province, its grip is slipping in the rest of Afghanistan. These developments undercut the common belief that America is doomed to fail. In fact, Afghanistan's demography, sociology, military situation, and politics all favor Obama's counterinsurgency strategy. If the Taliban can't gain popular support or silence, it can't win.

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

WOMEN'S HISTORY MONTH

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

Ms. SLAUGHTER. Mr. Speaker, I was honored to open the House this morning during this most important Women's History Month.

Our Nation's foremothers stood up to injustice and, by changing the course of history, opened the doors of opportunity to all of America's daughters. It is our duty to recognize and honor their tireless efforts.

This past summer, our great Nation celebrated the 160th anniversary of the 1848 Women's Rights Convention in Seneca Falls, New York. This groundbreaking convention was dedicated to the key principle in the Declaration of Independence that we are all created equal.

From securing a woman's right to vote in 1920 to serving our country in Iraq and Afghanistan, we have come a long way.

In this Congress alone, we have much to celebrate: Speaker PELOSI is the first woman to lead this esteemed body, and Senator Clinton made ''18 million cracks'' in the Nation's highest glass ceiling as the first woman to run a formidable Presidential campaign.

Yet as we celebrate these important milestones and look back at all we have achieved since 1948, we know our journey toward true gender equality is not complete. We must continue to fight for equality this month. We honor the women who blazed the trail for all women.

GIVE NAVY SEALS MEDALS

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

Mr. POE of Texas. Mr. Speaker, three of our tenacious Navy SEALs captured one of the worst terrorists in the world: Ahmed Hashim Abed.

In 2004, four Blackwater security guards were transporting supplies in Fallujah, Iraq. They were caught in an ambush and murdered by those cowards in the desert. These Americans were set on fire, mutilated, dragged through the streets, and hung from a bridge over the Euphrates River.

Abed, the terrorist, was the mastermind behind the massacre of these Americans. But Navy SEALs McCabe, Keefe, and Huertas captured this outlaw. But now for some odd reason, they are being put on trial—the SEALs, not the terrorist.

The whiny terrorist later claimed he was punched in the stomach during his capture on the battlefield. It hurt his little terrorist feelings, it seems. Now the SEALs face a court martial.

Congress should commend the valiant actions of these Navy SEALs, and I have introduced a resolution to do just that. These SEALs should be given medals and sent out to bag another one.

And that's just the way it is.

CREATING JOBS

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

Ms. WATSON. Mr. Speaker, during the 111th Congress, we have made great strides in creating jobs. The American Recovery and Reinvestment Act was the largest middle class tax cut in history. One year ago, the economy that was declining by 6 percent is now expanding at about that rate because of this significant program.

The Recovery Act has already worked to save or create as many as 2 million jobs, according to the nonpartisan Congressional Budget Office. In 1 year, the Recovery Act has provided $120 billion in tax cuts for 95 percent of the working families as well as businesses across the country; loaned nearly $20 billion to small businesses to expand and create jobs; and funded more than 12,500 transportation projects nationwide; kept teachers, police officers, and firefighters on the job; and accomplished much more.

IT'S THE ECONOMY, STUPID

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

Mr. ROGERS of Alabama. Many of you may remember in the 1992 campaign for the Presidency, James Carville made famous the phrase ''It's the economy, stupid,'' because they posted that sign on the campaign war room to remind the candidate and the staff that that was the number one issue the American people wanted focused on.

Well, you know, Mr. Carville ought to pull that signage back out and take it over to the White House and maybe take one down the hallway here to the Speaker's suite to remind the majority and the leadership that that is what the American people want us focused on. It is not a government takeover of health care; they want us to focus on the economy and creating jobs.

I don't know why that seems to be something that they don't want to do. The President said at the beginning of the year that he was going to pivot from health care and focus ''like a laser'' on jobs and the economy. And here we are now demanding that we put our full attention on the government takeover of health care by the end of next week.

You just want to remind them: It's the economy, stupid. Let's focus on it.

BALANCED BUDGET CONSTITUTIONAL AMENDMENT

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

Mr. BRIGHT. Mr. Speaker, last Tuesday I introduced a constitutional amendment bill to balance the Federal budget. I am proud that 36 of my colleagues have joined me in cosponsoring H.J. Res. 78, and I urge all Members of Congress who believe that government should live within a budget join me and my colleagues to pass this bill.

Balancing the budget is a simple concept that Alabama families follow every day. Without question, there are many steps that must be taken to improve our financial situation, but balancing the budget on a yearly basis is the only way to ensure that we don't repeat the mistakes of our past.

We know we can achieve this goal because we have done so in the past. From 1998 to 2001, our country achieved balanced budgets through adherence to PAYGO. Forty-nine States currently require an annual balanced budget. Passing a constitutional amendment is a long process but is absolutely necessary to ensure America remains strong for generations to come.

I urge the entire Congress to join me in this effort. I want to thank you for your support.

HONORING DAVID HAMES

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

Mr. LAMBORN. Mr. Speaker, I rise today in remembrance of a noble and humble man lost in the devastating earthquake in Haiti. David Hames of Colorado Springs, Colorado, left an enduring legacy of selflessness and faith.

David lived a life completely devoted to his family and to his Savior, Jesus Christ. He and his beloved wife of 13 years, Renee, have been blessed with two beautiful adopted sons, Aidan and Zander, who will remember their father's unending love.

He blessed the world with his talent for filmmaking. This was embodied in his award-winning and innovative children's educational video series, ''Cranium's Ark.''

On January 11, David arrived in Haiti for Compassion International to tell the story of orphans and widows as he had throughout the world. After a day of shooting footage, he was in the

Hotel Montana when the earthquake hit. God took David home at the age of 40. His life was an amazing journey filled with passion and faithfulness, and his legacy will endure.

HEALTH CARE REFORM

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

Mr. YARMUTH. Mr. Speaker, just as we are about to reach the mountaintop of health care reform, just a few feet away, opponents of health care reform say, Start over. Well, you know, there are people in this country who do have to start over. The 1,800 people or 17 a day, 700,000 a year, who go into bankruptcy because of health care costs, they have to start over. They have to start rebuilding their lives all over again. And those 14,000 people every day who lose their health insurance, they have to start over as well. They have to start the search to find out how they can protect their family with affordable health insurance.

The only people who really get to start over are the insurance companies who, when people get very sick, say, We are going to start over with another customer because you are too expensive to care for.

No, we can't start over because, if we start over, life will be over for too many Americans.

□ 1015

MEDIA GIVES DEMOCRATS' SIDE ON RECONCILIATION

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

Mr. SMITH of Texas. Mr. Speaker, the Senate's reconciliation procedure is designed for legislation to balance the budget. Now the administration wants to use reconciliation to force a health insurance scheme on the American people. The health care scheme under reconciliation means decisions made by the government behind closed doors against the wishes of the American people.

A recent New York Times article claimed that Republicans have used reconciliation in the past, but failed to acknowledge that it has never been used before to enact a massive partisan policy change like a $1 trillion government health care mandate. And the national media have largely ignored the fact that many Democratic leaders, including the President, previously voiced strong opposition to reconciliation. In fact, the nonpartisan fact checkers at PolitiFact determined that the President's support of reconciliation is a ''full flop'' from his earlier comments opposing it.

The national media should give Americans the facts, not just present the Democrats' point of view.

ECONOMY AND JOB MARKET ON THE RISE

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

Ms. NORTON. We've had to come to this floor, Mr. Speaker, to speak about the folks who drove this economy into the ground and just how bad it was, but there is good news to raise the spirits of the American people coming from the Labor Department and from analysts. We know that the economy has turned around, but until the job market turned around nobody wanted to hear it; now analysts tell us so has the job market.

All expected unemployment numbers to ratchet up during February because of the bad weather, including crippling snowstorms. Instead, it stood steady—too high at over 9 percent, but it showed confidence in the economy that so many employers stopped laying off people and kept people on. The biggest losses were where you might have expected, in construction, because of all the bad weather and the snowstorms.

The best sign that employers are feeling more confident is that they are getting their feet wet with many new temporary employees brought on, which is always the first sign that they are ready to bring on people full time and permanently, and the best sign may be the 2.7 million job openings. Now we have a mismatch. Thank goodness for the stimulus that went to community colleges to help us cure that mismatch.

CALLING ON PRESIDENT OBAMA TO REVERSE STEM CELL RESEARCH EXECUTIVE ORDER

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

Mr. FLEMING. Mr. Speaker, I rise today to commemorate a solemn occasion.

One year ago, President Obama issued an Executive order allowing for taxpayer dollars to incentivize the destruction of human life through the use of embryonic stem cells. As a physician, a father, and a grandfather, I know that all human life is precious and begins at the moment of conception, and it is paramount that we continue to seek better medical treatments and cures for diseases. Yet I also believe that our research and decisions must be life affirming.

Lives can be saved through techniques creating embryonic-like cells from adult cells, making it unnecessary to destroy embryos. Over 73 different diseases so far have been treated with adult or cord blood stem cells, including type 1 diabetes and heart disease.

I call upon the President to reverse this order and acknowledge that research that is both morally controversial and out of date does not need to be subsidized by the American taxpayer.

WOMEN'S HISTORY MONTH AND SILVIA ICHAR

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize National Women's History Month and to honor a small business owner from Orange County, Silvia Ichar, publisher of Para Todos magazine.

Silvia exemplifies the principles of this month through her magazine, which showcases the women of the arts, business, community service, and politics. As a small business advocate and entrepreneur, she has demonstrated leadership in communicating the importance of women-owned and minority-owned businesses, in particular in the growing Hispanic business sector.

She has received numerous business awards, including the Small Business Administration's award of 2009 for Small Business Journalist of the Year. She has also served as a board member for various Hispanic business organizations, including the California and the Orange County Hispanic Chambers of Commerce, the Latin Business Association, and the National Latina Business Women Association. I am very proud of Silvia's achievement and her small business advocacy.

LET'S PASS HEALTH CARE

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

Mr. COHEN. Mr. Speaker, yesterday, President Obama spoke about health care. He said, If not now, when? And if not us, who? President Obama was correct. He knew that the duty and the obligations of this House are to pass momentous legislation to help the American people. It's engraved above the Speaker's rostrum in words from Daniel Webster, Let us gather all resources and do something worthwhile and momentous and great while we are here with the resources of this country, something to be remembered.

Health care has been on the American agenda for 100 years, starting with Teddy Roosevelt in 1912. It went through Harry Truman, through Richard Nixon, Bill Clinton, and today Barack Obama. We are here to fulfill Ted Kennedy's dream and the work of many Congresses and the American people.

I have had several constituents come to me and tell me of serious, serious illnesses they've had, that they would have gone broke if they didn't have insurance. And if they didn't have insurance and their cancer surgeries weren't covered, we would pay for it in the tax we pay that we don't know about of $1,000 per person for uncompensated care.

Let's do something worthwhile. Let's pass health care.

WOMEN AIR FORCE SERVICE PILOTS (WASPs)

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

Mr. MAFFEI. Mr. Speaker, I rise today to commend the forerunner of today's women military pilots, the Women Airforce Service Pilots, or WASPs, who served during World War II.

More than 1,100 women flew more than 60 million miles and provided crucial aid to our Nation in a time of war. From 1943 to 1944, they delivered aircraft from manufacturers in the United States to air bases throughout the country.

Three women from my district—Virginia Meloney, Ann Elizabeth O'Connor, and Aleta Johnson—are being awarded the Congressional Gold Medal today in recognition of their service to our country as WASPs. Their fearlessness led the way for future women military pilots. It is long overdue that we recognize these incredible women. Our country thrives because of the bravery and dedication of our citizens like the WASPs.

Ann O'Connor, a Syracuse resident since 1980, learned last year that this medal ceremony was going to happen. Her family told me it meant the world to her. Her daughter told me she would have loved to be here today, but Ann passed away in September of 2009. Her son and daughter and grandchildren are here and will attend the ceremony, and I know she is here today in spirit and through the eyes of her two lovely granddaughters.

I congratulate all of the extraordinary WASPs who served our country. Thank you for your dedication and service.

WAR POWERS RESOLUTION

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

Mr. QUIGLEY. Mr. Speaker, the Constitution makes clear: Only Congress can declare war. While no one can dispute that we are at war, Congress has never been asked to make this declaration.

I disagree with the Congressman from Ohio's policy position; to leave Afghanistan at this moment would undermine our national security and imperil our troops. However, the War Powers Resolution is an important check on unfettered executive authority.

It is worth remembering the period in our Nation's history during which this act of Congress was passed. In 1973, during the height of the Vietnam War and following the Gulf of Tonkin, Congress overrode a Presidential veto to pass this measure into law. It did so because it was concerned with the erosion of congressional authority to decide when the United States should become involved in a war. While Vietnam was a very different war, the frustration felt by the American public and Members of Congress at that point in time is similar to that of today.

In overriding a presidential veto and passing the War Powers Resolution, Congress was reclaiming a critical responsibility the Founding Fathers had granted to it: that such a declaration would be a product of robust discourse, one in which our leaders would identify the nature of the threat posed by our enemy, define the objective of the mission before us, and fully weigh the prudence of sending our troops into harm's way.

RECOVERING FROM THE GREAT RECESSION

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

Mrs. MALONEY. Mr. Speaker, this chart is a quick way to assess the direction things have been going in our efforts to recover from the Great Recession. While it is not success, it is definitely progress. It shows the monthly change in nonfarm payrolls over the past 2 years.

Point A on this chart is when the Great Recession and the job losses began in December of 2007. Back then, we were assured the fundamentals of the economy were sound. For over a year, the economy went straight downhill and shed jobs at an increasing rate, with no change in direction.

The last month that the former President was in office, President Bush, we lost over 700,000 jobs. Point C represents the jobs report from the last 2 months, clearly a dramatic improvement from 1 year ago—in fact, a 96 percent improvement, from over 750,000 jobs lost to 35,000 jobs; again, progress in the right direction.

In addition to this general trend, I would like to point out that the temporary help sector continues to improve. More than 40,000 workers have been added to the temporary help sector, a clear indication of improvement in the job market.

We still have a distance to go before we get every American back to work, but as this chart clearly shows, we are slowly and steadily moving in the right direction. Again, this is progress.

RECOGNIZING THE 60TH AIR MOBILITY WING AT TRAVIS AIR FORCE BASE

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

Mr. GARAMENDI. Mr. Speaker and Members, I want to bring to your attention an extraordinary unit in our military in the Air Force located at Travis Air Force base in Fairfield, California. The 60th Air Mobility Wing does an extraordinary job providing services to the military as well as humanitarian efforts.

When the earthquake in Haiti occurred, it was that Wing that brought immediate assistance, using rapid deployment. They also have hospital services available that are immediately deployed. And when it comes time to open a new military base or a new field anywhere in the world, it's the 60th Air Mobility Wing located at Travis Air Force Base, Fairfield that provides those immediate services.

So I ask all the Members to recognize the good service, the good work this unit does, the extraordinary service provided by the men and women of the 60th Air Mobility Wing located at Travis Air Force Base, Fairfield, California.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

AUTHORIZING COMPENSATION FOR FURLOUGHED TRANSPORTATION DEPARTMENT EMPLOYEES

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4786) to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4786

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

SECTION 1. COMPENSATION AND RATIFICATION OF AUTHORITY.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the

Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111–117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111–68), as in effect on the date of the enactment of the last amendment to such Resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 4786, and to include extraneous material.

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

There was no objection.

□ 1030

Mr. OBERSTAR. Mr. Speaker, we are here on both sides of the aisle this morning on a mission of equity, fairness, even mercy, on behalf of 1,922 career Federal employees of the U.S. Department of Transportation. They were unintended victims of a standoff in the other body, which resulted in a 2-day lapse in the authorization of funding for Federal highway, highway and motor carrier safety, and public transit programs.

On February 25, the House passed by voice vote H.R. 4691, the Temporary Extension Act of 2010. The bill extended the authorization for Federal surface transportation programs which otherwise were scheduled to expire on February 28.

The Senate's efforts to pass the bill and to clear it for signature by the President were stalled by the actions of one Senator from the other party. His repeated objections held up consideration past the February 28 deadline.

As a result of those objections, the authority to reimburse States, metropolitan regions, and public transit agencies for federally approved Highway Trust Fund expenditures lapsed. Several States, like Missouri, immediately cancelled bid openings. DOT's authority to pay administrative expenses for Federal employees from the Highway Trust Fund also lapsed.

These authorities were restored only when the Senator relented on the evening of March 2, allowing the Senate to consider the bill. The Senate passed it, and the President signed it that evening, but these 1,922 employees were collateral damage. They were doing their jobs, career professionals, and they just happened to be hit by this roadside bomb. It affected them in a very specific way. Let me toll the numbers:

1,307 employees of the Federal Highway Administration, 434 employees of the Federal Motor Carrier Safety Administration, 143 employees of the National Highway Traffic Safety Administration, and 38 employees of the Research and Innovative Technology Administration.

Well, in a few days, on March 16 to be exact, the DOT will process its payroll for the current March pay period. If Congress does not act to reinstate those career employees, those 1,922 public servants, through no fault of their own and having simply been doing their jobs as they have done for decades in many cases, will suffer a 20 percent pay cut in their biweekly paychecks. Now, this is not an abstraction. This is not a debating point. This is not something that, oh, we'll put this off, and we'll think about it later.

At the National Highway Traffic Safety Administration, a long-term career secretary of NHTSA in Seattle, Washington normally would net $1,540 per paycheck, but because of the furlough, would be paid $1,150, a $390 cut. A $390 cut could affect your paying your mortgage, buying your weekly groceries, buying fuel for your car. Maybe it could even affect your sending a birthday card to a child or to a grandchild. It has a real effect, and I think the Senator on the other side just had no idea, no interest, and no care about what the effects would be of his actions.

An entry-level program analyst, a GS–7 in Chicago, Illinois at NHTSA, normally would net $1,200 per paycheck in 2 weeks. Because of the furlough, he would be paid only $900. That's a $300 cut. If you're taking $900 home over 2 weeks, $300 out of that paycheck is serious money, a serious effect on your life, and it's a serious devaluation of appreciation for your service to the public.

These are career personnel. At any time, that's painful, but at this time, with this severe meltdown, economic recession, it's devastating. Miss a car payment; miss a tuition payment; miss part of your mortgage payment; miss your fuel bill; miss your electric bill. All of these things are the real-world consequences of one person's peak over some piece of this bill that had nothing to do with these personnel, with these careerists.

To the great credit of Secretary of Transportation Ray LaHood, a former colleague of ours in this body, he called and said, I am really concerned about these career personnel. We have to make them whole. They didn't do anything wrong. The department didn't do anything wrong. They were just standby victims of this action, and we will be able to restore their pay without any increase in budget. We will just shift dollars from one account to another.

The bill that we bring before you today does not require any new Federal funding. The Secretary, as I just described, will draw on administrative funding previously authorized and appropriated to finance the lost compensation for those personnel. It is the right thing to do. We need to do this. We have got to pass it by a unanimous voice vote.

I reserve the balance of my time.

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

Mr. Speaker, I rise today to voice my strong support for H.R. 4786. The distinguished gentleman from Minnesota has pretty well covered this bill in detail. I will speak briefly to it.

Beginning at midnight on February 28 through March 2, all of the programs and the operations of the agencies funded under the Highway Trust Fund came to a halt because the extension of these programs was not passed by Congress, as the chairman has already pointed out. As a result, nearly 2,000 Department of Transportation employees were furloughed. This bill will ensure that those employees furloughed, at no fault of their own, will receive their normal compensation for that period of time.

Between February 28 and March 2, certain surface transportation activities were classified as ''essential,'' such as the Federal safety inspection of trucks and buses. This bill approves these activities as essential actions taken to save lives and to protect property, allowing the DOT employees who worked on those activities during the furlough to be paid.

I urge my colleagues to support the passage of H.R. 4786. I support the bill.

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

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Northern Virginia (Mr. CONNOLLY). I wish to express my great appreciation and admiration of his concern for these Federal employees. Many Federal employees reside in his district. Even some of these 1,900 likely reside in the gentleman's district. I appreciate his coming forward to champion this bill.

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise in strong support of this bipartisan legislation, compensating those Federal transportation employees who were unfairly furloughed on March 1 and 2 because of a lapse in the Highway Trust Fund.

I also want to thank my good friend, the chairman of the Transportation and Infrastructure Committee, Mr. OBERSTAR, and the ranking member, Mr. MICA from Florida, for their great leadership and for their sensitivity. I want to thank Mr. COBLE from North Carolina for his support on this on a bipartisan basis. Their leadership is critical to resolving this problem.

As the chairman has indicated, H.R. 4786 is a simple, commonsense bill. It would compensate the 1,922 Department of Transportation employees who were forced out of their jobs for 2 days because of political gamesmanship on the other side of the Capitol. These employees were spread across four agencies at the DOT: the Federal Highway

Administration, the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration, and the Research and Innovative Technology Administration. These employees were furloughed through no fault of their own. They became unwitting victims of an arcane practice in the upper Chamber that allows one Member's objection, irrespective of merit, to grind to a halt the work of the American people.

As my colleagues will recall, an objection by one Senator from Kentucky led to the lapse of authorization for the Highway Trust Fund despite the objections of 21 of his Republican colleagues, a majority of the Republican caucus, who supported the ultimate extension on a 78–19 vote.

This bill does two simple things: It authorizes those workers who were furloughed to be compensated at their normal rate of pay for the 2 days in which they were laid off, and it ratifies actions taken by DOT during those 2 days to maintain minimum essential services. The Congressional Budget Office says this legislation has no new costs associated with it, as the chairman indicated, as the funding will come from existing expenses. By taking action now, this Congress will prevent a 20 percent cut in the next biweekly paycheck for these dedicated public servants.

There is a clear precedent for this type of restorative action dating back to the much longer government shutdown in the late 1995-early 1996 period during the Clinton administration. During that period, there were two funding gaps totaling 26 days which affected more than 800,000 Federal workers. As part of the final appropriations bill for FY 1996, the Republican-controlled Congress restored compensation for those employees. It was the right thing to do then, and it is the right thing to do now.

I thank Chairman OBERSTAR for his leadership and for his collaboration and generosity on this important legislation. I urge my colleagues to vote ''yes.''

Mr. OBERSTAR. Mr. Speaker, in closing, I wish to express my great appreciation to Mr. MICA, the senior Republican on our committee and my partner and good friend and co-participant, in all of the works of our committee.

I share with him this tragic fact of the loss of pay for these 1,922 employees. He immediately said, We have to fix that. We have got to make it right by them, and he volunteered to cosponsor the legislation, which he has done.

I am delighted he designated the gentleman from North Carolina, Mr. Speaker, who a great advocate for our committee, a great participant in all of our work and who is also a very good, fair and decent-minded Member.

Today, we will do something really good and decent. We can all go home and feel we have accomplished something useful in a very specific and direct fashion for 1,922 career professionals in transportation of the U.S. Department of Transportation.

Again, I express admiration for Secretary LaHood for taking the initiative to bring this issue forward and to find a funding solution for it as well.

We have got to be able to pass this on a voice vote and to do good by these 1,922, and we need to set a good example for the other body as well.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 4786.

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

A motion to reconsider was laid on the table.

□ 1045

COMMEMORATING THE 45TH ANNIVERSARY OF BLOODY SUNDAY

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 249) commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 249

Whereas brave people in the United States, known and unknown, of different races, ethnicities, and religions, risked their lives to stand for political equality and against racial discrimination in a quest culminating in the passage of the Voting Rights Act of 1965;

Whereas numerous people in the United States paid the ultimate price in pursuit of that quest, while demanding that the Nation live up to the guarantees enshrined in the 14th and 15th Amendments to the United States Constitution;

Whereas the historic struggle for equal voting rights led nonviolent civil rights marchers to gather on the Edmund Pettus Bridge in Selma, Alabama, on March 7, 1965, a day that would come to be known as ''Bloody Sunday'', where their bravery was tested by a brutal response, which in turn sent a clarion call to the Nation that the fulfillment of democratic ideals could no longer be denied;

Whereas, March 7, 2010, marks the 45th anniversary of Bloody Sunday, the day on which some 600 civil rights marchers were demonstrating for African-American voting rights;

Whereas Congressman John Lewis and the late Hosea Williams led these marchers across the Edmund Pettus Bridge in Selma, Alabama, where they were attacked with billy clubs and tear gas by State and local lawmen;

Whereas during the march on Bloody Sunday, Congressman Lewis was beaten unconscious, leaving him with a concussion and countless other injuries;

Whereas footage of the events on Bloody Sunday was broadcast on national television that night and burned its way into the Nation's conscience;

Whereas the courage, discipline, and sacrifice of these marchers caused the Nation to respond quickly and positively;

Whereas eight days after Bloody Sunday, President Lyndon B. Johnson called for a comprehensive and effective voting rights bill as a necessary response by Congress and the President to the interference and violence, in violation of the 14th and 15th Amendments, encountered by African-American citizens when attempting to protect and exercise the right to vote;

Whereas a bipartisan Congress approved the Voting Rights Act of 1965 and on August 6, 1965, President Lyndon B. Johnson signed this landmark legislation into law;

Whereas the Voting Rights Act of 1965 stands as a tribute to the heroism of countless people in the United States and serves as one of the Nation's most important civil rights victories, enabling political empowerment and voter enfranchisement for all people in the United States;

Whereas the Voting Rights Act of 1965 effectuates the permanent guarantee of the 15th Amendment that ''the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude'';

Whereas the Voting Rights Act of 1965 has increased voter registration among racial, ethnic, and language minorities, as well as enhanced the ability of those citizens to participate in the political process and elect representatives of their choice to public office; and

Whereas the citizens of the United States must not only remember this historic event, but also commemorate its role in the creation of a more just society and appreciate the ways in which it has inspired other movements around the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) commemorates the 45th anniversary of Bloody Sunday;

(2) observes and celebrates the 45th anniversary of the enactment of the Voting Rights Act of 1965;

(3) pledges to advance the legacy of the Voting Rights Act of 1965 to ensure its continued effectiveness in protecting the voting rights of all people in the United States; and

(4) encourages all people in the United States to reflect upon the sacrifices of the Bloody Sunday marchers and acknowledge that their sacrifice made possible the passage of the Voting Rights Act of 1965.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, just this past Sunday, on March 7, we commemorated the 45th anniversary of Bloody Sunday, one of the most significant moments in the

civil rights movement. It was a day in which I was in Selma, Alabama, with JOHN LEWIS, one of the heroes of this United States of America, one of the great saints and heroes of this United States Congress. Other Congress people were there from both sides of the aisle.

We first went to Brown Chapel in Selma for a prayer service, where Rev. C.T. Vivian led us with a wonderful sermon. It was a civil rights pilgrimage that the Faith and Politics Institute put on.

The culmination of that, after going to Birmingham, where we went to the 16th Street Church and the Civil Rights Institute, and to Montgomery, where we saw the Rosa Parks Museum and went to Rev. Ralph Abernathy's church at the First Baptist Church and the Dexter Avenue Church, the church of Dr. Martin Luther King, as well as the Center for Poverty Law headed up by Morris Dees, culminated in Selma, and it was significant.

JOHN LEWIS marched there 45 years earlier. Alabama State troopers and Alabama police, the government, stopped them with horses and sticks and gas and all other means of oppression to stop people who were marching simply to have the right to vote and participate in this country's great democracy.

Voting is essential, and African Americans were denied voting. After the Civil War, they had the right to vote up until about the turn of century. But then Jim Crow laws came into place, and the effort to protest those, with JOHN LEWIS being a leader, culminated in Selma, where they were beaten.

After that and the retreat to Brown Chapel, the government came to the aid of JOHN LEWIS and others and saw to it they could march, and Dr. King joined that march and Ralph David Abernathy joined that march. They marched down Highway 80 from Selma to Montgomery, culminating just across from the capital, going straight to the capital. Just around the corner is the Dexter Avenue Church of Dr. Martin Luther King.

Eventually, the Voting Rights Act was passed, which Lyndon Johnson, in a speech to this Congress right from that lectern, said was the most important legislation that that Congress had passed and one of the most important pieces of legislation ever passed by this House.

It was fought by a lot of people, fought by a lot of people from the South. But that voting rights act was so important, and it started because a group of people said, We are not going to stand it anymore. We are going to stand up for our freedom. We are going to march and bring attention to this issue and participate in this democracy and start a change that is going to fulfill America's purpose and promise. That started in Selma. It started with JOHN LEWIS, and it culminated with that great march.

So it is important that this Congress take time to recognize the 45th anniversary of Bloody Sunday that forced this Nation to live up to its ideals of justice, freedom, and equality in society, generally, and in the realm of voting rights, specifically.

The pilgrimage was one of the best experiences I have had. I am from Memphis, Tennessee, where Dr. King was slain on April the 3rd. There were times when Mr. LEWIS and other Members came up to me and asked me to go on the pilgrimage. I thought, I was from Memphis. I had spoken at Mason Temple. I had been to Mason Temple. I had been to the Civil Rights Museum. I had been to the Lorraine Hotel so many times, and I knew about civil rights history.

But nobody really knows it until they go to the battleground, where this country's future and its promise was turned around and brought to bear because of a group of students and ministers, both black and white, who came together to march for civil rights and to make this country fulfill its destiny and its promise.

Mr. LEWIS is a man we are lucky to serve with, and I am lucky to serve with, and I appreciate him getting me to go, and for what I learned this weekend from being with him on the Edmund Pettus Bridge where the first march ended in violence, and later started on the long struggle to Montgomery and to freedom and to voting rights. Six hundred civil rights marchers stood strong in solidarity in the march to Montgomery 45 years ago.

Our democracy reflects a government of the people and by the people, a principle that had been articulated by President Abraham Lincoln in 1863. But until Bloody Sunday and Dr. King's participation and the successful march and the passage of the Voting Rights Act by Congress, it wouldn't have happened.

It had not been a government of the people and by the people. It was a government of the white people. It was a government of the wealthy people, the propertied people. In Alabama, there were literacy tests and there were taxes, and these stopped people from having the right to vote. There were intentional impediments to letting people participate in a democracy that you wouldn't have thought would happen in a country with our great Constitution. But the words in our Constitution were simply words. They needed to have purpose and a spirit put behind them and a fulfillment, and that didn't happen until Montgomery and Alabama.

Besides voting rights, that march led to other issues. There is economic justice as well as social justice, and we are working in those areas. Access to education, housing, health care, and more have not been available to all. Dr. King, in his famous speech in New York at the Riverside Church, talked about not only racism, but militarism and materialism.

There are still problems in this world today and problems that affect this Congress, when too many times we do work on military solutions rather than peaceful solutions, and we worry about materialism rather than spiritual goods. We worry too much about people who have and not people who don't have enough. That is part of Dr. King's dream and part of the legacy that has not been fulfilled in this country, and this Congress needs to do more. That is why jobs bills are so important, to give people opportunities, and job training bills that we are working on.

So it was fortunate that we had this opportunity to participate in the pilgrimage. This country needs to reflect back on what happened 45 years ago, understand that the promise is not fulfilled, pay homage to those individuals that participated and made this country a better country, but know that the dream is not finished, the dream endures. We need to fulfill that destiny, and there are opportunities to do it here on this floor with jobs, with tax policy, and with other issues.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support House Concurrent Resolution 249. This resolution commemorates the 45th anniversary of Bloody Sunday and the role it played in ensuring the passage of the Voting Rights Act of 1965.

On Bloody Sunday, March 7, 1965, JOHN LEWIS, now Congressman JOHN LEWIS and Chairman JOHN LEWIS, and the late Hosea Williams, led a march in Selma, Alabama, to demand racial and political equality in the United States.

They led 600 civil rights marchers east out of Selma, Alabama, toward the State's capital in Montgomery. They got as far as the Edmund Pettus Bridge six blocks away, where State and local lawmen attacked them with clubs and tear gas and forced them back into Selma. Congressman LEWIS was beaten unconscious, leaving him with a concussion and many other injuries.

The events on Bloody Sunday were televised nationally, and the Nation responded to these actions. As a result, within eight days, President Lyndon Johnson called for a comprehensive voting rights bill to protect African Americans and other citizens' right to vote, which is already guaranteed in the 15th Amendment.

Bipartisan majorities in both Houses of Congress approved the Voting Rights Act of 1965, and President Johnson signed this historic legislation into law on August 6, 1965, less than 5 months after Bloody Sunday.

I totally support this resolution's observance and celebrate the 45th anniversary of the Bloody Sunday marchers, whose sacrifices made it possible for the Voting Rights Act to come into being. I urge my colleagues to join in supporting this resolution.

I reserve balance of my time.

Mr. COHEN. Mr. Speaker, I yield 1 minute to the majority leader, the gentleman from Maryland (Mr. HOYER), who joined us on this civil rights pilgrimage. I was so proud to be with him. He is one of the most constant attendees, and it reflects on his character that he goes and participates.

Mr. HOYER. I thank my friend for yielding, and I thank the ranking Republican for his comments. I thank Mr. COHEN for his leadership on this issue.

''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.''

So spoke our Founding Fathers. Our Founding Fathers spoke, however, without a clear understanding of the impact of their words. Even as great as our Founding Fathers were, they did not live out the promise of those words in this land. Some were slave owners. Clearly, the contradiction between our words and the actions of our day-to-day lives were a contradiction from our stated values to our practices.

Martin Luther King, Jr., called America's attention to that paradox, to that contradiction, to that schizophrenic life that we had led. Martin Luther King, Jr., had a lieutenant who was a giant of a leader in his own right, and we are honored to serve with him; in my view, the most historic figure that serves among the 535 of us who have been given the privilege to represent our people and defend the Constitution and protect and preserve our democracy. JOHN LEWIS is a giant among us; a quiet, self-effacing, humble giant, but a giant nonetheless.

Forty-five years ago, civil rights activists attempted to march from Selma to Montgomery to demand that their Governor honor their right to vote and their God-given equality. Remember Jefferson's words, that our rights are not given by the majority. They are not given by Congress. They are not even given by the Constitution. They are given to us by a power higher than us. That is the glory of America, that every individual is an important being, endowed by their Creator with certain unalienable rights.

The world knows what happened to those marchers; how they were stopped by State troopers at the Edmund Pettus Bridge in Selma, how they were savagely beaten with nightsticks, and how this 23-year-old giant, whose name was then not known, this young man from Troy, Alabama, JOHN LEWIS, who was helping to lead the march from the front with Hosea Williams, was beaten to the ground and took life-threatening injuries.

Today, as a Member of Congress, JOHN LEWIS still bears those scars, but he does not bear resentment. What a lesson for all of us who suffer the verbal slings and arrows almost daily in this public profession which we pursue.

But JOHN LEWIS took more than rhetorical slings and arrows. He was beaten, subjected to hate, spit upon, subjected to prejudice and division and segregation and rejection. But still, Christ-like, JOHN LEWIS, following Gandhi's example, turned the other cheek and said, I seek justice, and I will continue to seek justice for myself and for others, no matter the opposition.

□ 1100

I will not do so violently. I will not do so by assaulting those who assault me. But I will appeal to the conscience of the Nation. I will appeal to the promise in our declaration, in our Constitution, and in the principles for which this Nation stands. And it was a powerful appeal.

This weekend, I and others—Mr. CAO was with us—were privileged to walk with that giant of a man, JOHN LEWIS, across that bridge. It is a bridge across a river, but it is also a bridge to brotherhood; a bridge to a realization of America's promise; a bridge to a better America; a bridge to a better country; a bridge, as my friend and brother JOHN LEWIS would say, to the beloved community; a bridge, then, over troubled waters, who have to some degree been stilled, but not silenced.

There is still prejudice in this land. There is still division in this land. There is still not the reconciliation that America still strives for. And that is why I return almost every year with my friend JOHN LEWIS to walk over that bridge, to remind myself—and I have taken my granddaughter to remind her as well—that although the mission of Martin Luther King, Jr., was extraordinarily successful, and the mission of JOHN LEWIS, which continues to this day, has been successful, it is not over. The mission and the commitment must continue. That is what we must remember on this anniversary of March 7, 1965, when a group of our fellow citizens peacefully walked to register to vote. Is there any more sacred right in a democracy than that—the ability to express your opinion, unbowed by government or unbowed or dissuaded by threats? That was JOHN LEWIS's mission then. He was so successful. But the mission is not over. And as we vote on this resolution, we ought to all commit ourselves to walking with the wind of justice, of which JOHN LEWIS spoke, of which he has written. But, much more importantly, the life that he has led teaches us the power of conscience, the power of peacefully standing up for the rights of which Jefferson spoke: the unalienable rights of life, liberty, and the pursuit of happiness.

God has blessed America through the life of JOHN LEWIS and so many others whose courage and convictions have made us better. Support this resolution. But, more than that, live out its promise for all of our citizens.

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. CAO).

Mr. CAO. Mr. Speaker, today, I rise in support of House Concurrent Resolution 249 to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

Today, we remember a momentous occasion in our history. On March 7, 1965, 600 marchers, led by my esteemed colleague from Georgia, Congressman JOHN LEWIS, were savagely attacked by State and local police as they attempted to cross the Edmund Pettus Bridge into Selma, Alabama. These brave marchers used the power of nonviolence to demand that most basic of democratic rights of a citizen: the right to vote. In return, the marchers were met with billy clubs and tear gas. But the marchers confronted terror with courage. Their dignity in the face of brutality moved this House to pass the Voting Rights Act, which reaffirmed this Nation's commitment that every citizen has the right to participate fully in the political life of the Nation.

This past weekend, my family and I traveled to Selma to honor the 45th anniversary of Bloody Sunday. Kate, my wife, our two daughters, Betsy and Sophia, and I marched from Brown Chapel to the top of Edmund Pettus Bridge. Along the way, not only did we learn of the significance of the march, but also the love and admiration that the people still have for the historical marchers. Among those was JOHN LEWIS. I commented then and firmly believe today that I owe so much of my personal and political success to the struggles of the African American community. Because of their perseverance and sacrifice, doors have been opened permanently to every minority community in America.

Mr. Speaker, it was an honor to have been a part of this momentous commemoration, to work with dedicated public servants like my good friend from Georgia, and I ask my colleagues to support this important resolution.

Mr. COHEN. Mr. Speaker, I yield such time as he may consume to the gentleman who responded to Martin Luther King when he first met him as a young man in Alabama, the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. I want to thank my friend and colleague, the gentleman from Memphis, Tennessee, Mr. COHEN, for yielding.

Mr. Speaker, 45 years ago, on March 7, 1965, Hosea Williams and I led 600 peaceful, nonviolent protestors attempting to march from Selma, Alabama, to the State capitol in Montgomery to dramatize to the world that people of color wanted to register to vote. We left Brown Chapel AME Church that afternoon on a sacred mission, prepared to defy the dictates of man to demonstrate the truth of a higher law. Ordinary citizens with extraordinary vision walked shoulder-to-shoulder, two-by-two, in a silent, peaceful protest against injustice in the American South.

We were met on the Edmund Pettus Bridge crossing the Alabama River by

a sea of blue—Alabama State troopers. Some were mounted on horseback, but all of them were armed with guns, tear gas, billy clubs, and beyond them were deputized citizens who were waving any weapons they could find on that day. Some even had bullwhips.

Then we heard, ''I am Major John Cloud. This is an unlawful march. You cannot continue. You have 3 minutes to go home or return to your church.'' We were preparing to kneel and pray when the Major said, ''Troopers advance.'' And these troopers came toward us, beating us, spraying tear gas, chasing us. I was hit on the head by a State trooper with a nightstick and I fell unconscious on the bridge. On that day, Mr. Speaker, I thought I was going to die. I thought I saw death. The most brutal confrontation of the modern-day civil rights movement became known as Bloody Sunday. It produced a sense of righteous indignation in this country and around the world that led this Congress to pass the Voting Rights Act of 1965.

Eight days after Bloody Sunday, President Lyndon Johnson addressed a joint session of the Congress and made what I believe is the greatest and most meaningful statement of speech any President has ever made on the importance of voting rights in America. He began by saying, ''I speak tonight for the dignity of man and for the destiny of democracy.'' President Johnson went on to say, ''At times, history and fate meet at a single time, in a single place, to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama.''

In this speech, President Johnson condemned the violence in Selma, and called on the Congress to enact the Voting Rights Act. He closed his speech by echoing the words of the civil rights movement, and he said over and over again, ''And we shall overcome. And we shall overcome.'' I was sitting next to Martin Luther King, Jr., in the home of a local family in Selma, watching President Johnson on television as he said, ''And we shall overcome.'' And tears came down Dr. King's face. He started crying. And we all cried a little to hear the President say, ''And we shall overcome.'' And Dr. King said, John, we will make it from Selma to Montgomery, and the Voting Rights Act will be passed. Congress did pass the Voting Rights Act, and on August 6, 1965, it was signed into law by the President.

Mr. Speaker, this past weekend we have heard from the majority leader and my colleagues, Mr. COHEN and Mr. CAO, that we went back to Selma, along with MIKE PENCE and Senator BROWNBACK and several others with the Faith and Politics Institute on the journey. During this journey, we brought our fellow Members of Congress on this unbelievable trip of the historic Civil Rights Act, not just in Selma, but Montgomery and Birmingham. We ended our time together in Selma by crossing one more time on the Edmund Pettus Bridge, crossing that bridge.

I know at times here in this body we talk, we debate, maybe sometimes in not such a nonviolent way, but on this bridge we didn't see ourselves as Democrats or as Republicans or adversaries. We saw ourselves as Americans on a journey to discover not just our history but to help create a more perfect union to help move us closer to a truly beloved community, truly closer to a multiracial democracy. We all come away from this journey with a deeper appreciation of our democracy and the power of people to make a difference in our society.

Mr. Speaker, with this resolution we honor the sacrifice and courage of those brave and courageous souls who used the power of peace, the power of love, the power of nonviolence to redeem the soul of our democracy; to remind ourselves that freedom is really not free; and that we must continue to struggle every day.

On this 45th anniversary of Bloody Sunday, we must use this occasion to renew our pledge to protect the right to vote for every American citizen. We have come a distance. We've made a lot of progress. But there's still a distance to travel.

□ 1115

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I think it's well said, as our majority leader pointed out, that in the Declaration of Independence, the basis for who we are, states ''that all men are created equal, that they are endowed by their Creator with certain inalienable Rights.'' In other words, we get our rights from the Almighty. We don't get our rights from government or from others or from the king. We get our rights because we get them from the Almighty. And as it states in the Declaration of Independence, that governments are instituted to secure those rights. And first it was the 15th Amendment, and yet there needed to be more legislation. Because of the events that occurred on Bloody Sunday, ironically a President from the South signed the Civil Rights Act of 1965, President Lyndon Baines Johnson from Texas. This was a bipartisan piece of legislation in that in this House of Representatives, the majority of the Democrats, 217, and the majority of the Republicans, 111, voted for this legislation with about 20 percent or less in both parties voting against it. Bipartisan legislation passed with a vast majority of both the Republicans and the Democrats, a sign that bipartisanship on important pieces of legislation is necessary, and it is effective.

So I totally support this resolution. I commend those folks 45 years ago when you and I, Mr. Speaker, were just in—I guess you'd be in elementary school. I was in junior high. And this event occurred, those noble 600 that walked through the streets of Alabama, and thus, the Civil Rights Act, as we have today.

So I yield back the balance of my time, totally supporting this resolution.

Mr. COHEN. Mr. Speaker, in closing, I want to thank each of the speakers, particularly Mr. LEWIS, whom we are privileged to serve with and I was privileged to go to Montgomery with; and Leader HOYER, who made such eloquent remarks; and the other gentlemen and ladies who were on the trip, Mr. BARROW, Dr. MCDERMOTT, Mr. FILNER, Ms. KIRKPATRICK, and others.

I want to remind, Mr. Speaker, this House that this is an important event to remember. And there are people that go to Montgomery and go to Selma and go to Birmingham to reflect on their history. And in Brown's Chapel, there was a full church in Selma on Sunday, including Ms. Ruby Wharton, a distinguished attorney in my city and the mayor's wife of my city, AC Wharton. She goes every year. Also there was John Nixon, district court judge in Middle Tennessee and then a Sixth Circuit Court judge. He goes every year because he was with the Civil Rights Division in 1965 when the march that succeeded with Dr. King took place. There are people that go back every year to renew their thoughts and their experiences because we shall overcome someday, and I submit that day hasn't occurred yet, Mr. Speaker.

The 110th Congress passed a resolution apologizing for slavery and Jim Crow. And in that resolution, passed by voice vote by everybody up here, we said that we're going to rectify the lingering effects of slavery and Jim Crow. And lingering effects include seeing that life, liberty and the pursuit of happiness are truly part of the American Dream. And you can't have life without health care, and many of the people without health care don't have it because they've been denied the opportunities to participate in the economic dream of America, to have jobs that give them insurance and to afford that opportunity. That's part of what Bloody Sunday was about.

To pass this resolution is so important, but to pass it and not to carry out what will happen someday and overcoming the obstacles that have been placed before so many because of the horrific institution of slavery and those laws that were subsequent to it throughout this country of Jim Crow that denied people's rights is wrong. So we must commit ourselves to someday, and that day is now—the fierce urgency of now that Dr. King talked to us about—and fulfill that life, which includes health care, and liberty and the pursuit of happiness, which gives people a job and an opportunity to participate. So I would ask all of the Members to vote ''aye,'' to pass this resolution today and move passage.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of

H. Con. Res. 249 to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

As we commemorate this day, I am reminded of the pain and hardships that the African-American community faced prior to the enactment of the Voting Rights Act. The use of intimidation, literacy tests, and poll taxes throughout the South ensured the disenfranchisement of most blacks, and while we have a difficult time fathoming these realities today, these practices were very common in the period before this historic legislation became law.

It is often regarded that the marches from Selma to Montgomery in 1965 were key in bringing about the Voting Rights Act, and perhaps the first march, which took place on March 7, 1965, or Bloody Sunday, was the most important of these. On that day, roughly 600 people led by Hosea Williams and JOHN LEWIS were beaten and bombarded with tear gas at the Edmund Pettus Bridge on the Alabama River. From this, two subsequent marches took place that culminated with the gathering of roughly 25,000 people on March 25, 1965 on the steps of the Alabama capitol. A few short months later, on August 6, 1965, the Voting Rights Act was signed into law by President Lyndon B. Johnson to outlaw discriminatory voting practices.

Mr. Speaker, I would also like to mention briefly how privileged I am to work with an American Hero and civil rights leader, Congressman JOHN LEWIS. His dedication to civil rights is unfaltering, and I am so fortunate to consider him a dear friend.

Mr. Speaker, Bloody Sunday and the march on Selma will continue to be infamous subjects in American history, and it is important for us to reflect on these events with solemn hearts. However, we have never been a nation to forget the future either, and as we continue to look towards tomorrow, we must not disregard our hope for that which is to come. For this reason, I ask my fellow colleagues to join me in commemorating the 45th anniversary of Bloody Sunday so that we can honor the civil rights leaders of yesterday and encourage the generation of tomorrow to continue to work towards a more democratic America.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to express my strong support for H. Con. Res. 249 which honors the 45th anniversary of Bloody Sunday and acknowledges the role that it played in ensuring the passage of the Voting Rights Act of 1965. I would also like to commend Representative LEWIS, the sponsor of this resolution, for his continued commitment to preserving the importance of Bloody Sunday and to also acknowledge the unwavering courage of Congressman JOHN LEWIS, and all of those men and women who suffered the brutality of Alabama State Police on that Sunday on March 7, 1965. Much blood was shed when all white troopers and sheriff's deputies used tear gas, nightsticks and whips to break up the march. I urge my colleagues to support this resolution.

The Voting Rights Act of 1965 is pertinent today as it continues to provide much needed protection for minorities in my District and Americans across the country. Because of Bloody Sunday and the Voting Rights Act of 1965, all of my constituents in the Fourth District of Georgia have the opportunity to exercise their rights under the Fourteenth and Fifteenth Amendments of the U.S. Constitution. Indeed, it was because of the Voting Rights Act of 1965 that all Americans were extended the right to vote guaranteed under the U.S. Constitution.

Mr. Speaker, in the century following reconstruction, African Americans faced tremendous obstacles to voting. Despite the Fourteenth and Fifteenth Amendments to the U.S. Constitution, which had enfranchised black men and women, southern voter registration boards used poll taxes, literacy tests, and other bureaucratic impediments to deny African Americans their legal rights. Southern blacks also risked harassment, intimidation, and physical violence when they tried to register or vote. As a result, African Americans had little if any political power. Sunday, March 7, 1965 was certainly a milestone for the United States. I am proud to say we have come a long way from that time. It is an honor to be an African American representative from Georgia and to be a legacy of the day on which 600 civil rights marchers were demonstrating for African-American voting rights. It is through the work of leaders like Representative LEWIS and the late Hosea Williams—who was a DeKalb County Commissioner, reverend, political activist, and science teacher from Georgia—that helped to codify civil rights in both the law and the heart of America that I am able to have the privilege of representing the great State of Georgia in the House of Representatives today.

Mr. Speaker, as the 45th anniversary of Bloody Sunday has come to pass, let us not forget the work of the 600 men and woman who marched across the Edmund Pettus Bridge in Selma, Alabama, and what they did for America and the world and let us recognize the importance of this anniversary.

I applaud Congressman LEWIS for his leadership in bringing this important legislation to the floor. Furthermore, I commend him for leading those brave marchers across the Edmund Pettus Bridge in Selma, Alabama to stand up for political equality and fight against racial discrimination. This resolution recognizes the heroism of these freedom fighters with respect to the events that occurred on Bloody Sunday and their commitment to ensuring equal voting rights for all Americans.

I strongly support H. Con. Res. 249.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 249.

The question was taken.

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

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

The yeas and nays were ordered.

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

SUPPORTING NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1081) supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1081

Whereas dating, domestic, and sexual violence affect women regardless of age, and teens and young women are especially vulnerable;

Whereas approximately 1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth;

Whereas nationwide, 1 in 10 high school students (9.9 percent) has been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend;

Whereas more than 1 in 4 teenagers have been in a relationship where a partner is verbally abusive;

Whereas 20 percent of teen girls exposed to physical dating violence did not attend school on 1 or more occasions during a 30-day period because they felt unsafe either at school, or on the way to or from school;

Whereas violent relationships in adolescence can have serious ramifications for victims, including higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult revictimization;

Whereas teen girls who are physically and sexually abused are up to 6 times more likely to become pregnant, and more than 2 times as likely to report a sexually transmitted disease, than teen girls who are not abused;

Whereas nearly 3 in 4 children, ages 11 to 14 (hereinafter referred to as ''tweens''), say that dating relationships usually begin at age 14 or younger, and approximately 72 percent of 8th and 9th grade students report ''dating'';

Whereas 1 in 5 tweens say their friends are victims of dating violence and nearly ½ of tweens who are in relationships know friends who are verbally abused;

Whereas more than 3 times as many tweens (20 percent) as parents of tweens (6 percent) admit that parents know little or nothing about the dating relationships of tweens;

Whereas teen dating abuse most often takes place in the home of one of the teens in the dating relationship;

Whereas a majority of parents surveyed believe they have had a conversation with their teen about what it means to be in a healthy relationship, but the majority of teens surveyed said that they have not had a conversation about dating abuse with a parent in the past year;

Whereas digital abuse and ''sexting'' are becoming new frontiers for teen dating abuse;

Whereas 1 in 4 teens in a relationship say they have been called names, harassed, or put down by their dating partner through cellular phones and texting;

Whereas 3 in 10 young people have sent or received nude pictures of other young people on their cellular phones or online, and 61 percent who have ''sexted'' report being pressured to do so at least once;

Whereas targets of digital abuse are almost 3 times as likely to contemplate suicide as those who have not encountered such abuse (8 percent versus 3 percent), and targets of digital abuse are nearly 3 times more likely to have considered dropping out of school;

Whereas the severity of violence among intimate partners has been shown to be greater

in cases where the pattern of violence has been established in adolescence;

Whereas primary prevention programs are a key part of addressing teen dating violence, and many successful community examples include education, community outreach, and social marketing campaigns that account for the cultural appropriateness of programs;

Whereas in addition to prevention programs, skilled assessment and intervention programs are necessary for youth victims and abusers;

Whereas the alarming trend of unhealthy and abusive youth relationships exists in communities across the country, and affects youth of every race, culture, sex, and socioeconomic status; and

Whereas the establishment of National Teen Dating Violence Awareness and Prevention Month in February will benefit schools, communities, families, and youth throughout the Nation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Teen Dating Violence Awareness and Prevention Week to raise awareness of teen dating violence in the United States;

(2) supports and encourages communities to empower teens to develop healthy relationships; and

(3) encourages the people of the United States, State and local officials, middle schools and high schools, law enforcement agencies, and other interested groups to observe National Teen Dating Violence Awareness and Prevention Week with appropriate programs and activities that promote awareness and prevention of the crime of teen dating violence.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, House Resolution 1081 designates the month of February 2010 as National Teen Dating Violence Awareness and Prevention Month. By designating a month to teen dating violence awareness, Congress hopes to bring more attention to the problem. We also hope to underscore the need for more effective prevention and deterrence efforts to help young people break the cycle of violence.

Dating violence is a serious problem in this country, and many teens do not report it because they're afraid to tell family and friends. It often starts with teasing and name calling but escalates to more serious violence like physical and sexual assaults. Teen victims of dating violence are at greater risk of doing poorly in school and abusing drugs and alcohol. Fifty percent of young people reporting both dating violence and rape also reported increased rates of attempted suicide, compared to youth who had not been abused.

Physically abused teens are three times more likely than teens who have not been abused to experience violence during college. Teen victims also carry the patterns of violence into future relationships. According to a recent report by the American Bar Association, dating violence is occurring with people as young as 12 years of age. A Department of Justice study found that girls and young women between the ages of 16 and 24 experienced the highest rate of intimate partner violence at a rate almost triple the national average. As a result of the growing number of deaths and injuries resulting from teen dating violence, we must recognize this type of behavior is not only a crime but also is a serious public health concern.

Today's resolution should occur in families and communities around the country to educate their teenagers about this problem and help in preventing it. I would like to thank the gentleman from Georgia (Mr. LEWIS) for his leadership on this issue and this important resolution. I urge my colleagues to join me in supporting House Resolution 1081.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H. Res. 1081 which supports the goals and ideals of National Teen Dating Violence Awareness and Prevention Month. This nationwide effort seeks to increase public awareness and to educate citizens about the prevalence of dating violence among American teenagers. The Teen Dating Violence Awareness and Prevention Initiative was spearheaded by teenagers across our Nation who chose to take a stand and put a stop to teen dating violence. The initiative began in 2004 and is now supported by numerous national, State and local organizations, and in 2005, this Congress noted the importance of addressing teen dating violence and highlighted the initiative in the reauthorization of the Violence Against Women Act.

The call to end dating violence was formally recognized by the House in 2006, and to bring more public awareness about teen dating violence, the House designated the first full week in February to be National Teen Dating Violence Awareness and Prevention Week over the last 3 years. However, the Justice Department worked with Congress to designate the entire month of February as National Teen Dating Violence Awareness and Prevention Month. This designation provides parity to the three other crimes—sexual assault, domestic violence and stalking—each of which has a designated month for public education and awareness activities. Across the country, dozens of States, cities and towns join Congress to designate February as National Teen Dating Violence Awareness and Prevention Month. And in doing so, these jurisdictions demonstrated their collective commitment to ending teen dating violence and to support the numerous victims and survivors who live among us.

Research tells us that one in three adolescent girls in the United States is a victim of physical, emotional or verbal abuse from a dating partner. These violent relationships can have serious consequences for victims, putting them at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide and adult revictimization. In fact, teen girls who are physically and sexually abused are six times more likely to become pregnant and more than two times as likely to report a sexually transmitted disease as teen girls who are not abused. Perhaps the most alarming statistic is how prevalent this violence is in our country. Studies show that one in three teens has suffered from some sort of violence in a dating relationship. We also know that dating violence among children is not limited to physical, emotional or sexual assault. It also can take the form of harassment via computer or cell phone text messaging or by e-mail.

National Teen Dating Violence Awareness and Prevention Month provides an opportunity for parents to engage their children about dating violence and abusive relationships. Surveys of teens indicate that parents often do not know their children are in a relationship that is abusive. To start the dialogue, parents or teens can call the National Teen Dating Abuse Helpline at 1–866–331–9474. The helpline promotes awareness of healthy dating relationships and offers tips on preventing abusive relationships. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS), the sponsor of this resolution.

Mr. LEWIS of Georgia. Mr. Speaker, let me begin by thanking Chairman COHEN, Chairman CONYERS, Chairman SCOTT, Ranking Member POE and all of their staff for their support and work on this issue. I am proud to sponsor this resolution and hope that all of my colleagues will support this simple but important effort.

This is an important effort. It's an important step. Youth dating violence is spreading all across our country. In my congressional district, the Center for Disease Control, the Fulton County district attorney, the Partnership Against Domestic Violence, colleges, high schools, and yes, even middle schools have been seeing an increase in abusive teen relationships. Fear, stalking, bullying, violence and abuse are unacceptable and always shocking. But it is tragic that domestic abuse is a very real part of our children's relationships. We see it in the headlines. We see it on the streets. We see it with

our own children. Mr. Speaker, we must break this chain. We must stop the cycle from being repeated over and over again.

The CDC worked with Liz Claiborne, Inc. to develop Dating Matters: Understanding Teen Dating Violence Prevention. This is a free online training course for teachers, youth leaders and family members. I encourage all those watching this discussion and debate to research this issue, take the course and watch for the signs. I think the time has come, Mr. Speaker, for us to teach our young people the way of nonviolence, our children, our teenagers, our college-aged students.

Last month, I know that many across the country recognized Teen Dating Violence Prevention Month. I hope they continue through Women's History Month and really the entire year. We used to think a week was enough time, but it is just not enough. Mr. Speaker, our communities must have the information and the training to stop teen dating violence. I urge all of my colleagues to support this commonsense resolution.

Mr. POE of Texas. I have no further requests for time, Mr. Speaker, and I am prepared to close. I yield myself such time as I may consume.

This is an important piece of legislation to bring national awareness to this problem. Some of the violence that occurs among our teenagers is horrible, the things they are doing to each other and those especially in a relationship and dating. I think it's important that the country understand that teen violence among those who are dating is a tremendous problem. I have four kids, three of them are girls, and their safety has always been a concern as they were growing up. As all parents have that concern. So I totally support this resolution and urge its adoption.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1081, which supports the goals and ideals of "National Teen Dating Violence Awareness and Prevention Month".

Mr. Speaker, allow these alarming statistics to speak on behalf of the importance of this resolution:

1 in 3 adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth.

1 in 10 high school students, nationwide, (9.9 percent) has been hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend.

1 in 4 teenagers have been in a relationship where a partner is verbally abusive.

20 percent of teen girls exposed to physical dating violence did not attend school on 1 or more occasions during a 30-day period because they felt unsafe either at school, or on the way to or from school.

Since 2006, the United States has recognized "National Teen Dating Violence Awareness and Prevention Week" during the first week of February. Because of the severity of the issue, the awareness campaign was extended to include the entire month of February in 2010. This initiative increases awareness and educates others about the very real dangers of teen dating violence. This epidemic of teen dating violence is perhaps one of the most complex and invasive problems facing teenagers today.

Technology has added an additional ubiquitous and hidden feature of teen dating violence, with the use and the availability of cell phones, text and instant messaging, e-mail, and community networks. About 30 percent of teenagers who have been in a dating relationship have been text-messaged between 10 and 30 times per hour by a partner seeking to find out where they are, what they are doing, and with whom they are with. Yet 67 percent of parents are unaware that their teen is being checked up on some 30 times per day on their teen's cell phone. The warning signs of teen dating violence for young females are:

Apologizes for his behavior and makes excuses for him; loses interest in activities that she used to enjoy; and stops seeing her friends and family members and becomes increasingly isolated.

Mr. Speaker, I stand before you today with a zeal and vigor about the goals and ideals that the "National Teen Dating Violence Awareness and Prevention Month"; because this issue, if not handled with properly, grows into domestic violence, the ugly older sister of teen dating violence. In Houston, 9 percent of Houston students surveyed in grades 9 to 12 reported being hit, slapped or physically hurt by their boyfriend or girlfriend in the past year. This is unacceptable! Teenagers' foremost concern should be achieving academic excellence, not dealing with physical and mental abuse, from anyone!

This Congress should be committed to tackling the roots of issues, such as teen violence and supporting this resolution will not only address with the root cause of domestic violence, but also; (1) support teen victims of abuse; (2) educate pre-teens and teenagers, both male and female, about the issue; and (3) give the support needed by organizations and groups to effectively distribute life saving information and awareness to those in need.

So in conclusion, I support H. Res. 1081 and I encourage my colleagues to join me.

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Mr. POE of Texas. I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I urge my colleagues to support this important resolution, H. Res. 1081.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1081.

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.

HONORING JOHN H. "JACK" RUFFIN, JR.

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1087) honoring the life of John H. "Jack" Ruffin, Jr.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1087

Whereas Jack Ruffin left a lasting impact on his State and the United States during his distinguished legal career as a civil rights attorney and as the first African-American chief judge of the Georgia Court of Appeals;

Whereas Jack Ruffin was born in the rural town of Waynesboro, Georgia, in 1934, where he spent his formative years and where today his portrait hangs in the Burke County Courthouse;

Whereas Jack Ruffin graduated from Morehouse College in 1957 and from Howard University School of Law in 1960;

Whereas Jack Ruffin became, in 1961, the first African-American admitted to the Augusta Bar Association, against the wishes of his mother who feared for his safety;

Whereas Jack Ruffin fought with great courage against injustices in his community throughout his life, most notably when he filed the lawsuits that desegregated the public school systems of Richmond County and of Burke County;

Whereas Jack Ruffin honorably served, from 1986 to 1994, as the first African-American Superior Court judge in the Augusta Judicial Circuit;

Whereas Jack Ruffin, having been appointed by Governor Zell Miller to the Georgia Court of Appeals in 1994, honorably served as a member of that Court until 2008;

Whereas Jack Ruffin became the first African-American Chief Judge of the Georgia Court of Appeals in 2005 and served honorably in that position until 2006;

Whereas the new Richmond County judicial center in Augusta, Georgia, will be named in Jack Ruffin's honor, a decision made by the Augusta-Richmond County Commission in 2009;

Whereas Jack Ruffin retired from the Georgia Court of Appeals in 2008 and spent the rest of his life giving back to his community by teaching students at his alma mater, Morehouse College;

Whereas Jack Ruffin died the night of January 29, 2010, at the age of 75, in Atlanta, Georgia, and is survived by his wife, Judith Ruffin, his father, John Ruffin, Sr., his son, Brinkley Ruffin, and two grandsons;

Whereas the passing of Jack Ruffin is a great loss to the legal community and to the State of Georgia, and his life should be honored with great praise and appreciation for the many contributions he made to the legal system in the United States and to the civil rights movement; and

Whereas it is the intent of the House of Representatives to recognize and pay tribute to the life of Jack Ruffin, his achievements for civil rights, his zeal for justice, and his passion for the law: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Jack Ruffin as a great jurist in the State of Georgia and as an important figure in the civil rights movement; and

(2) recognizes the selfless and brave contributions that Jack Ruffin made to his community and to the law.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days to extend and revise their remarks and include extraneous material on the resolution as they see fit.

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

There was no objection.

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

Mr. Speaker, House Resolution 1087 honors the life of John H. ''Jack'' Ruffin, Jr. Judge Ruffin began his distinguished legal career as a civil rights attorney, and throughout his career blazed a trail to advance civil rights for all. Judge Ruffin spent most of his life in the great State of Georgia. He was born in Burke County, Georgia, and graduated from Waynesboro High and Industrial School. He attended Morehouse College, and then moved to Washington, D.C. to attend law school at Howard University School of Law. After graduating from law school, Judge Ruffin returned to Georgia to practice law.

Only 3 years into his legal career, he filed lawsuits to desegregate the public school systems of Richmond County and Burke County in Georgia. After several additional years of fighting for civil rights, Judge Ruffin became the first African American member of the Augusta Bar Association. After 33 years of practicing law, Judge Ruffin was administered the oath of office and took the bench as the 62nd judge of the Court of Appeals of the State of Georgia.

He made history as the first African American Superior Court Judge in the Augusta Judicial Circuit, and later made history again when he served as the first African American Chief Judge of the Georgia Court of Appeals. At the time of his death, Judge Ruffin held a teaching position at Morehouse College, still actively engaged in inspiring those to follow.

To honor all of Judge Ruffin's accomplishments, the new Richmond County judicial center will be named in his honor. We mourn his passing, but are pleased to honor his many civil rights and legal accomplishments today. He stands, as did Thurgood Marshall and others, as great individuals who used the courts to advance civil rights.

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

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of House Resolution 1087, which honors the life of Judge Jack Ruffin. Judge Ruffin was a pioneering civil rights lawyer in his community, and his impact on the civil rights movement affects many today.

He was born in Waynesboro, Georgia, where his portrait today hangs in the Burke County Courthouse. Growing up in the Deep South, his mother wanted him to be a school teacher and not a lawyer because she feared for his safety. But not to be intimidated, Judge Ruffin went to law school anyway. And despite his mother's concerns about his safety, he became a lawyer.

After law school he moved to Augusta, Georgia, where he became the first African American member of the Augusta Bar Association. He argued countless cases for civil rights. In perhaps the most notable case, Acree v. Board of Education, he filed suit to desegregate the Richmond County school system, which included the City of Augusta. Litigation continued for decades before he finally obtained a Federal court order to integrate the system.

From 1986 to 1994 he served as the first African American Superior Court Judge in the Augusta Judicial Circuit. In 1994, he was appointed to the Georgia Court of Appeals. And in 2005, he became the first African American Chief Judge of the Georgia Court of Appeals. In 2009, the Augusta-Richmond County Commission decided to name the new Richmond County judicial center in Augusta in Jack Ruffin's honor.

Judge Ruffin's selfless and brave pursuit of equal justice for everyone earned him the respect and admiration of generations to come. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. BARROW).

Mr. BARROW. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H. Res. 1087, a resolution honoring the life of my good friend, Judge Jack Ruffin of Augusta, Georgia. Judge Ruffin passed away on January 29 at the age of 75. He had a long and distinguished career of service in Georgia, and he will truly be missed.

Jack Ruffin was born in the middle of the Great Depression, and spent his formative years in the town of Waynesboro, Georgia. He left home to attend Morehouse College, and graduated in 1957. At the time his mother wanted him to be a teacher, but Jack Ruffin had other plans. He moved to Washington, D.C., attended Howard University School of Law, and got his J.D. degree in 1960.

Jack Ruffin could have built a successful law practice anywhere in the country, but he decided to return home to the deeply segregated City of Augusta to practice law. Throughout the course of his career, Jack Ruffin focused on rooting out the racial prejudice and discrimination which still held a firm grip on the political and economic livelihood of our State. Jack Ruffin fought for his own right to practice his profession, and became the first black lawyer admitted to the Augusta Bar Association and the first black Superior Court Judge in the Augusta Judicial Circuit. But more importantly, he fought for the rights of everyone in the community. Among other causes he took on, he was the lawyer who desegregated the Richmond and Burke County public school systems.

Judge Ruffin was appointed to the Georgia Court of Appeals in 1994. He became the first black Chief Judge of that court in 1996. After his retirement in 2008, Judge Ruffin spent the remainder of his life teaching students at Morehouse College, giving back to the college that gave so much to him.

The resolution before us today honoring Jack Ruffin's life is sponsored by every single member of the Georgia congressional delegation. That speaks not only to Jack Ruffin's character, but also to how far we have come as a State and as a Nation. Jack Ruffin did as much to change the laws and attitudes in Georgia as anyone else of his generation, and as a result we are a better and a freer people.

So today I urge my colleagues to adopt this legislation to express our lasting gratitude for Jack Ruffin's unyielding commitment to justice and equality for all.

Mr. POE of Texas. I urge the adoption of this resolution and commend the Georgia delegation for bringing it forward, Mr. BARROW especially.

I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I join with the gentleman from Texas and thank Mr. BARROW for bringing the resolution. Gentlemen such as Judge Ruffin need to be remembered and others encouraged to follow in their footsteps. And that is important.

So I yield back the balance of my time and ask all of my colleagues to join me in voting ''aye'' on House Resolution 1087.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1087.

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.

BANKRUPTCY JUDGESHIP ACT OF 2010

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4506) to authorize the appointment of additional bankruptcy judges, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4506

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 ''Bankruptcy Judgeship Act of 2010''.

SEC. 2. ADDITIONAL PERMANENT OFFICES OF BANKRUPTCY JUDGES.

Section 152(a)(2) of title 28, United States Code, is amended—

(1) in the item relating to the eastern and western districts of Arkansas by striking ''3'' and inserting ''4'',

(2) in the item relating to the eastern district of California by striking ''6'' and inserting ''8'',

(3) in the item relating to the district of Delaware by striking ''1'' and inserting ''6'',

(4) in the item relating to the middle district of Florida by striking ''8'' and inserting ''9'',

(5) in the item relating to the northern district of Florida by striking ''1'' and inserting ''2'',

(6) in the item relating to the southern district of Florida by striking ''5'' and inserting ''7'',

(7) in the item relating to the northern district of Georgia by striking ''8'' and inserting ''10'',

(8) in the item relating to the southern district of Georgia by striking ''2'' and inserting ''3'',

(9) in the item relating to the district of Maryland by striking ''4'' and inserting ''7'',

(10) in the item relating to the eastern district of Michigan by striking ''4'' and inserting ''7'',

(11) in the item relating to the northern district of Mississippi by striking ''1'' and inserting ''2'',

(12) in the item relating to the district of Nevada by striking ''3'' and inserting ''5'',

(13) in the item relating to the district of New Hampshire by striking ''1'' and inserting ''2'',

(14) in the item relating to the district of New Jersey by striking ''8'' and inserting ''9'',

(15) in the item relating to the northern district of New York by striking ''2'' and inserting ''3'',

(16) in the item relating to the southern district of New York by striking ''9'' and inserting ''10'',

(17) in the item relating to the eastern district of North Carolina by striking ''2'' and inserting ''3'',

(18) in the item relating to the western district of North Carolina by striking ''2'' and inserting ''3'',

(19) in the item relating to the middle district of Pennsylvania by striking ''2'' and inserting ''3'',

(20) in the item relating to the eastern district of Tennessee by striking ''3'' and inserting ''4'',

(21) in the item relating to the western district of Tennessee by striking ''4'' and inserting ''5'',

(22) in the item relating to the eastern district of Virginia by striking ''5'' and inserting ''6'', and

(23) in the item relating to the southern district of West Virginia by striking ''1'' and inserting ''2''.

SEC. 3. CONVERSION OF CERTAIN TEMPORARY OFFICES OF BANKRUPTCY JUDGES TO PERMANENT OFFICES.

(a) CONVERSION OF CERTAIN TEMPORARY OFFICES ESTABLISHED BY PUBLIC LAW 109–8.—The temporary offices of bankruptcy judges established by section 1223(b)(1) of Public Law 109–8 (28 U.S.C. 152 note) for the following districts are hereby converted so as to be included in the permanent offices of bankruptcy judges that are added by the amendments made by section 2 with respect to the corresponding districts:

(1) The eastern district of California.

(2) The district of Delaware.

(3) The southern district of Florida.

(4) The southern district of Georgia.

(5) The district of Maryland.

(6) The district of New Jersey.

(7) The northern district of New York.

(8) The southern district of New York.

(9) The eastern district of North Carolina.

(10) The middle district of Pennsylvania.

(11) The western district of Tennessee.

(12) The eastern district of Virginia.

(13) The district of Nevada.

(b) CONVERSION OF CERTAIN TEMPORARY OFFICES ESTABLISHED BY PUBLIC LAW 102–361.—The temporary offices of bankruptcy judges established by section 3(a) of Public Law 102–361 (28 U.S.C. 152 note) for the following districts are hereby converted so as to be included in the permanent offices of bankruptcy judges that are added by the amendments made by section 2 with respect to the corresponding districts:

(1) The district of Delaware.

(2) The district of New Hampshire.

(3) The eastern district of Tennessee.

SEC. 4. EXTENSION OF CERTAIN TEMPORARY OFFICES OF BANKRUPTCY JUDGES ESTABLISHED BY PUBLIC LAW 109–8.

(a) EXTENSIONS.—The temporary offices of bankruptcy judges established for the eastern district of Pennsylvania and the middle district of North Carolina by section 1223(b)(1) of Public Law 109–8 (28 U.S.C. 152 note) are extended until the 1st vacancy occurring in the office of a bankruptcy judge in the respective district resulting from the death, retirement, resignation, or removal of a bankruptcy judge and occurring 5 years or more after the date of the enactment of this Act.

(b) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in subsection (a), all other provisions of section 1223(b) of Public Law 109–8 (28 U.S.C. 152 note) remain applicable to the temporary offices of bankruptcy judges referred to in subsection (a).

SEC. 5. PAYGO OFFSET.

(a) BANKRUPTCY FILING FEES.—Section 1930(a) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ''$245'' and inserting ''$246'', and

(B) in subparagraph (B) by striking ''$235'' and inserting ''$236'', and

(2) in paragraph (3) by striking ''$1,000'' and inserting ''$1,042''.

(b) UNITED STATES TRUSTEE FUND.—Section 589a(b) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ''40.46'' and inserting ''40.28'', and

(B) in subparagraph (B) by striking ''28.33'' and inserting ''28.15'', and

(2) in paragraph (2) by striking ''55'' and inserting ''52.78''.

(c) COLLECTION AND DEPOSITION OF MISCELLANEOUS BANKRUPTCY FEES.—Section 406(b) of the Judiciary Appropriations Act, 1990 (Public Law 101–162; 28 U.S.C. 1931 note) is amended—

(1) by striking ''28.87'' and inserting ''28.74'',

(2) by striking ''35.00'' and inserting ''34.77'', and

(3) by striking ''25'' and inserting ''23.99''.

SEC. 6. EFFECTIVE DATES.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) SPECIAL EFFECTIVE DATE.—The amendments made by section 5 shall take effect 180 days after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 4506, the Bankruptcy Judgeship Act of 2010, provides new resources for bankruptcy courts to handle the growing number and complexity of bankruptcy cases. This economy has resulted in many people having to seek bankruptcy who never would have dreamed they would have before. And the complexity of the cases, from our major automobile manufacturers on through other reorganizations, have grown in complexity for the bankruptcy judges to be involved in.

The bill authorizes the creation of 13 new permanent bankruptcy judges, the conversion of 22 temporary judgeships to permanent judgeships, and the extension of two judgeships for another 5 years. The act will help bankruptcy courts in 25 different Federal judicial districts around this country.

Bankruptcies had been steadily on the rise since October 2006. These events, bankruptcies rising and the financial crisis, combined with the continuing mortgage foreclosure crisis, consumer credit problems, and health care crises, have exacerbated this trend significantly and caused the bankruptcy courts much additional work.

According to the Administrative Office of the United States Courts, bankruptcy filings increased by over 300,000 from fiscal year 2008 to fiscal year 2009. That is a 34.5 percent increase in 1 year. The previous year they had increased by 30.2 percent. And the Wall Street Journal recently reported another sharp increase in personal bankruptcy filings in 2009, up 32 percent from 2008. According to the Wall Street Journal, these increases were driven by high unemployment rates and the continuing housing crisis, both of which have affected not only those on the economic margins, but also a growing number of middle class families who desire to work but have had to turn to our Nation's bankruptcy system for help as a last resort.

In addition to the growing numbers of bankruptcy cases, the cases have also grown more complex, particularly in business bankruptcies. As I mentioned earlier, in 2009 two of the big three, General Motors and Chrysler, two companies upon which tens of thousands of workers, thousands of dealers, hundreds of suppliers, and many communities across this Nation depended for their livelihoods, went through quick but nonetheless intense bankruptcy processes. Bankruptcy courts performed admirably but under strain.

Outside the automobile industry, as I mentioned earlier, businesses such as Delta Airlines to Lehman Brothers to Circuit City have all turned to bankruptcy for relief in recent years, with the same kind of extraordinary burden imposed on the bankruptcy courts.

While the workload for bankruptcy courts is increasing, judicial resources are in danger of decreasing. Many current bankruptcy judgeships are authorized on a temporary basis, and some are set to expire soon. A well-functioning bankruptcy system is absolutely essential to helping individuals and businesses weather our Nation's current economic difficulties. Having a sufficient number of bankruptcy judges is a key to making the system work, and has never been more important than today.

H.R. 4506, the Bankruptcy Judgeship Act of 2010, addresses these needs by authorizing the creation of 13 new permanent bankruptcy judgeships and the conversion of 22 temporary judgeships to permanent judgeships. Additionally, it extends the temporary authorization for two judgeships for another 5 years. These new, converted, and extended bankruptcy judgeships reflect the recommendations of the Judicial Conference of the United States. Those recommendations in turn are the culmination of an extensive and careful survey and review process that thoroughly assessed the bankruptcy judgeship needs of every Federal judicial district in the country. In essence transparent, fair, methodical, rational.

I note that a significant part of the conference's assessment of bankruptcy judges' workload depends on the use of case weights that were developed almost two decades ago, prior to the enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, which we still labor under. BAPCPA created numerous new motions that bankruptcy judges are now required to consider.

If anything, the Judicial Conference recommendations may underestimate the need of the workload and the need of new bankruptcy judges. In short, the conference's recommendations, as reflected in the new bankruptcy judgeships authorized by H.R. 4506, may actually be too conservative.

To pay for 13 new judgeships, the bill also raises the filing fees for chapter 7 and 13 cases by $1, and for chapter 11 cases, which are business bankruptcies, by $42. While I understand that filing fees are needed for the successful operation of the bankruptcy system, I believe they are already too high, particularly for consumer debtors seeking bankruptcy relief because they are in dire straits. In this one instance we ultimately determined that a fee increase was the only practical way to get the needed judgeships in a timely manner, which will allow for the efficient functioning of the bankruptcy system to the ultimate benefit of debtors.

So in passing a bankruptcy system, we wanted to have funds to make it self-sufficient. To put the bankruptcy system of our country in bankruptcy while saving the bankruptcy system seemed like an oxymoron.

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But I would urge in the future we rely on something other than bankruptcy filing fee increases to pay for new bankruptcy judgeships. The last time Congress addressed the issue of bankruptcy judgeships was 5 years ago when it authorized 28 temporary judgeships in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. Those temporary judgeships are now about to expire.

Moreover, the last time Congress authorized new permanent bankruptcy judgeships was in 1992. It is well past the time that we address the critical issue of bankruptcy judgeships needs, and I am pleased that we are able to do so today.

I thank the Judiciary Committee chairman, JOHN CONYERS, and Ranking Member LAMAR SMITH for being original cosponsors of this important legislation and our Judiciary Committee working in a bipartisan fashion to pass the bill. I also thank TRENT FRANKS, the ranking member of the Judiciary Subcommittee on Commercial and Administration Law, for his support of this bill. I guess it wasn't an oxymoron but an inconsistency.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I rise in support of this legislation, and I yield myself such time as I may consume.

Mr. Speaker, additional permanent bankruptcy judgeships have not been authorized since 1992. The Judicial Conference has requested more judgeships several times and the House has passed legislation to add them; however, the Senate has not acted on these requests.

Since Congress last authorized additional permanent judgeships, judicial workloads have increased substantially. The important bankruptcy reforms Congress passed in 2005, for example, called on judges to do more to prevent abuse.

Congress compensated for some of the court's increasing burden in recent years by creating temporary bankruptcy judgeships. Many of those judgeships are near their expiration dates.

The time has come for Congress to address bankruptcy judgeships needs on a permanent basis. Bankruptcy judges are essential to the bankruptcy process. They make certain that the process is fair and impartial to those who come before the bankruptcy courts. It is also their job to ensure that the bankruptcy courts effectively adjudicate parties' rights and responsibilities.

This bill is based on a comprehensive study done by the Judicial Conference. The conference has assured us that its request comes only after taking steps to maximize all other alternatives to reduce judicial workloads.

There are currently 352 bankruptcy judges, including 36 temporary judges. This legislation creates 13 new permanent bankruptcy judgeships and converts 22 of the existing temporary judgeships to permanent status. It also provides a 5-year extension for two temporary judgeships.

Finally, this bill will not present any new cost for the taxpayers. The increased cost of these judgeships are paid by an increase in chapter 7, chapter 11, and chapter 13 bankruptcy filing fees. Those who do business in the courts will be paying the extra burdens, not the taxpayers.

We need a bankruptcy system that has a sufficient number of judges to manage the system's caseload in a just, economical, and timely manner. This bill helps ensure that we have such a system. I urge my colleagues to adopt this legislation.

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

Mr. COHEN. Mr. Speaker, I appreciate the bipartisanship under which we have worked on this bill. I thank Mr. POE and the minority ranking member, Mr. SMITH, and Chairman CONYERS and the staff who worked on this bill, and the Judicial Conference. I hope that we pass this bill. I call on Members to vote ''aye'' on H.R. 4506 and pass the bill.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to support H.R. 4506 an act to amend the federal judicial code to authorize the appointment of additional permanent bankruptcy judges in various states. This legislation was introduced by Representative COHEN, my colleague from Tennessee. As a member of the judiciary committee, I urge my colleagues to support this important legislation.

As Chair of the Courts and Competition Policy subcommittee of the House Judiciary Committee, I have long championed the increase in federal judgeships across the United States. In this Congress, I introduced H.R. 3663, The Federal Judgeship Act of 2009, which would have done exactly this: increase the number of federal judges.

The U.S. is also in need of more bankruptcy judges. According to Michael J. Melloy, Chair of the Judicial Conference Committee on the Administration of the Bankruptcy System, ''Additional judgeships are critical to ensure that the bankruptcy courts have sufficient judicial resources to effectively and efficiently adjudicate the rights and responsibilities of parties in bankruptcy cases and proceedings''. New bankruptcy judgeships have not been authorized by Congress since 1992, yet case filings have increased by 61 percent.

The current recession has had an adverse effect on the Bankruptcy Court system. The courts are now faced with much more complex and time-consuming bankruptcy cases, not to mention an increase in volume of cases. This has led to more cases per judge than they are able to handle. It is therefore necessary that we act and authorize additional bankruptcy judges.

In addition to authorizing new judges, H.R. 4506 would also convert certain temporary offices of bankruptcy judges to permanent offices, extend certain temporary offices of bankruptcy judges, reduce the amount of bankruptcy fees to be deposited as offsetting

collections to the United States Trustee System Fund, and increase bankruptcy filing fees. All of this would lead to a better and more efficient bankruptcy judicial system.

My state of Georgia has the third highest personal bankruptcy rate in the nation. According to the National Bankruptcy Research Center, Georgia's federal bankruptcy courts handled 66,925 filings during the first 11 months of 2009. This was 22 percent higher than the same period of 2008. This resolution will give the bankruptcy judicial system the resources necessary to review cases in a thorough yet timely manner, and turn the hectic bankruptcy process into a much more manageable one. I urge my colleagues to join me in support of this legislation, and vote in the affirmative for H.R. 4506, the Bankruptcy Judgeship Act of 2010.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 4506, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

EXPRESSING APPRECIATION FOR ENRIQUE ''KIKI'' CAMARENA

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1115) expressing appreciation for the profound dedication and public service of Enrique ''Kiki'' Camarena on the 25th anniversary of his death.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1115

Whereas in March 1985, Drug Enforcement Administration (DEA) Special Agent Enrique ''Kiki'' Camarena made the ultimate sacrifice in the fight against illicit drugs;

Whereas Special Agent Camarena, an 11-year veteran special agent of the DEA, was kidnapped, tortured, and murdered in the line of duty;

Whereas Special Agent Camarena joined the DEA in June 1974 as an agent with the Calexico, California, District Office;

Whereas Special Agent Camarena was assigned to the Fresno District Office in September 1977, and transferred to the Guadalajara Resident Office in July 1981;

Whereas, on February 7, 1985, when leaving the Guadalajara Resident Office to join his wife Geneva for lunch, Special Agent Camarena was surrounded by 5 armed men, forced into a vehicle and taken away;

Whereas the body of Special Agent Camarena was discovered on March 5, 1985, on a ranch approximately 60 miles southeast of Guadalajara, Mexico;

Whereas to date, 22 individuals have been indicted in Los Angeles, California, for their roles in the Camarena murder, including former high ranking Mexican Government officials, cartel drug lords, lieutenants, and soldiers;

Whereas of the 22 individuals indicted in Los Angeles, 8 have been convicted and are imprisoned in the United States, 6 have been incarcerated in Mexico and considered fugitives as a result of outstanding warrants in the United States, 4 are believed deceased, 1 was acquitted at trial, and 3 remain fugitives believed to be residing in Mexico;

Whereas an additional 25 individuals were arrested, convicted, and imprisoned in Mexico for their involvement in the Camarena murder;

Whereas the men and women of the DEA will continue to seek justice for the murder of Special Agent Camarena;

Whereas fugitives Guillermo Chavez-Sanchez and Ricardo Chavez-Sanchez are still wanted as hostile material witnesses in Los Angeles, California;

Whereas during his 11-year career with the DEA, Special Agent Camarena received 2 Sustained Superior Performance Awards, a Special Achievement Award and, posthumously, the Administrator's Award of Honor, the highest award granted by DEA;

Whereas prior to joining the DEA, Special Agent Camarena served 2 years in the U.S. Marine Corps, as well as serving as a fireman in Calexico, a police investigator, and a narcotics investigator for the Imperial County Sheriff Coroner;

Whereas Red Ribbon Week, nationally recognized since 1988 and now the oldest and largest drug prevention program in the Nation, reaching millions of young people each year and celebrated annually from October 23 to 31, was established to help preserve Special Agent Camarena's memory and further the cause for which he gave his life, the fight against drug crime and addiction; and

Whereas Special Agent Camarena will be remembered as an honorable public servant, his sacrifice should also be a reminder every October during Red Ribbon Week of the dangers associated with drug use and trafficking: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses appreciation for the profound dedication and public service of Enrique ''Kiki'' Camarena on the 25th anniversary of his death;

(2) offers its deepest sympathy and appreciation to his wife, Geneva, his three children, Enrique, Daniel, and Erik, and to the entire family, friends, and former colleagues of the Drug Enforcement Administration;

(3) encourages communities and organizations throughout the United States to commemorate the sacrifice of Special Agent Camarena through the promotion of drug-free communities and participation in drug prevention activities to support healthy, productive, and drug-free lifestyles; and

(4) directs the Clerk of the House to transmit a copy of this resolution to the family of Enrique ''Kiki'' Camarena.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, House Resolution 1115 expresses appreciation for the profound dedication and public service of Enrique ''Kiki'' Camarena on the 25th anniversary of his passing.

On February 7, 1985, Special Agent Enrique Camarena, known to his friends as Kiki, left the American consulate in Guadalajara to meet his wife, Mika, for lunch. As Kiki walked to his truck, he was approached by five men who kidnapped him and sped away. He was found dead on March 5, 1985, after being tortured and brutally beaten by his captors. Kiki was 37 years of age—survived by his wife and three children, Enrique, Daniel, and Erik.

During his 11 years with the DEA, Kiki received two Sustained Superior Performance Awards and a Special Achievement Award as well. He also received posthumously the Administrator's Award of Honor, the highest award granted by the Drug Enforcement Agency.

Mr. Camarena was born on July 26, 1947, in Mexicali, Mexico. He graduated from Calexico High School in Calexico, California, in 1966. In 1968, he joined the U.S. Marine Corps, and after serving 2 years, he joined the Calexico Police Department as a criminal investigator in 1970.

In May 1973, he started working as a narcotics investigator with the El Centro Police Department. He stayed there until 1974, when he joined the DEA.

His first assignment as a special agent with DEA was in Calexico, California. In 1977, he was reassigned to the Fresno district office in northern California. After working in the Fresno office, he was later assigned to the Guadalajara, Mexico, DEA office for 4½ years and worked undercover on the trail of the country's biggest marijuana and cocaine traffickers. Before being kidnapped, Kiki was extremely close to unlocking a multibillion-dollar drug pipeline.

Officer Camarena gave his life in the fight against drug traffickers, and after his death, many people wanted to do something to remember the ultimate sacrifice he made. Soon after his death, people everywhere started wearing red ribbons to symbolize their commitment to help reduce the demand for drugs in their communities. The act of wearing red ribbons took on national significance and grew into what is now known as the Red Ribbon Campaign. During Red Ribbon Week, Kiki is remembered as a man who wanted to make a difference in the war on drugs, and his legacy still lives on.

In honor of Kiki Camarena's legacy and in recognition of the 25th anniversary of his death, I urge my colleagues to join me in supporting H. Res. 1115.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with a heavy heart that I rise in support of H. Res. 1115, honoring the legacy of Enrique ''Kiki'' Camarena on the 25th anniversary of his murder.

Words are not sufficient to express the debt that our country owes to Special Agent Camarena and to his family. His life of selfless service, courage of conviction, and dedication to protecting the American people will be remembered in our hearts and minds forever.

Twenty-five years ago, Agent Camarena gave his life in the line of duty after he was abducted. He was tortured and eventually was murdered. Agent Camarena was working undercover as a DEA special agent gaining valuable intelligence and evidence against Mexican drug cartels when he was kidnapped in broad daylight on a street in Guadalajara, Mexico. It is believed that he was tortured for around 2 days, and eventually he was bludgeoned to death.

We honor his life, we mourn his death, and we renew our commitment to ensure that his legacy is never forgotten.

When asked why he wanted to be a DEA agent, Special Agent Camarena replied, ''Even if I am only one person, I can make a difference.'' Thousands of individuals across our Nation can attest to the difference he has made in their lives.

Every day and every night, law enforcement officers across this Nation go to work aware of the dangers they face. These brave men and brave women put their lives at risk so the rest of us can sleep better at night and live safer lives. As we go about our daily lives, as we sleep in the safety of our homes, these individuals fight against the violence that threatens our neighborhoods, our communities, and our loved ones. And much of that violence is drug related.

I stand before the House today with heartfelt gratitude for every law enforcement officer who serves the communities throughout this country, and especially for those who have given their lives in the line of duty for the rest of us.

As we take a moment to pause and reflect on the heroic life and tragic death of this individual, the drug cartels continue. They continue to wage war on our borders and threaten the safety of so many people, and they do so all in the name of money. Yet they will soon come to learn that our pursuit of justice will not waiver and it will not weaken just because they continue their criminal enterprises north and south of our borders.

To the family of Special Agent Camarena, we share in their grief and we will ensure that his legacy lives on. We will relentlessly fight against the drug cartels and the border violence that they have caused. We want to thank this family for sharing with our country a man who truly is an American hero.

To the individuals who continue to pursue those who abducted and tortured and murdered Special Agent Camarena, we thank them, we support them, and we have committed to those individuals that we will not rest until the perpetrators are brought to justice and tried for their evil deeds.

To our Nation's law enforcement officers, we thank them for risking their lives each day to protect our lives and the lives of our loved ones. Their sacrifices and the sacrifices of their families shall always be remembered. Across our Nation, there are countless stories of men and women who have given their time, their resources, and their lives to protect and defend America.

Although we each have only one life to live, Special Agent Kiki Camarena has shown us the difference that one individual can make. Although we remember Special Agent Camarena's tragic death today, I am encouraged by his life and the lives of so many who have dedicated themselves to public service. Without the sacrifices of these brave men and women, America would not be what we are today. I urge my colleagues to support this resolution.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Georgia (Mr. JOHNSON) will control the time.

There was no objection.

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

Mr. POE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HUNTER), the sponsor of this legislation.

Mr. HUNTER. Mr. Speaker, I thank the gentleman from Texas, a great prosecutor and judge in his own right.

Mr. Speaker, we are all familiar with the dangerous duties undertaken by the men and women of the Drug Enforcement Administration. Oftentimes, their accomplishments go unnoticed, but these agents continue making significant contributions to the seemingly unending effort to protect our communities from drug crime and addiction.

This is a responsibility that DEA agent Enrique ''Kiki'' Camarena took seriously over the course of his career in law enforcement. It was 25 years ago this March that agent Camarena's body was discovered after he was kidnapped by armed men in front of the U.S. consulate in Guadalajara, Mexico. He had been severely tortured by his captors. More than two dozen people, including Mexican Government officials, cartel leaders, and associates were convicted for Agent Camarena's murder. Still, his memory has not been forgotten.

The circumstances surrounding his death are a vivid reminder of the violence and danger attributable to illegal drugs, whether it is directly along our borders, in our neighborhoods, or within the homes of families facing the struggles of addiction.

Today, Agent Camarena is perhaps the best-known hero of the war on drugs, and his story continues to inspire millions of Americans to lead drug-free lives. In fact, shortly after his death, Camarena Clubs were launched throughout southern California. Hundreds of club members wore red ribbons and pledged to lead drug-free lives in honor of Agent Camarena and others who gave their lives for the same purpose. In 1985, club members presented a proclamation to First Lady Nancy Reagan which brought the club national recognition, and ultimately prompted thousands of schools, communities, and States to recognize Red Ribbon Week, now celebrated during the last week of October.

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So on this anniversary of Agent Camarena's death, let us take time to honor the contribution and profound dedication and public service of Enrique ''Kiki'' Camarena on the 25th anniversary of his death.

I would like to offer my deepest sympathy and appreciation to his wife, Geneva, and his three children—Enrique, who is a prosecutor, Daniel and Erik—and the entire family, friends, and former colleagues at the Drug Enforcement Administration.

It is important that we focus on securing and enforcing our southern border so that these past sacrifices and future endeavors by those in the DEA are not in vain. Mr. Speaker, we in San Diego are honored to be home to this legacy of ''Kiki'' Camarena and his family.

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

Mr. POE of Texas. I yield myself such time as I may consume.

Mr. Speaker, the special agents that work in the Drug Enforcement Administration, the DEA, are special agents indeed. Many times they work alone, they work deep undercover, they work not only in the United States, but in foreign countries, and they work for the sole purpose of trying to capture those outlaws who are in the drug business, who, in the name of money, try to sell their wares and profit on that illegal enterprise. They are an international crime cartel syndicate. Our DEA agents do a wonderful job. We sometimes forget the work that they do. This is just one of many who have worked and dedicated their lives to helping protect the rest of us.

As my friend from California (Mr. HUNTER) has pointed out, much of this violence occurs on our borders because the drug cartels operate on international borders, on our border with Mexico especially. Because the drug cartels, in the name of money, are very violent, they are well armed, they are well financed, and they will do anything in their relentless effort to bring drugs into the United States.

We need to be aware that they have committed a war against the United States and all people who oppose their

activities. And so it is quite appropriate that today we honor and commemorate the life of one of those special agents who gave his life trying to protect us from the drug cartels.

Ms. ROS-LEHTINEN. Mr. Speaker, I am a proud original cosponsor of H. Res. 1115.

As my colleagues have explained, this resolution recognizes the life and public service of Drug Enforcement Administration (DEA) Special Agent Enrique "Kiki" Camarena.

On February 7, 1985, Special Agent Camarena was on his way to meet his wife for lunch when he was kidnapped outside the U.S. Consulate in Guadalajara, Mexico by five armed men.

Almost a month later, his body was discovered on a ranch nearly 50 miles away, brutally murdered by the same kind of violent drug traffickers he had dedicated his life to fighting.

This month marks 25 years since that fateful day.

As an 11-year veteran of the DEA, Special Agent Camarena received two Sustained Superior Performance Awards, a Special Achievement Award and, posthumously, the Administrator's Award of Honor, the highest award granted by DEA.

Prior to joining the DEA, he served in the U.S. Marine Corps, as a fireman, a police investigator, and a narcotics investigator.

Special Agent Camarena was deeply committed to public service throughout his life.

In honor of his memory, each October, thousands of schools, communities, and state and local drug abuse prevention organizations celebrate Red Ribbon Week.

Further, the anniversary of Special Agent Camarena's death reminds us of the importance of continuing the close cooperation between the United States and Mexico in fighting the narcotraffickers.

The Mérida Initiative, a partnership between the Government of Mexico and the United States, has been successful in presenting new opportunities for expert collaboration on these fronts.

Through operations such as Operation Firewall and Operation Panama Express, the DEA and Mexican law enforcement authorities are dismantling drug cartels and seizing tons of illegal drugs destined for America's streets.

I am sure that Special Agent Camarena would have been pleased to see how far we have come.

Again, I am proud to be an original cosponsor of this important measure in honor of Special Agent Enrique "Kiki" Camarena and his dedication to public service.

My most sincere thoughts and prayers are with his wife, Geneva, his sons Enrique, Daniel, and Erik, and his entire family.

I thank Congressman HUNTER for introducing this important measure.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of House Resolution 1115, which honors the profound dedication and public service of Enrique "Kiki" Camarena on the 25th anniversary of his untimely death.

Mr. Camarena led an exemplary life of service to his community and his nation. As a member of the Marine Corps, fire fighter, police officer, and DEA special agent, he demonstrated an extreme passion for fighting crime and eliminating drugs to ensure the safety and well-being of our communities. He led a commendable 11-year career at the Drug Enforcement Administration earning him the distinguished Administrator's Award of Honor.

In February 1985, Mr. Camarena lost his life in the line of duty. I had the opportunity to attend a memorial for Mr. Camarena and witness the impact his sacrifice made and hear from some of the many lives he touched. I am glad that twenty-five years after this tragedy, his passion and spirit still live on. His commitment to fighting drugs inspired millions of people around the world to live drug-free lives. We must continue to honor this legacy by promoting drug-free communities and supporting healthy drug-free lifestyles.

Again, I would like to express my appreciation for the outstanding service Mr. Camarena provided for this nation and offer my support and deepest condolences to his wife, children, and to the entire family, friends, and former colleagues at the Drug Enforcement Administration.

Mr. POE of Texas. With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the resolution, H. Res. 1115.

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.

HONORING OFFICERS' ACTIONS DURING LAS VEGAS COURTHOUSE ASSAULT

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1061) honoring the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1061

Whereas, on January 4, 2010, during an assault at the entrance of the Lloyd D. George Federal Courthouse in Las Vegas, Nevada, Court Security Officer Stanley Cooper was fatally wounded and died heroically in the line of duty while protecting the employees, occupants, and visitors of the courthouse;

Whereas Deputy United States Marshal Richard J. "Joe" Gardner was wounded in the line of duty while protecting the employees, occupants, and visitors of the courthouse;

Whereas the Court Security Officers and members of the United States Marshals Service and the Las Vegas Metropolitan Police Department acted swiftly and bravely to subdue the gunman and minimize risk and injury to the public; and

Whereas the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, and the law enforcement officers who responded to the attack prevented additional harm to innocent bystanders: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the brave actions and quick thinking exhibited by Court Security Officer Stanley Cooper during the assault at the entrance of the Lloyd D. George Federal Courthouse;

(2) offers its deepest condolences to the family and friends of Court Security Officer Stanley Cooper, who valiantly gave his life in the line of duty;

(3) commends Deputy United States Marshal Richard J. "Joe" Gardner for his actions and bravery in responding to the assault;

(4) wishes Deputy United States Marshal Richard J. "Joe" Gardner a speedy recovery from the wounds he sustained in the line of duty; and

(5) applauds the Court Security Officers and members of the United States Marshals Service and Las Vegas Metropolitan Police Department for their brave and courageous actions in responding to the assault at the Lloyd D. George Federal Courthouse.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this resolution honors the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshal Service and Las Vegas Metropolitan Police Department, as well as the court security officers involved in responding to the armed assault at the Lloyd D. George Federal Courthouse in Las Vegas, Nevada, this past January 4, 2010.

On January 4, 2010, a man entered the lobby of the Lloyd D. George Federal Courthouse, pulled a shotgun from underneath his jacket, and began firing indiscriminately from outside the security area where visitors pass through the metal detectors. Through a swift response, law enforcement officers were able to chase the gunman from the courthouse and ultimately subdue him.

Court security officers and members of the United States Marshal Service and the Las Vegas Metropolitan Police Department acted bravely to subdue the gunman and minimize risk and injury to the public. Without regard for their own safety, they performed their

duty and protected all who were present in the courthouse that day from the threat of deadly harm through their swift and effective response.

Court Security Officer Stanley Cooper was a 26-year veteran of the Las Vegas Metropolitan Police Department and worked as a courthouse security officer since 1994. On January 4, 2010, Officer Cooper was fatally wounded and died heroically in the line of duty while protecting the employees, occupants, and visitors at the courthouse. Deputy United States Marshal Richard J. ''Joe'' Gardner was wounded in the line of duty while protecting the employees, occupants, and visitors of the courthouse.

This slaying and wounding of these two officers is a sobering reminder, Mr. Speaker, that law enforcement officers put themselves in dangerous situations every day in order to protect and serve the citizens of our country. Through our recognition today of the exemplary actions of these officers, we are celebrating the nameless, unrecognized acts of bravery and service performed every day by our brothers and sisters in law enforcement.

By way of this resolution, the House of Representatives commends the brave actions and quick thinking of the court officers, the United States Marshals, and the Las Vegas Metropolitan Police Department in responding to the assault at the Lloyd D. George Federal Courthouse. It also extends its deepest condolences to the family and friends of Officer Cooper, who valiantly gave his life in the line of duty. And it wishes Deputy Gardner a speedy recovery from the wounds that he sustained in the line of duty on that day.

All of these officers are heroes. We hope their families will take pride, and in the case of Officer Cooper, a small measure of consolation and comfort, in the knowledge that their actions were recognized by this body and they are celebrated today.

I urge all of my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in total support of House Resolution 1061, honoring the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. ''Joe'' Gardner, the law enforcement officers of the United States Marshal Service, the Las Vegas Metropolitan Police Department, and the court security officers in responding to an armed assault at the Lloyd D. George Federal Courthouse.

On the morning of January 4, 2010, an armed gunman walked into the Las Vegas Courthouse and opened fire, fatally wounding Court Security Officer Stanley Cooper and seriously wounding Deputy United States Marshal J. ''Joe'' Gardner.

The valiant actions of these two men saved the lives of many people and innocent civilians in the courthouse. In a time of tragedy and crisis, Court Security Officer Cooper and Deputy United States Marshal Gardner responded immediately with selfless courage, placing the lives of others before their own.

Court Security Officer Cooper lived his life protecting the lives of other people. After 26 years of service with the Las Vegas Metropolitan Police Department, he retired to work at the Las Vegas Courthouse as a security officer. It was here that Officer Cooper died valiantly defending the halls of justice. For even after being fatally wounded, he continued to try to subdue the gunman, ultimately ensuring the safety of those that were in the courthouse that day. We join in the sorrow of his family and mourn the loss of this great individual. His legacy of a life dedicated to public service will not be forgotten.

In the moments that followed the fatal shooting, Deputy United States Marshal Joe Gardner and six other members of the United States Marshal Service, Las Vegas Metropolitan Police Department, and court security officers acted swiftly to subdue the gunman. Deputy United States Marshal Joe Gardner suffered gunshot wounds to his upper arm. We are grateful his life was not lost on that tragic day, and we honor his courageous actions as well.

The memory of that day serves as a haunting reminder of the dangers that our law enforcement officers face each day of their lives. In a split second, on a quiet Monday morning, it can turn into a battle between those who seek to harm innocent people and those who give their lives fighting to protect those same individuals.

Today, we honor Officer Cooper, Deputy United States Marshal Gardner, and law enforcement officers across this country. We remember the high price they pay for answering the call of duty, and they are on duty every day.

The tragic events that occurred on January 4, 2010 will be remembered by all of us. We will not forget the heroism and patriotism that was shown by Officer Cooper, Deputy U.S. Marshal Gardner, and the six other brave men and women.

I urge my colleagues to support this resolution.

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

Mr. JOHNSON of Georgia. Mr. Speaker, at this time, I yield 5 minutes to the distinguished representative from Nevada, DINA TITUS.

Ms. TITUS. Mr. Speaker, I rise today in strong support of House Resolution 1061.

As you have heard, on January 4, 2010, an armed assailant with a history of violent behavior opened fire at the Lloyd D. George Federal Courthouse in downtown Las Vegas. The brave security personnel at the courthouse, U.S. marshals, and other emergency responders acted quickly and valiantly to ensure the safety of courthouse staff, visitors, and other bystanders in the area. Tragically, however, Officer Stanley Cooper was fired upon by the gunman and later succumbed to his wounds.

Officer Cooper had previously served as a Las Vegas Metropolitan Police officer for 26 years and had been a security officer at the courthouse for 15 years. He was a familiar face, a friendly hello when you walked in the building, and a person who gave his all to the job of protecting others.

Deputy U.S. Marshal Richard J. ''Joe'' Gardner, a member of the U.S. Marshal Service for the past 24 years, was also there. He bravely chased after the suspect and was shot in the arm.

The courthouse, which is home to many Federal offices and courts, including the U.S. District Court of Nevada, stands for justice and liberty for all Americans and fairness for all who enter. The building opened in 2002 and was one of the first new Federal buildings to be constructed according to safety standards that went into effect after the tragic Oklahoma City bombing. Those safety standards, combined with the bravery of the courthouse security force, ensured that no citizens were injured, the shooter did not get past security checkpoints, the situation was resolved quickly, and all of the judges and people who work in the building or who were there visiting were safe.

I wish Deputy U.S. Marshal Gardner a speedy recovery, and I offer my deepest condolences to the family of Officer Stanley Cooper. Today, we honor their brave service to our community.

So I would urge you to join me, as my colleagues, in supporting this resolution, a companion of which has already been passed by our Senate colleagues.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I now yield such time as she may consume to the distinguished congresswoman from Nevada, SHELLEY BERKLEY.

Ms. BERKLEY. I appreciate the congressman's yielding.

I particularly want to thank my colleague from Nevada, DINA TITUS, for introducing this resolution. I think it's very important to honor those in Las Vegas who have given so much to their country.

Mr. Speaker, I rise today in strong support of this resolution and the law enforcement personnel who put their lives at risk every day in order to protect their fellow Americans. Today, we honor two Nevadan heroes, Stanley Cooper and Joe Gardner, for their courageous actions while protecting the staff and visitors at the Lloyd George Federal Courthouse in Las Vegas during an armed assault earlier this year. Officer Cooper was downed during this senseless act of violence and gave his life while bravely serving his country.

□ 1215

We should never forget the heroic sacrifice he made, and my thoughts and prayers go out to his family.

U.S. Marshal Gardner thought quickly and acted bravely in responding to the armed assault, and I wish him a speedy recovery from the wounds he received in the line of duty.

I also commend the other court security officers, U.S. marshals and the Las Vegas Metropolitan Police Department for their quick and courageous responses to this attack and for protecting the public and preventing further loss of life.

This resolution honors these public servants' courageous actions and Officer Cooper's legacy of bravery and selflessness. This resolution serves as a tribute, not only to Officer Cooper and to U.S. Marshal Gardner, but to all public servants who put their lives on the line daily while serving their country. I encourage my colleagues to support this measure.

If I may take an additional minute, to those of our fellow citizens who are so frustrated with their government or who are so angry with life or with what is happening in this country or in their lives, there has to be a better way than this to express your anger and frustration.

In the aftermath of these tragedies, the government continues to function; Congress continues to meet; life goes on except for the lives of the perpetrators. More often than not, they are brought down by those who protect and defend the rest of us. Their families are destroyed, and they can't figure out why their loved ones reacted in this manner, and the misery they cause to their innocent fellow citizens, who are only doing their jobs, is beyond mention.

So I say to those who are angry and frustrated, do not do this. It creates misery in this country that has no place in the United States of America.

Again, I offer Officer Cooper's family my condolences and Officer Gardner a very speedy recovery.

Mr. POE of Texas. Mr. Speaker, I spent 30 years as a prosecutor and as a judge at the courthouse in Houston, all in the criminal courts building. I am very familiar with the individuals who work in the courthouse, who protect those who come to the seat of justice, to the bar of justice to seek grievances against our government.

Throughout those years, it became obvious to me that, in our country, the way we settle disputes is at the courthouse where we have two sides, sometimes more than two sides, who show up to argue their cases. Then there is a ruling by the judge on the law. Yet sometimes, as in this case, people show up at the courthouse and wish to take matters into their own hands in a violent manner.

We have folks at the courthouse who protect us, not just the lawyers and judges, but to protect those people who come to the courthouse to seek justice. Those people in our system are called the security officers, or bailiffs, as they are called in Texas.

More than once, unfortunately, I have had the unfortunate opportunity of having seen people disagree with what took place in the courthouse and of having seen them get out of control. Yet those security officers, those bailiffs, those deputy sheriffs were there to protect the seat of justice. These are examples of two of those. One was killed, and one was wounded in making sure that justice prevails in our justice system and that the law is not taken advantage of in a violent manner.

So we honor those individuals, not just these two but the others who helped from the Las Vegas Metropolitan Police Department and all of those court officers who work every day in every courthouse in the United States to make sure we have a secure and a safe justice system.

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

Mr. JOHNSON of Georgia. Mr. Speaker, January 4, 2010, was a Monday morning, the first Monday morning of the new year. This incident happened that morning.

Monday mornings are always very busy, if not the busiest times, at courthouses throughout America. People are coming in to litigate their disputes, to answer calendar calls, to answer trial calendars. There are witnesses who have been subpoenaed. There are jurors who have come to court, having been notified that they need to be there. There are courthouse workers.

Of course, you pass through security. It's just like we do here at the United States Capitol and in our legislative office buildings. We pass through security. Sometimes, when people are in a hurry, they get a little antsy, and they take that out on the security officials.

Though, I will tell you, despite all that was ongoing on that morning, Judge POE, as you well know of these things that I just spoke of, on that day, a madman entered the courthouse and struck at a very soft part of security, which is when you walk right in the door and before you go through security. In the midst of all of that activity going on, he killed Officer Stanley Cooper, and he wounded Marshal Joe Gardner. Had it not been for their selfless and professional conduct at the time, there is no doubt that others could have lost their lives or could have been wounded as well.

So everywhere we have security checkpoints, the officers who man those checkpoints deserve our respect. They deserve our cooperation. They deserve our recognition as well for the fine jobs that they do. I want to take this opportunity to let all of those folks on the front lines know that we here in Congress, regardless of party affiliation, appreciate their service to us.

Lastly, we wish the family of Officer Cooper, as well as U.S. Deputy Marshal Joe Gardner and his family, the best in the future.

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. JOHNSON) that the House suspend the rules and agree to the resolution, H. Res. 1061.

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.

ACCELERATING TAX BENEFITS FOR DONATIONS TO CHILE EARTHQUAKE VICTIMS

Mr. LEVIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4783

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

SECTION 1. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF EARTHQUAKE IN CHILE.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after February 26, 2010, and on or before April 15, 2010, as if such contribution were made on December 31, 2009, and not in 2010.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by the earthquake in Chile on February 27, 2010, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

SEC. 2. EXTENSION OF PERIOD FROM WHICH CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF EARTHQUAKE IN HAITI MAY BE ACCELERATED.

(a) IN GENERAL.—Subsection (a) of section 1 of Public Law 111–126 is amended by striking ''before March 1, 2010'' and inserting ''on or before April 15, 2010''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after February 28, 2010.

SEC. 3. BUDGETARY PROVISIONS.

(a) STATUTORY PAYGO.—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.

(b) EMERGENCY DESIGNATION.—

(1) STATUTORY PAYGO.—This Act 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)).

(2) HOUSE PAYGO RULES.—All applicable provisions in this Act are designated as an emergency for purposes of pay-as-you-go principles.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. LEVIN) and the gentleman from Illinois (Mr. ROSKAM) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, Ranking Member DAVID CAMP is not here today because of a death in his family. The distinguished gentleman from Illinois is going to be handling the time on the minority side.

On behalf of my colleague and friend Mr. CAMP and the gentleman from Illinois, I ask that the nonpartisan Joint Committee on Taxation be asked to make available to the public a technical explanation of the bill. The technical explanation expresses the committee's understanding and legislative intent behind this important bill. It is available on the joint committee's Web site at www.jct.gov, and it is listed under document No. JCX–08–10.

Mr. Speaker, we rise today on this very important bill. It would allow for charitable contributions paid to victims of the Chilean earthquake on or before April 15 of this year, which is the tax return deadline, to be claimed as deductions on taxpayers' 2009 tax returns. Of course, absent this change, taxpayers would need to wait until next year to claim deductions for these contributions.

In addition—and this is very important—the bill would provide taxpayers with a little more time relating to the victims of the Haitian earthquake so that they could make charitable contributions through April 15, extending it beyond March 1.

So let me, if I might, say just a few words.

I think all of us know graphically what is involved here. I checked, and the catastrophe in Haiti is the largest of its kind on record in the Western Hemisphere. We have also seen the catastrophe in Chile. I think all of us want to be sure that the American people can join together to express their alliances with the people of Chile and with the people of Haiti.

Like lots of families, our family has had a connection with both countries. My son Andy has been to Haiti many times. He was there as a monitor for one of the elections when there was immense violence, and I was concerned for his safety. He is able to speak Creole to express his interest in Haiti. So that's one way, in addition to my service in the Foreign Aid Agency, that our family has had contact with the people of Haiti.

Yet I think all of us have had that contact with the people of Haiti since the catastrophe, the worst of its kind on record in the Western Hemisphere, and I think all of us very much want to be sure that we can express our support, our alliance and can give our charitable contributions.

As to Chile, we could see the immense devastation. That country was prepared for an earthquake of virtually any magnitude; but this magnitude, one of the very worst in the history of the country, shook up the country. It shook up its foundations in many places, and it led to the loss of many, many lives.

So I come here today on behalf of the committee and, I think, on behalf of all of us in this Congress. I believe the gentleman from Illinois and I come here today on behalf of all of the American people, and we ask that we have unanimous consent for this legislation.

Mr. Speaker, I yield the balance of my time to a distinguished member of the committee, my good friend and pal, the gentleman from Oregon (Mr. BLUMENAUER), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

□ 1230

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

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

Mr. ROSKAM. Mr. Speaker, I want to thank and congratulate Chairman LEVIN for his leadership on this issue, and particularly want to thank him for the gesture of reaching out to the minority on this and hope it is a glimpse of things to come.

As the chairman indicated, this is one of these areas that clearly all of America comes together on. There are ample examples of where we have done this in the past, obviously with the tsunami back in 2005, and most recently you had members of the Ways and Means Committee that were on the floor together urging us to change the Tax Code to accommodate the relief efforts in Haiti.

This also is really worthy of us coming together quickly in this tax season and allowing Americans to make contributions to Chile and, in fact, extending the period of time that they are able to make contributions to Haitian relief efforts, all in the context of completing their 2009 tax returns.

Why is this important? It is important because in order to bring rescue and recovery in times of great crisis, it takes more than simply the American Government working. That is important, but it also takes the American public.

I had an event in my district, Mr. Speaker, a couple of weeks ago, where we brought together folks to discuss Haitian relief efforts. My recollection is that there was a Red Cross official who was there, and she said a very interesting thing. She said that the event in Haiti, and I know we are talking about Chile today primarily, but she said the event in Haiti had redefined what it means to be local.

I thought, Isn't that interesting? Here we have folks that have responded incredibly generously, Americans have, at the sight and the sounds and the visuals of real suffering in our part of the world, and what have they done? They have taken their checkbook out. They have written a check. They have donated online. They have donated famously on their cell phones now in overwhelming numbers. But I think it was really poignant when she said local contributions and the definition of a local tragedy has been redefined. So here we are today, Republicans and Democrats together, saying that this is an area where we need to move forward.

I know that Mr. CAMP, the ranking member from Michigan, would have been here, but, as Chairman LEVIN mentioned, he has had a death in the family and he has that obligation. I know I speak for an overwhelming majority of Republicans when saying this is an area that we should all come together on and move quickly to move this legislation.

I reserve the balance of my time.

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

This has been a particularly difficult period of time for all of us as we witnessed the victims of these two enormous tragedies attempt to repair the devastation that resulted from two of the largest earthquakes that we have seen in recent times.

As we laid witness to the victims of the Haiti earthquake in January, I had a chance a couple of weeks ago to see for myself the magnitude of the devastation. As somebody who was on the scene shortly after the tsunami 5 years ago, I will say that what I saw in Haiti not only rivaled that, but was actually worse than anything I had seen in Banda Aceh or Buket or in Sri Lanka. Then, just a few weeks later, we had an earthquake even larger, an 8.8, rock the country of Chile.

But through these tragedies, one thing is abundantly clear, and that is the generosity and compassion of the American people being as strong as ever. It is hard to explain, really, the impact that we see of these dedicated volunteers on the ground, moving to provide services that in some cases were not available at all prior to the tragedy.

Then looking at the earthquake in Chile last week, the outpouring of

American support is even more remarkable, given the fact that everybody put all these resources just a few days before into Haiti. Clearly, there is no compassion fatigue on the part of the American public.

We need to take a step back and realize that we are talking about almost a quarter million people who have died between the two, and over 1 million people displaced, and we are still finding the definition of the problem. Particularly as it relates to Haiti, we are going to find that the death toll is likely to grow much higher if we are not able to deal with the problems of water and sanitation.

Here again, American voluntary efforts from nongovernment organizations are providing critical services, and donations in Haiti alone have already reached $1 billion. They enable these charitable organizations and nongovernment organizations to expedite the care and services needed for those who are injured and homeless, to help our neighbors get to safety and begin picking up the pieces and rebuilding their lives.

We must be clear that the road to recovery will not be short in either country. We know that we need to expedite anything we can for Americans to be part of that process. American families who have given to facilitate the recovery ought to know that we are working to show appreciation of that compassion to incent further actions with this adjustment.

As both my colleagues have made clear, but we need to drive home, any contribution after February 26 and before April 15 to the victims of the earthquake in Chile, people can claim these contributions, charitable contributions, on the tax return that they are preparing now for the last tax year.

In addition, the adjustment being made for Haiti, extending it to April 15, is an important addition. This is in keeping with what we did with the tsunami that struck in 2004.

There is a special provision here that I want to call note to, because we have watched the innovation take place in the charitable sector. The era of the cell phone and text messaging has made it possible for hundreds of millions of dollars of charitable contributions to be made through cell phone text messaging. It enabled people to do it conveniently and quickly. It speeded the aid along and, no doubt in my mind, it increased the amount of money that went to these people in need.

Under current law, obviously, taxpayers must receive documentation from the charity or rely on bank records to claim a deduction on their tax return, but when you are making a contribution through a text message, the only paper documentation individuals receive is from the telephone company. Right now, it is unclear whether individuals will be able to rely on a telephone bill to claim a charitable deduction. As a result of this legislation, we are clarifying that taxpayers making charitable contributions to victims of the Haiti earthquake through the text messaging effort will be able to rely on their cell phone bill when claiming a charitable deduction.

To be clear, we all know that Americans are not doing this primarily for a tax deduction. It is the generous spirit of the American public and concern for men and women around the world who suffer from tragedy. But providing this incentive and clarifying the law makes it a little easier for the families who have given of themselves and others, and I would urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), a great champion of freedom and hope and rescue in the Americas.

Mr. LINCOLN DIAZ-BALART of Florida. I thank my dear friend Mr. ROSKAM for the time, and I simply rise to join my voice in praise and commendation for all those who have made possible that this resolution come to the floor. I think it speaks very highly of this Congress.

Mr. Speaker, there is no more generous nation in the world than the American Nation, the American people. One sees that generosity time and time again. As Mr. BLUMENAUER mentioned, we just saw an extraordinary outpouring of generosity toward the people of Haiti, and then we have seen another tragedy, and the American people, with regard to Chile, are demonstrating once again that extraordinary generosity.

So I think it is so appropriate, and that is why I rise to commend all of those that have made this resolution possible, to accelerate the deduction for the donations that Americans have made, extend that policy with regard to Haiti and to make it possible with regard to the donations that are being made or have been made or will be made for those who have suffered in Chile. Our hearts and our prayers go out to those who suffer in both of those neighbor, friendly nations. They are wonderful people, great friends of the United States.

Remembering the victims, I think the Congress, by this action today, not only takes a step that is consistent with the generosity of the American people, but I think makes a very commendable act. So I simply wanted to join my voice of commendation for all of those who have made this possible.

Mr. BLUMENAUER. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, in a nutshell, this bill does three things then: It extends the time period for contributions to Haiti for attribution to a 2009 tax return; it extends the contribution until April 15th for contributions to Chile for relief efforts for the 2009 tax return; and, as the gentleman from Oregon mentioned, it cleans up this ambiguity as it relates to contributions on cell phones. It is well thought out, it is timely, there is an urgency to it, and I urge its passage.

I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I would conclude by just saying that I do appreciate the rapid response of the committee, the bipartisan support, to honor the generosity of Americans in both these tragedies, to clean up the legislation and move it forward. But I hope, Mr. Speaker, that this is a symbol of a longer-term commitment on the part of this Congress, that we match the generosity of spirit of Americans and of our partners overseas. We have seen other countries step forward, along with charities and other nongovernmental organizations.

I am hopeful that we will exhibit a commitment to follow through after the initial dust has settled to be full partners with other countries, with the people in Chile and Haiti, to deal with the long and difficult recovery. Lives have been traumatized. There are still people at risk from disease. I am hopeful that we in Congress will have the support and the follow through to make sure that the United States Government is a full partner with these other critical areas to make sure that we make life hopefully return to normal as quickly as possible for the people who have suffered this devastation.

Mr. VAN HOLLEN. Mr. Speaker, as an original cosponsor of H.R. 4783, I rise in support of this bipartisan legislation and urge its immediate enactment to support the ongoing recovery efforts in Chile and Haiti.

This bill does two simple things. First, it allows anybody making a cash contribution for earthquake relief in Chile before April 15, 2010, to receive a charitable deduction for the qualifying contribution on their 2009 tax return. And second, it provides the same tax benefit to those wishing to support relief efforts in Haiti, by extending the original March 1, 2010, deadline for Haiti contributions to April 15, 2010, as well.

These simple steps are consistent with our nation's tradition of responding to those in need and will provide an extra incentive for generous Americans to make timely contributions to these crises when the assistance is needed most.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 4783—a bill that will accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile.

As you know, on Saturday, February 27, 2010, a massive, 8.8 magnitude earthquake, one of the largest ever recorded, struck off of the coast of Chile. An estimated 2,000,000 people, including upwards of 1,500,000 displaced persons, have been directly affected by the earthquake, the tsunami, and its aftermath. As the casualties continue to grow, there is a great deal of extensive damage to highways, bridges, apartments, and infrastructure, have led the government of Chile to declare a 'state of catastrophe.' Since the initial earthquake, there have been over 100 aftershocks, which include 8 aftershocks registering above a 6.0 magnitude. These aftershocks continue to affect the coast and the rest of the country.

According to the United States Geological Survey, Concepcion, Chile's second largest city, was 70 miles from the earthquake's epicenter and suffered some of the worst damage. Thousands of its residents initially remained cut-off from the remainder of the country without any basic necessities, such as running water and electricity. The coastal town of Dichato and its 4,000 residents were among the hardest hit and is 80 percent destroyed. 80 percent of Talcahuano's 180,000 residents living on the Chilean coast were left homeless by the earthquake. Initial estimates of damages range from $15,000,000,000 to $30,000,000,000, and basic necessities across the country, including electricity, clean water access, telephone access, and communication systems continue to be restored on a progressive basis in many zones.

Chile's stringent building codes, which one local architect called 'our proud building standards,' as well as the Government of Chile's ability to implement them greatly mitigated the impact of this catastrophic natural event both in terms of casualties and physical damage to the infrastructure of this country. The Government of Chile has taken significant measures to maintain order and public security in the streets in order to prevent more widespread panic and chaos as damage assessments are made and relief is delivered.

America is again responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling nation rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a natural disaster. As Chile's neighbor, I believe it is the United States' responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Throughout my time in Congress, I have been highly involved in strengthening the relationship between the U.S. and countries abroad. I have worked to establish positive and productive partnerships with local development officials, nonprofit organizations, and various leaders to establish a strong web of support for countries abroad. In collaboration with the Congressional Black Caucus, I have been a continual advocate of providing assistance to various countries to strengthen their fragile democratic processes, continue to improve security, and promote economic development among other concerns such as the protection of human rights, combating narcotics, arms, and human trafficking, addressing migration, and alleviating poverty.

Once again, I am devastated by the immeasurable tragedy that occurred in Chile. Along with my colleagues, I hope to visit Chile in the near future to meet with their leaders and see what the United States can do to rebuild the shattered livelihoods.

America is responding to the earthquakes in Chile and will continue to respond with immediate humanitarian assistance to help the people of Chile rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a natural disaster. As Chile's friend, it is the United States' responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Financially, 2009 was not an easy year for many Americans. Although thousands of jobs were created and we are back on the road to economic recovery, Americans lived on tighter budgets than usual. This legislation will allow those Americans who have generously donated money to Chile to receive their tax break this year instead of next year.

In January of 2005, Congress enacted this type of relief for individuals that made charitable contributions to victims of the Indian Ocean tsunami that occurred in late December of 2004. That bill (H.R. 241 in the 109th Congress) passed the House of Representatives without objection and subsequently passed the Senate by unanimous consent. Additionally, these same benefits were extended to people who donated to Haiti. I hope that this legislation, like our response to the 2004 tsunami, and January's earthquake in Haiti will encourage Americans to contribute more money to Chile. As Haiti starts on its long recovery, every dollar is critically important. Once again, I am proud to represent such a compassionate and generous nation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. LEVIN) that the House suspend the rules and pass the bill, H.R. 4783.

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

A motion to reconsider was laid on the table.

□ 1245

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 248, AFGHANISTAN WAR POWERS RESOLUTION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1146 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1146

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the concurrent resolution (H. Con. Res. 248) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, if called up by Representative Kucinich of Ohio or his designee. The concurrent resolution shall be considered as read. The concurrent resolution shall be debatable for three hours, with 90 minutes controlled by Representative Kucinich of Ohio or his designee and 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion.

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

Mr. MCGOVERN. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1146.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, House Resolution 1146 provides for the consideration of H. Con. Res. 248, directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan. The rule provides 3 hours of general debate in the House, with 90 minutes controlled by Representative KUCINICH and 90 minutes controlled by the Committee on Foreign Affairs. The rule waives all points of order against consideration of the concurrent resolution and provides that the concurrent resolution shall be considered as read.

Mr. Speaker, this is an important day, and an important debate, in the House of representatives. Last summer, I had the privilege of traveling to Afghanistan and meeting with our brave troops. They are an incredible group of people, proud of their accomplishments, thoughtful and candid about the challenges that confront them. They deserve to know that we are thinking about them and do not take their lives or their fate for granted. It has been far too long since Congress had a full and open debate on the issue of U.S. policy in Afghanistan.

In 2001, I voted, along with the vast majority of my colleagues, to go after the terrorists who attacked us on September 11th. I believe we must have a comprehensive strategy to counter the global threat posed by al Qaeda and its affiliates, no matter where they are in the world—Afghanistan, Pakistan, Somalia, Yemen, North Africa, and elsewhere. But I also believe that we have serious challenges right here at home. Millions of Americans are out of work. Our economy is just now beginning to emerge from the worst recession in decades. Our schools, our health care, our tax code, our infrastructure—all must be updated for the 21st century if we are to create a better America.

Mr. Speaker, the war in Afghanistan has cost U.S. taxpayers well over $200 billion—none of it paid for. None of it paid for. All of that money has been added on to our debt. And those costs will continue to rise as we fund increasing troop levels and provide the necessary care to our veterans when they return home. Our policy has drastically changed in those 8 years. We are no longer just going after the bad guys. We are engaged in a massive ''nation-building'' effort in Afghanistan.

Now, I certainly don't believe we should abandon the Afghan people. But instead of nation-building in Afghanistan, I'd like to do some more nation-building here at home.

Our allies in Afghanistan, the Karzai government, do not inspire confidence.

The recent election there was characterized by widespread fraud and corruption. Just 10 days ago, Mr. Karzai unilaterally rewrote the election law to ensure that he can handpick the members of the election monitoring commission that oversees voting irregularities. Talk about the fox guarding the chicken coop.

Over 1,000 U.S. servicemen and women have sacrificed their lives in Afghanistan. Over 670 more lives have been lost by our NATO military allies. Thousands more have been wounded, many severely, in ways that will affect the rest of their lives. Suicide and post-traumatic stress among our troops and veterans continue to increase at alarming rates.

Mr. Speaker, last summer I authored an amendment to require the administration to develop an exit strategy for our military involvement in Afghanistan. While my amendment did not carry the day, I believe it demonstrated to the administration that an open-ended commitment was not sustainable. As we know, President Obama outlined such a strategy in his speech at West Point. And I believe it is essential that we in the Congress work to keep the administration to its word. We must fulfill our constitutional responsibilities by making sure that taxpayer funds are spent wisely and with complete accountability and transparency for every dime and every dollar. No more Halliburton and Blackwater scandals. No more projects where fat-cat middlemen walk off with all the money while the Afghan people go without hospitals, schools, roads, or food.

Mr. Speaker, I hope that this is just the first—not the last—debate that we have on the House floor this year over our policy in Afghanistan. The issue is simply too important. The future at stake is too grave. We have sacrificed too much—in the lives and well-being of our soldiers, in the cost to our economy—to wait another year or 2 or 3 for Congress to do its job. We must continue to ask the hard questions and demand straight answers.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I'd like to thank the gentleman from Massachusetts (Mr. MCGOVERN) for the time, and I yield myself such time as I may consume.

Mr. Speaker, on Sunday the Iraqi people went to the polls to vote in their latest national parliamentary elections. Millions of Iraqis voted at thousands of voting stations throughout the country. The democratic process is succeeding in Iraq. The people there, despite extraordinarily difficult challenges, are able to express themselves in free elections.

Sunday was a good day for the future of Iraq. Those elections would not have taken place but for the decision of President Bush in 2007 to send over 20,000 surge troops to Iraq in order to establish, ''a unified democratic federal Iraq that can govern itself, defend itself, and sustain itself.'' Those elections would not have been possible but for the sacrifices of our troops and their families. Just 4 months ago, Mr. Speaker, President Obama announced a surge strategy for Afghanistan. He committed 30,000 additional forces to a counterinsurgency strategy that I believe will help to strengthen the government in Afghanistan's security forces, as the surge did in Iraq.

Since President Obama's announcement, we've seen considerable results. For example, last month, our troops began what is known as the Marjah offensive. The joint offensive with the Afghan National Army and coalition partners has pushed the Taliban out of Marjah and has allowed the Afghan government to take control of significant areas that were previously controlled by the Taliban. This offensive is what General David Petraeus, the commander of the United States Central Command, has described as the ''initial salvo'' in a 12- to 18-month campaign to defeat the Taliban.

Now I have had and I continue to have, Mr. Speaker, disagreements with policies of President Obama, but I have said privately, I have said publicly, and I reiterate here today, that in the case of Afghanistan, President Obama has demonstrated great responsibility and a sense of the national security interest of the United States. He deserves our support.

Just as our military is making tangible progress, like the Marjah offensive demonstrates, just as this is occurring, many of our colleagues in the majority party now feel that it is time to withdraw from Afghanistan. The resolution that we are set to debate today would require the President to withdraw our troops in 30 days. I believe that that would be precipitous. I believe that precipitously withdrawing our troops would be reckless. I believe it would allow the Taliban to regain control of Afghanistan and thereby provide criminal groups such as al Qaeda with carte blanche to run terrorist training camps and plan terrorist attacks against the United States and our allies. I would remind my colleagues that it was the safe harbor and support that the Taliban gave bin Laden which allowed him to plan the September 11, 2001, attacks from Afghanistan against this country. A reconstituted Taliban will undoubtedly do the same and will pose a significant and grave risk to the national security of the United States.

I believe, Mr. Speaker, that we must never allow Afghanistan to once again fall into the hands of terrorists whose sole purpose is to destroy the United States and to kill innocent civilians. Precipitous withdrawal would not only be dangerous, I believe, to our national security, but would constitute a mortal blow to the Afghan people, who are relying on our support.

Although they have far to go, Afghanistan has made demonstrable progress. But if this resolution were to become U.S. policy, all the improvements made by the Afghan people would disappear. Afghans would no longer be given the chance to vote in elections. The Taliban would rule by the edict of terror. It would mean the return of a nightmarish tyranny to Afghanistan. Women would see the rights they have gained disappear as the Taliban once again made women noncitizens and banned young girls, who for the first time are learning to read, from schools.

Mr. Speaker, I believe that now is not the time to turn our backs on the Afghan people. It is not the time to counter the mission of our troops, especially when they are engaged in the first major offensive of President Obama's reaffirmed counterinsurgency strategy. Let us send a message to the terrorists that the United States is committed to our mission to prevent the return to power of the Taliban. Let us soundly defeat this resolution.

I reserve the balance of my time.

□ 1300

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

I appreciated the gentleman from Florida's comments. He spent a great deal of time trying to compare Iraq to Afghanistan. I would remind my colleagues that Iraq and Afghanistan are very, very different countries, different cultures, different levels of education and a different history of centralized government. In Afghanistan, there is no tradition, there is no history of a centralized government. Comparing Iraq to Afghanistan is not comparing apples to oranges. It's like comparing apples to Volkswagens. There is no comparison. And we could have a debate about Iraq, but that should be on a separate day, and we could talk about whether there were any weapons of mass destruction; but today we're here talking about Afghanistan.

I think this is important, and it's an important discussion because this Congress, with the exception of a few amendments that got very little time, has not had a debate or a discussion in this Chamber on Afghanistan since after September 11, 2001. And our policy has changed in a number of different ways over those years, and we still have not had a debate or a discussion on Afghanistan.

So today, hopefully, we will. And my hope is that in this Chamber, where lots of Members talk all the time and very few Members listen, that this may be a day for Members to listen. It is important that we get this right, especially for the men and women who we have deployed over there.

At this time, Mr. Speaker, I would like to yield 2½ minutes to the gentlewoman from Maine (Ms. PINGREE), a member of the Rules Committee.

Ms. PINGREE of Maine. Thank you very much to my good friend from Massachusetts (Mr. MCGOVERN) for yielding me the time, for his excellent opening statement, and for his response to

our colleague from the Rules Committee as well. And I thank him for being here today.

Mr. Speaker, I rise today in support of this rule and the underlying concurrent resolution. It is a rare occurrence that Members of this body have the opportunity to devote 3 hours of debate to such an important issue, and it is even more unusual that Members are given a chance for a clean up-or-down vote on ending the war in Afghanistan. Each time an emergency war supplemental, a Defense appropriations bill or a Defense authorization bill has come to the floor, continued funding for the war in Afghanistan is hidden behind spending to create jobs, to provide humanitarian relief or to increase medical benefits to our troops, all of which I support. And privileged resolutions like this, which exercise the constitutional right of the United States Congress to decide whether or not to continue the use of the military force, rarely sees the light of day.

This country has spent over $250 billion, Mr. Speaker, on the war in Afghanistan. The share of my home State of Maine is almost $700 million. And in the next few months, the administration will likely ask this Congress to spend another $30 billion to fund a surge of troops in Afghanistan. At a time when we cannot find $30 billion to create jobs, continue unemployment benefits or help small businesses, we need to ask ourselves, Is the cost of this war worth it? Is it right to spend more money and lose more lives on a strategy that isn't working? Can we afford to turn our backs on the challenges we face at home and to pursue failed policies abroad?

I am an original cosponsor of this concurrent resolution because I firmly believe this war needs to end. We have asked our men and women in uniform to return to combat again and again. They have fought with bravery and helped the people of Afghanistan with compassion. They have risen to meet every challenge and paid every price to defend this country. But the cost of this war is too high. The economic situation in the country is too dire, and the lives of our brave men and women in uniform are too precious for this war to go on and for this issue to be muddled and tucked away in large spending bills.

It is time to end the war in Afghanistan and bring our troops home. It is time for this Congress to demand an open debate on Afghanistan and a clean vote on any future bills that fund this war. I ask my colleagues to join me in supporting this rule and the underlying concurrent resolution.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. MCGOVERN. At this point, Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank my colleague from Massachusetts.

Mr. Speaker, this Nation does face a very real and immediate terrorist threat. The terrorist threat stems from al Qaeda, which is a stateless menace, a menace that is not rooted in any one location or has any dominion in any one particular area.

In fact, the two countries that our Nation continues to occupy, namely Iraq and Afghanistan, are not significant bases of operations for al Qaeda. It's been recently reported that there are, in fact, only around 50 al Qaeda operatives in the entire nation of Afghanistan, and there could very well be 10 times that number in nations like Yemen and Pakistan.

Yes, there is a very real threat, but the answer is not to continue to indefinitely occupy countries where we only breed more sympathy with those who would do us harm. The correct and more important way to leverage American military might to combat this menace is to have targeted and aggressive intelligence-gathering and targeted special operations against the terrorists no matter where they are.

Some have expressed concerns that if we leave Afghanistan precipitously, al Qaeda could reassert itself there. The answer to that is to go after al Qaeda in a targeted way in Afghanistan if the need arises again. It is not to engage in an indefinite occupation of one or two particular countries. How many more countries would we need to occupy? If they're in Yemen, do we occupy Yemen? If they're in Pakistan, do we occupy Pakistan? If we weren't already in and occupying Afghanistan, would we choose to go in there today? I would submit that the answer is no.

We need to continue our effort to battle terrorists wherever they are and focus on this stateless menace through intelligence-gathering, targeted special operations and a refocused emphasis on homeland security, all of which a very costly and expensive effort in Afghanistan continues to reduce our ability to do by soaking up our national time and resources as well as costing the lives of American soldiers.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Today, so very late, represents the first real House debate on Afghanistan since President Obama announced that the path to peace could only be found through wider war. I have continually challenged that policy. But because our security, I believe, will not be found in either the false choice of ''more troops in'' or ''all out now,'' I cannot support the resolution, as I do not support our current strategy in Afghanistan.

This December escalation announcement by the President was counterproductive and somewhat misleading. He tried to have it both ways. He pledged to begin withdrawing troops in July 2011, but his plan continues sending troops through near the end of this year. Defense Secretary Gates was more candid. He says that any withdrawal next year will be a ''handful,'' that there is no real Afghanistan exit strategy, and that a large military presence is planned there for ''a very long time.''

With our unceasing commitment to American blood and treasure being poured into Afghanistan, there is no meaningful pressure on President Karzai and his drug dealer and warlord cohorts. They have been much less interested in undertaking the steps necessary to secure peace than in clinging to power and wealth, such as by stealing one-third of the votes in the last election. I believe that the calls for reform have been greeted since that time by Mr. Karzai only by taking over the independent election commission that questioned that election and by the appointment of multiple drug warlord types to the cabinet who are part of the problem. In Afghanistan, reform is a slogan, it is not a reality.

The SPEAKER pro tempore (Mr. TIERNEY). The time of the gentleman from Texas has expired.

Mr. MCGOVERN. I yield the gentleman 1 additional minute.

Mr. DOGGETT. We have exercised minimal leverage over Karzai and his cronies, who view our continuing presence there as an invitation to steal all they can get when they get it. The better exit strategy is having fewer troops who need to exit. I agree with General Eikenberry, our former commander and now ambassador, who last November questioned an escalation that would only ''bring vastly increased costs and an indefinite, large-scale U.S. military role.'' He wisely concluded that further increases would ''dig us in more deeply.''

In 2001, I voted for the use of force against the enemies that attacked us, and I continue to support that effort. But unless we pursue a different approach with a more narrow military footprint and a pragmatic exit strategy, we will remain embroiled in a land that has entrapped so many foreign powers throughout the centuries Afghanistan can consume as many lives and as many dollars as we are willing to expend there. As in Iraq, we are on a course for a trillion-dollar war waged on borrowed money. That must be changed to save American lives and America's future.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH), the author of the resolution.

Mr. KUCINICH. We're either in or we're out. Unless this Congress acts to claim its constitutional responsibility, we will stay in Afghanistan for a very, very long time at great cost to our troops and to our national priorities. Or we can set a date, December 31, 2010, by which we must leave. And this is exactly what the resolution seeks to do.

Congress has to be mindful of our responsibilities under this Constitution, article I, section 8, to claim responsibility for the true casualties, which are now close to 1,000, to claim responsibility for the cost, which is approaching $250 billion and together with the Iraq war close to $1 trillion. And this at a great cost to our priorities here at home for housing, for job creation, for health care, for education; to claim responsibility for the casualties to innocent civilians, the human costs of the war.

Congress must claim responsibility one way or another for challenging the corruption that my colleagues have talked about that has engulfed the Afghanistan administration. We must claim responsibility and understand exactly the role the Turkmenistan-Afghanistan-Pakistan-India pipeline has in all of this. We must claim responsibility for debating the wisdom of the counterinsurgency strategies which apparently have failed and claim responsibility for the logistics of withdrawal.

I brought this resolution to the floor of the House with the help of the Rules Committee and the support of the leadership, which believes the debate is merited, because after 8½ years it is time that this Congress be heard from. It is time that we claim our constitutional responsibility under article I, section 8.

The War Powers Resolution of 1973 was enacted to ensure that Congress has a role in the decision to send the United States Armed Forces into hostilities or the continued use of such forces and hostilities. And my legislation, if enacted, would require the President to bring the Armed Forces out of Afghanistan by December 31, 2010.

As the U.S. Armed Forces and our allies begin the first in a series of large military operations in Afghanistan, it is up to us to have our voice and our vote felt at this important moment.

Regardless of your support or opposition to the war, this resolution is about ensuring meaningful and open debate. And in the 3 hours ahead, I'm confident that this House will have the opportunity to do that so that people, no matter what their position is, can finally be heard from with respect to our constitutional responsibilities.

Mr. LINCOLN DIAZ-BALART of Florida. I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I thank the gentleman from Massachusetts for his courtesy in permitting me to speak on this. I continue to have profound reservations about our troop commitments, first in Iraq and more recently with President Obama's decision to escalate our presence in Afghanistan.

History suggests we will not be successful in stabilizing Afghanistan with military force. No one has. I don't think anyone ever will. Afghanistan today is perhaps the most corrupt country in the world, ranked next to last out of 180, according to Transparency International. If you have a culture of corruption, it's hard to plant seeds. It's hard to rent allies and have them remain loyal. Global economic development through roads and water are not esoteric, abstract issues. These are things that make a difference between people being thugs and, in some cases, feeding their families in any way they can, having little sympathy for infidels and drug problems.

The magnitude of spending that we're involved with here needs to be put in perspective. Each one of these additional troops that we are sending over costs $1 million a year to support. We are going to be spending as a Nation $7,000 for each of the 14.5 million Afghanis in the workforce.

□ 1315

Our military spending per Afghan worker is 20 times what that worker will earn in an entire year in Afghanistan. At the same time, there is a dire need for the most basic of services. In rural Afghanistan, 80 percent drink polluted water and only 10 percent have adequate sanitation.

I have profound reservations about the course we are on and the ability to generate positive long-term, fundamental changes that will persist over time. I think it is absolutely essential that we have this debate. While I don't agree with the resolution that somehow we are going to be able to pull the plug and be able to end this in 30 days or 30 weeks, I do think it is important for Congress to focus on what is here, what is possible.

What we need to be doing is redirecting our effort. We need to start reversing the course that we are on there. We need to narrow our focus. We need to make more efforts to involve the Afghans themselves with water, with sanitation, with education. And we need to make sure that Congress has a voice and is pushing back as the elements come to us.

I don't agree that we are powerless on some of the defense appropriations, for instance. We can in fact push back. We can be heard. And we can start reversing what I think is an inappropriate course.

I welcome the debate today. While I am not going to support the particular resolution, I appreciate my colleagues bringing it forward. I think it is important to engage and for us to imagine how we can do a better job in that troubled country and in that troubled region. The time to begin the discussion is long overdue. I look forward to continued progress.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I think this has been a good discussion today. And I think it is appropriate to have it. I certainly hope that the result is clear, and that this Congress today strongly and in a bipartisan way rejects the resolution that is being brought forth. It would be a grave mistake for us to allow the Taliban to regain power in Afghanistan.

Sometimes the lessons of history may be a little bit more difficult to explain. In this case, when the Taliban was in power they opened the country up to training camps for terrorists to attack the United States. That was in 2001. It is not ancient history. So I hope we don't forget the lessons of history.

In addition, as I said before, Mr. Speaker, our Armed Forces with our coalition allies and the Afghan armed forces are in the midst of the first major offensive in President Obama's new strategy. So I think it would be a grave mistake if this Congress does not clearly and emphatically reject the resolution today.

Having said that, I yield back the balance of my time.

Mr. McGOVERN. Mr. Speaker, there is nothing wrong with demanding our troops come home, including forcing that debate by using the privileges of the war powers resolution. There is nothing unpatriotic in demanding that our troops and their families, their neighbors and their communities be told when they are coming home. And Mr. Speaker, there is every reason to debate how we go after al Qaeda and how we create a flexible, mobile, global strategy able to track, find, counter, and strike al Qaeda cells wherever they might be. And there is no reason to run away from a debate over whether 100,000 boots on the ground in Afghanistan is the best strategy to eliminating al Qaeda once and for all.

I do not doubt that our brave military men and women can and will achieve military successes in battle after battle after battle. But are Afghanistan's tribal disputes going to be solved on the battlefield or at the political negotiating table? And if it is going to take a political solution to resolve centuries of grievances, then who is willing to stand at the front of this Chamber and declare how many American lives that is worth?

Mr. Speaker, President Obama has said he will begin to bring our troops home next July, but he didn't say when the job will be complete. Representative KUCINICH says let's bring them home by New Year's Eve, this year. We must continue to debate this issue, debate it today, debate it on the supplemental, debate it on defense bills.

Let's debate it when we are begging for resources so our kids can go to quality schools, when we are trying to find the money so every American has a decent job and affordable health care, so we can maintain our roads and our bridges and our waterways, so we can guard our ports and our borders, so we can keep our cops on the beat and our seniors safe in their homes. Let's debate the war in Afghanistan, how we will pay for it, how it will end, when it will end, and when our sons and daughters, husbands and wives, friends and neighbors will be able to come home.

Let us continue to ask the hard questions and demand straight answers until we get it right and all our troops are safely home.

Mr. Speaker, I urge a ''yes'' vote on the rule and on the previous question.

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

The previous question was ordered.

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

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

Mr. LINCOLN DIAZ-BALART. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 1146 will be followed by 5-minute votes on motions to suspend the rules on House Resolution 1088 and H.R. 4621.

The vote was taken by electronic device, and there were—yeas 225, nays 195, not voting 10, as follows:

[Roll No. 95]

YEAS—225

Ackerman
Adler (NJ)
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Campbell
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Klein (FL)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Yarmuth

NAYS—195

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

NOT VOTING—10

Barrett (SC)
Camp
Conyers
Davis (AL)
Deal (GA)
Hoekstra
Inslee
Kennedy
Wamp
Young (FL)

□ 1354

Messrs. CARDOZA, WHITFIELD, KINGSTON, CHILDERS and HALL of Texas and Ms. KOSMAS changed their vote from ''yea'' to ''nay.''

Messrs. LANGEVIN, ORTIZ, MINNICK, TANNER, PERRIELLO, CHANDLER, CUELLAR, ELLSWORTH, CAMPBELL, RYAN of Ohio, HILL and MARSHALL and Mrs. McCARTHY of New York, Ms. MARKEY of Colorado and Ms. HERSETH SANDLIN changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE PLIGHT OF PEOPLE WITH ALBINISM IN EAST AFRICA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1088, 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 Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 1088, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 11, as follows:

[Roll No. 96]

YEAS—418

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (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
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson

Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
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)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—1

Paul

NOT VOTING—11

Barrett (SC)
Becerra
Camp
Capps
Conyers
Davis (AL)
Deal (GA)
Hoekstra
Maffei
Wamp
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1402

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 96, H.R. 1088, had I been present, I would have voted "yes."

PREVENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 4621, 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 Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4621, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 14, as follows:

[Roll No. 97]

YEAS—416

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (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
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
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
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—14

Barrett (SC)	Davis (AL)	Roskam
Bartlett	Deal (GA)	Schakowsky
Boswell	Hoekstra	Wamp
Camp	Matsui	Young (FL)
Conyers	Peterson	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1409

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.

AFGHANISTAN WAR POWERS RESOLUTION

Mr. KUCINICH. Mr. Speaker, pursuant to House Resolution 1146, I call up the concurrent resolution (H. Con. Res. 248) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. CAPUANO). Pursuant to House Resolution 1146, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 248

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

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.

Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), Congress directs the President to remove the United States Armed Forces from Afghanistan—

(1) by no later than the end of the period of 30 days beginning on the day on which this concurrent resolution is adopted; or

(2) if the President determines that it is not safe to remove the United States Armed Forces before the end of that period, by no later than December 31, 2010, or such earlier date as the President determines that the Armed Forces can safely be removed.

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 3 hours, with 90 minutes controlled by the gentleman from Ohio (Mr. KUCINICH) or his designee and 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

The gentleman from Ohio (Mr. KUCINICH) will control 90 minutes. The gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 45 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Speaker, in 2001 I joined the House in voting for the Authorization for Use of Military Force. In the past 8½ years, it has become clear that the Authorization for Use of Military Force is being interpreted as carte blanche for circumventing Congress' role as a coequal branch of government.

My legislation invokes the War Powers Resolution of 1973. If enacted, it would require the President to withdraw U.S. Armed Forces from Afghanistan by December 31, 2010.

The debate today will be the first opportunity we have had to revisit the 2001 Authorization for Use of Military Force, which the House supported following the worst terrorist attack in our country's history. Regardless of your support or opposition to the war in Afghanistan, this is going to be the first opportunity to evaluate critically where the Authorization for Use of Military Force has taken us in the last 8½ years.

This 2001 resolution allowed military action ''to prevent any future acts of international terrorism against the United States.'' Those of us who support the withdrawal from Afghanistan may or may not agree on a timeline for troop withdrawal, but I think we agree that this debate is timely.

The rest of the world is beginning to see the folly of trying to occupy Afghanistan: The Dutch Government recently came to a halt over the commitment of more troops from their country. In Britain public outcry over the war is growing. A recent BBC poll indicated that 63 percent of the British public is demanding that their troops come home by Christmas. In Germany opposition to the war has risen to 69 percent. Russia has lost billions of dollars in the 9 years it spent attempting to control Afghanistan.

Our supposed nation-building in Afghanistan has come at the destruction of our own. The military escalation cements the path of the United States down the road of previous occupiers that earned Afghanistan its nickname as the ''graveyard of empires.''

□ 1415

One year ago last month, a report by the Carnegie Endowment concluded ''the only meaningful way to halt the insurgency's momentum is to start withdrawing troops. The presence of foreign troops is the most important element driving the resurgence of the Taliban.''

So with this debate today, Mr. Speaker, we will have a chance for the first time to reflect on our responsibility for troop casualties that are now reaching 1,000; to look at our responsibility for the costs of the war, which approaches $250 billion; our responsibility for the civilian casualties and the human costs of the war; our responsibility for challenging the corruption that takes place in Afghanistan; our responsibility for having a real understanding of the role of the pipeline in this war; our responsibility for debating the role of counterinsurgency strategies, as opposed to counterterrorism; our responsibility for being able to make a case for the logistics of withdrawal.

After 8½ years, it is time that we have this debate.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in opposition to the resolution, and I yield myself 4 minutes.

Mr. Speaker, first of all, I want to say I have quite enjoyed working with the gentleman from Ohio on this issue and a number of the issues we have had dealings with since I have become chairman, and I fundamentally agree with him and other supporters of the resolution that it is right for the House to have an open, honest debate on the merits of our ongoing military operations in Afghanistan, and outside, outside, the context of a defense spending bill or a supplemental appropriations bill. This is a good thing to be doing.

By vesting the power to declare war with the Congress, the Founders intended the United States would go to war only when absolutely necessary, and it is incumbent on this body to consider as thoroughly as possible the purpose and ongoing necessity of committing U.S. forces to battle.

Now, as a procedural matter, I take issue with the invocation of section 5(c) of the War Powers Resolution as the basis for this debate, because that section authorizes a privileged resolution, like the one before us today, to require the withdrawal of combat forces when Congress has not authorized the use of military force.

There really can't be any doubt that Congress authorized U.S. military action in Afghanistan. The authorization for the use of military force passed by Congress in late September 2001 explicitly empowers the President to use force against the terrorists responsible for the 9/11 attacks and those who harbored them. President Obama is doing just that.

But putting aside procedure, the notion that at this particular moment we would demand a complete withdrawal of our troops from Afghanistan by the end of the year, without regard to the consequence of our withdrawal, without regard to the situation on the ground, including efforts to promote economic development, expand the rule of law, and without any measurement of whether the ''hold'' strategy now being implemented is indeed working, I don't think is the responsible thing to do.

Our troops are fighting a complex nexus of terrorist organizations—al Qaeda, the Taliban—all of which threaten the stability of the Afghan Government, and they have demonstrated their ability to strike our homeland. If we withdraw from Afghanistan before the government there is capable of providing a basic level of security for its own people, we face the prospect that the Taliban once again will take the reins of power in Kabul and provide safe haven to al Qaeda. That would be a national security disaster.

I am keenly aware that even if we remain in Afghanistan, and here I want to emphasize this, there is no guarantee we will prevail in this fight. But if we don't try, we are guaranteed to fail.

President Obama has taken a very deliberative approach. He has examined numerous options over the course of several months and consulted with all relevant military leaders and allies. He really left no stone unturned and no issue unvetted as part of this review. He deserves an opportunity now to implement his strategy. He has given us the timeline for when he expects to see results, and there will be a reassessment of our strategy in 18 months.

General McChrystal, the commander of the U.S. and international forces, indicated that we have made progress since the new strategy was announced on December 1. We are witnessing the first major joint NATO-Afghanistan military operation in the city of Marja, considered a strategic fulcrum for ridding the region of the Taliban.

Our troops are working side by side with their Afghan counterparts. They retook Marja in 3 weeks of hard but well-executed efforts. They are making the Afghan people their number one priority, which is the basis for this counterinsurgency strategy. And to that end, the State Department and USAID have been working very hard to develop a concrete governance and development strategy.

I was here during the frenzied debate following 9/11 when Congress authorized the use of force against those responsible for the horrors of that day and those who chose to provide the perpetrators a safe haven.

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

Mr. BERMAN. I yield myself 30 additional seconds.

And I was here for the vote a year later to authorize military force against Iraq. Please don't conflate the two. The fight in Afghanistan is the fight against those who attacked us.

I am not endorsing an open-ended commitment. I am not advocating that we remain without assessing our progress. But I do believe this strategy of our President deserves support, and I urge opposition to the resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong opposition to this resolution. As we are all aware, U.S. forces at this very moment are engaged in battle against heavily armed enemy forces in a strategically important region of Afghanistan. Our brave men and women are making steady progress against a deadly foe, and are doing so at great risk to their lives.

This offensive is part of a new strategy in Afghanistan focused on the immediate goals of disrupting, dismantling, and defeating al Qaeda, denying al Qaeda a safe haven, and reversing the momentum of the Taliban. This offensive is already producing dramatic success, including the capture of senior Taliban leaders, the routing of their forces, and the stabilization of key areas.

A winning strategy should be supported, not undermined. We must not give Taliban leaders and fighters a shield against U.S. forces that they otherwise cannot stop. No enemy was ever vanquished, no victory was ever secured by running away. Those who wish to destroy us would surely follow us, convinced that we had been beaten and eager to attack us wherever we go, as they would be confident that we can, in fact, be beaten again.

Mr. Speaker, let us dispel any myths or illusions about the consequences of a forced withdrawal. As General Petraeus has warned, ''I was in Kandahar. It was in Kandahar that the 9/11 attacks were planned. It was in the training camps in eastern Afghanistan where the initial preparation of the attackers was carried out before they went to Hamburg and flight schools in the U.S. It is important to recall the seriousness of the mission and why it is that we are in Afghanistan in the first place and why we are still there after years and years of hard work and sacrifice that have passed.''

One of the principal reasons that we have been spared a repeat of those attacks is that U.S. forces quickly toppled the Taliban regime that was protecting the terrorists and drove it and its al Qaeda allies out of their safety zone and into the remote mountains. Years of constant U.S. military pressure have forced them to turn their attention from planning more attacks against our homeland to fighting for their own survival.

To leave Afghanistan now would pave the way for the reestablishment of a vast and secure base from which al Qaeda and other deadly enemies could strike Americans around the world. Having withdrawn and abandoned our hard-won positions, to our allies and the people of Afghanistan, U.S. credibility would be significantly and perhaps irrevocably damaged. This, in turn, could leave the U.S. alone and more vulnerable than ever to the threats of radical Islamic extremists.

Our retreat would be seen around the world by friends and opponents alike as a surrender, as a sign that America no longer has the will to defend herself. We might attempt to fool ourselves into believing that it was merely a temporary setback, that we have suffered no long-term blow, but no one else would be fooled. It would be proof to every group that wishes to attack and destroy us that we can be fought and we can be beaten, that eventually America will just give up, regardless of the consequences.

We should support our troops by supporting their efforts to disrupt and dismantle and defeat al Qaeda and the Taliban.

As many of you know, my daughter-in-law Lindsay served in Iraq and Afghanistan. I also have two committee staffers, one in the Army Reserves and one in the Marine Reserves, who are on their way now to Afghanistan. This is not their first time in battle. Both of these gentlemen have served bravely in Iraq, but the prospect of entering combat never becomes routine. They, like my stepson Douglas, who served as a Marine fighter pilot in Iraq, have recounted to me how the debates in Congress to mandate a withdrawal of our forces in Iraq demoralizes U.S. troops.

The request of my staffers to me as they embark on their mission to Afghanistan is to provide them with all of the tools and all of the support that they need to defeat the enemy and to win. They ask that we strengthen our commitment, our resolve, to the mission in Afghanistan and Pakistan. Our enemies are redoubling their efforts. We must also.

In June of last year, Osama bin Laden noted that U.S. efforts had been, and I quote, ''transferred to Afghanistan and Pakistan. Thus, jihad must be directed at that region.''

Bin Laden later said in September, ''Not much longer, and the war in Afghanistan will be over. Afterwards, not even a trace of the Americans will be found there. Much rather, they will retreat far away behind the Atlantic. Then only we and you will be left.''

We must do everything possible to deny bin Laden and al Qaeda such a victory.

Mr. Speaker, the Afghan people are also listening to today's debate. For us to succeed in Afghanistan, we need their support. But the Afghan people will not be giving that support if they believe that we will abandon them.

As Admiral Michael Mullen, the Chairman of the Joint Chiefs of Staff, has said, ''When I am in Afghanistan, I get the same question asked as when I am in Pakistan, which is, are you going to leave us again? Because they remember very well that we have in the past. And so there is a trust here. There is uncertainty through Afghanistan's eyes as to whether or not we will stay.''

In cooperating with us, in trusting us, they know that they are risking their lives and those of their families. Our troops are listening as well.

This debate today reminds me of the many times that I have come down to the floor to speak against a forced withdrawal from Iraq and the need to support our mission there.

Mr. Speaker, it is an illusion to believe that we can protect ourselves from our enemies by picking and choosing easy battles and turning away from those that require patience and sacrifice. This Congress cannot, must not, turn away from its responsibility to defend our country and our citizens simply because the task seems too difficult. The men and women in uniform who willingly risk their lives to defend our country do not believe that.

□ 1430

Mr. Speaker, as with all of my fellow Members and citizens, I hope for a

world one day without war. But in the world we live in, some wars are forced upon us. And we have no choice but to fight and to win them if we are to survive.

I urge my colleagues to resoundingly defeat this resolution.

I reserve the balance of my time.

Mr. KUCINICH. I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. Mr. Chairman, I rise in support of this resolution. I am not convinced that the United States and its allies can end the 35-year civil war in Afghanistan, nor is that our responsibility. We should not use our troops to prop up a corrupt government. It is simply not justifiable to sacrifice more lives and more money on this war. We must rethink our policy. If we do not, we are doomed to failure and further loss of American lives.

In late 2001, we undertook a justified military action in Afghanistan in response to the attacks of 9/11, and with moral clarity and singular focus we destroyed the al Qaeda camps, drove the Taliban from power, and pursued the perpetrators of mass terrorism. I supported that action. Today, however, our presence in Afghanistan has become counterproductive. We are bogged down amidst a longstanding civil war between feuding Afghans of differing tribes, classes, and regions whose goals have little to do with our own. Moreover, our very presence in Afghanistan has fueled the rising insurgency and emboldened those who oppose foreign intervention or occupation of any kind, who see us as foreign invaders. In seeking security and stability in Afghanistan, we have supported corrupt leaders with interests out of sync with the interests of ordinary Afghans. By backing the Afghan government, we have further distanced ourselves from the Afghan people and empowered the insurgency.

If our mission in Afghanistan is indeed to prevent the safe harbor of terrorists within a weak or hospitable nation, that mission is largely accomplished, since we are told there are now fewer than a hundred al Qaeda in Afghanistan. In reality, terrorist plots can be hatched anywhere, in any nation, including our own. In fact, much of the planning for the 9/11 attacks took place in Western Europe.

This does not mean we should stop pursuing terrorists. On the contrary. We must continue the multipronged effort to disrupt, dismantle, and destroy their ability to harm the United States. We must continue to track and block terrorist financing across the globe, increase intelligence activities focused on terrorists, increase diplomacy to rally our allies to our cause against terrorism, and, if necessary, use our Armed Forces to attack terrorist targets wherever they may be—a function quite distinct from using the military to secure a nation so that it can be rebuilt. Rebuilding Afghanistan is beyond both our capability and beyond our mandate to prevent terrorists from attacking the United States. I believe that a short and definitive timetable for withdrawing our troops is the only way to minimize further loss of life and to refocus our efforts more directly at the terrorists themselves.

I do have one reservation, that the resolution before us seems to leave no room for a military role in Afghanistan under any circumstances. I believe we must reserve the right to use our Armed Forces to attack terrorist targets wherever they may be, and that would include terrorist training camps in Afghanistan, if they were reestablished there. But those camps are not there now, and our troops should not be there either. Mr. KUCINICH's resolution points us in the right direction, a direction far better than the direction in which we are now headed. Accordingly, I urge approval of the resolution.

Mr. BERMAN. I reserve the balance of my time.

Mr. KUCINICH. I yield 5 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES. Mr. Speaker, I want to thank the gentleman from Ohio, first, for presenting this resolution and, secondly, for fighting for so long to get us to have this debate. I want to say to Mr. BERMAN, thank you for agreeing to let this be debated.

I want to start by saying that Peggy Noonan has called for this debate in ''A 'Necessary' War?'' I want to read this: ''So far, oddly, most of the debate over Afghanistan has taken place among journalists and foreign policy professionals.'' All of them have been honest in their opinions about the war in Afghanistan. But when you really look at the facts, nobody elected these people to debate the war. ''Washington has to get serious, and the American people have a right to know the facts and options.''

[From the Wall Street Journal, Oct. 10, 2009]

A 'NECESSARY' WAR? THE PRESIDENT AND CONGRESS, DISTRACTED, HAVE LEFT A VOID

(By Peggy Noonan)

So far, oddly, most of the debate over Afghanistan has taken place among journalists and foreign-policy professionals. All power to them: They've been fighting it out on op-ed pages and in journals for months now, in many cases with a moral seriousness, good faith, and sense of protectiveness toward the interests of the United States that is, actually, moving. But nobody elected them. We need a truly national debate.

So thank you both for allowing this debate to take place today. But I join my friends in saying that it's time to bring an end to this war. I have Camp Lejeune Marine Base in my district, Cherry Point Marine Air Station, and Seymour Johnson Air Force Base. Brave men and women. God bless them all.

I want to start my comments and would like to share this with you from the Marine Corps Times, March 1, 2010: ''Left to Die. They called for help. 'Negligent' Army leadership refused—and abandoned them on the battlefield.'' Four died, handcuffed to do their job for this country. That's awfully sad to me.

I would like to read also from the Marine Corps Times: ''Caution killed my son. Marine families blast 'suicidal' tactics in Afghanistan.'' I would like to read the words from a father whose son died for this country. I would like to read the words of this man because he served in the Marine Corps, a sergeant himself. His frustration about how his son died because he was not helped led him to write to Admiral Mullen and also Senator COLLINS. This is his response back to the letters from Admiral Mullen and his response back to SUSAN COLLINS:

''Sergeant Bernard said the letter is 'smoke and mirrors' and overlooks his consistent concern: A counterinsurgency strategy won't work as long as Afghanistan is filled with warring tribes that have no empathy for the United States and its way of life.''

He further stated in his letter to Senator COLLINS, ''I have already spoken to your office,'' and he further said, ''Don't let him,'' meaning Admiral Mullen, ''spin this crap.''

I'm quoting him now. These are not my words. This is what he said to Admiral Mullen. This is a father whose son died for this country. I repeat that:

''Don't let him spin this crap,'' Bernard said. ''There's no indication that Afghanistan has changed anywhere. Our mission should be very, very simple: Chase and kill the enemy.''

Well, I just gave you two examples of where we're not really fighting the war in Afghanistan. Because why in the world would those marines have been killed who were asking for cover, and yet the Army said, No, we can't give you cover because of our policy—and our policy is: We don't want to kill civilians. But as Sergeant Bernard said, and he's right—I've never been to war, let me be honest about it, but he has been to war and knows that war is ugly. It's mean. And therefore we're saying to our troops we're going to ''handcuff'' you, and we're going to do what we can to protect those in Afghanistan, but you might have to give your life and you couldn't even fire a gun. That is not what we should be doing in Afghanistan.

Last point, the book that's called ''The Three Trillion Dollar War,'' it is a book written by the economist Joe Stiglitz, and he says in the book that to take care of the wounded from Afghanistan and Iraq for the next 25 years, a minimum cost of $2 trillion.

I want to end with this story: Three years ago, three years ago, Congressman GENE TAYLOR and WALTER JONES, myself, went to Walter Reed to visit the wounded, as many Members of Congress in both parties do. And we go into a room where a young man, 19 years old, had been shot in the neck, sitting in a wheelchair, will never walk again. As Gene and I speak to him and tell him we thank him so much for his service, his mom comes in and she looks at us like a deer in headlights.

Scared. She should be scared. She doesn't know what the future is for her son.

And then she said to GENE TAYLOR and myself, after we introduced ourselves, Can you guarantee me that this government will take care of my son 40 years from now? He is 19 years old.

And one of us said to her, This country should take care of your son 40 years from now. But you know what I would tell her today? I'm not sure we can take care of your son.

We need to understand we can't police the world anymore. It's time that we protect ourselves from the enemy, the terrorists. But going around the world and trying to police the world doesn't work anymore.

So I want to thank the gentleman for giving me this time. And I join you in this resolution and hope that these debates will continue and continue so we will meet our constitutional responsibility and we will be able to say one day to that 19-year-old soldier or marine: We will take care of you 40 years from now. Because right now we cannot do it.

Ms. ROS-LEHTINEN. At this time I'd like to yield 5 minutes to an esteemed member of our House Foreign Affairs Committee, as well as the Judiciary Committee, the gentleman from Texas (Mr. POE).

Mr. POE of Texas. This is about our troops. This is about Americans who have been willing to protect the rest of us when duty calls and in time of war. Army Specialist Jarrett Griemel was one of those noble Americans. He was a patriot. He joined the United States Army right out of high school. He had completed basic training before he graduated from high school in his junior year at La Porte High School in Texas. In 2008, Jarrett married his high school sweetheart, Candice, in a small ceremony before the justice of the peace. She joined him in Alaska, where he was deployed by the Army, to begin their young married lives together. He was a petroleum supply specialist assigned to the 425th Brigade Special Troops Battalion, 4th Brigade Combat Team, 25th Infantry Division Battalion.

Last June, Jarrett was killed at the age of 20 years in Afghanistan. This is his photograph. He is on this board—the board with 27 other Texans from our congressional district area. He is the latest to have been killed in Iraq or Afghanistan as a volunteer to go overseas and protect the rest of us in time of war. He believed in protecting our country. He believed in it so much he was willing to leave his wife and go halfway around the world to fight an enemy on the enemy's own turf. And he believed in it so much that he was willing to give his life for the rest of us. So if we pass this resolution, what message do we send to Jarrett's family or Jarrett's young bride—that his sacrifice just wasn't enough? That it was all for naught?

We don't quit war because war is hard. War has always been hard. Every good thing this country has ever achieved has been hard. We don't quit and run because it is difficult. We stay because we believe, like Jarrett, that the fight against an enemy that is bent on our destruction is worth it. That is the reason these other 27 from all races and both sexes fought in Iraq and Afghanistan.

Last December, I had the privilege to go to Afghanistan and meet Americans like Jarrett and these others who are risking their lives for us here at home. They told me that they missed their families, they missed their kids, but also they believe the work they're doing is worth it, and they're eager to finish the job and get back home. They continue to fight, and fight hard, and they want success. And we must remember, Mr. Speaker, they're all volunteers. America's finest.

General McChrystal's new strategy is effective and already leading to key victories. It makes no sense to all of a sudden pick up and leave when we're the ones winning this war and the enemy is receiving crushing blow after crushing blow. We cannot pull the rug out from underneath our troops. Of course, al Qaeda and the Taliban would say, I told you so. The Americans, they just don't have the stomach for war. They would once again, these enemies of the world, creep back into the seats of power and darkness and would turn their countries back a thousand years. Women would once again not be allowed to go to school, political dissidents would be murdered, and Afghanistan would once again become a safe haven for terrorists to plot and plan their next attacks against people they don't like throughout the world, including Americans. All Americans would be in danger.

War is hard. The cut-and-run crowd do not understand if we retreat unilaterally and quit this war, the war will not be over, because our enemies will continue the war against us whether we continue against them or not. Our troops would return home with one question: Why? Why would you bring us home when victory was so close? Why did we fight so hard, make so many sacrifices, only to have those that believe in peace at any price say it's time to quit?

Now is not the time to retreat. This enemy is real. It must be defeated. This is not about the politics of fear with some hypothetical enemy but assessing reality and supporting these men and women and others that are over there and protecting our home from terrorists that want nothing more than to destroy us wherever they find us in the world. Past successes don't guarantee future success. Victory is close, but we have not obtained it yet. Abandonment and retreat—those are not strategies. We stay because it's in our interest to stay and secure a victory against the enemies of the world.

General Petraeus said, ''We've got to show that we are in this; that we are going to provide sustained, substantial commitment.'' Make no mistake about it, Mr. Speaker, the troops and their families are watching this debate today to see what we shall do here in Congress. They are looking for who will support them and who will not. We must defeat this resolution and the Taliban and the al Qaeda and support our military.

□ 1445

Last Saturday, March 6, was the 174th anniversary of the battle at the Alamo where those people walked across that line rather than give in to the enemy.

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

Ms. ROS-LEHTINEN. I yield an additional 30 seconds to the gentleman from Texas.

Mr. POE of Texas. I thank the gentlelady. They were led by a 27-year-old individual from South Carolina by way of Alabama. He said at the Alamo, ''I shall never surrender or retreat,'' and they did not surrender or retreat because war was hard then, and it cost them all their lives. But victory was obtained later, and freedom was obtained.

War is hard. It is always hard. And we shall not give in. We shall not surrender or retreat. It is in our interest and in the interest of America to defeat the enemy and let them have no doubt in their minds that we will be victorious.

And that's just the way it is.

Mr. KUCINICH. I yield 4 minutes to the gentleman from California (Mr. FILNER).

Mr. FILNER. Yes, Mr. POE, war is hard. I've got news for you: peace is harder. Talk to Dr. Martin Luther King, Jr. Talk to Nelson Mandela. Peace is harder. Peace is really hard. I've heard Mr. POE's words: Victory is close. What message are we sending to our troops? The Alamo as a metaphor for this? Come on, Mr. POE. And Mr. POE started with, ''This is about our troops.'' That's exactly right: this is about our troops.

I would like to thank the gentleman from Ohio (Mr. KUCINICH) for allowing us to have a debate. Here we have spent hundreds of billions of dollars, and we've had no real debate. So I thank him for bringing this resolution and allowing us to debate. We need a debate in this democracy so that everybody understands the costs, the costs of war, the costs of not going to war. The material costs, the human costs. This is about our troops. I agree with Mr. POE.

You know, I have been to Iraq and Afghanistan. I have met these incredible young men and women who are fighting this war. As Mr. POE suggested, they are incredible. It's the policymakers I am worried about. We report as killed in our two wars almost 1,000 in Afghanistan and a little over 4,000 in Iraq. We report around 40,000 casualties. Let me tell you, I am chairman of the Veterans' Affairs Committee in this Congress. We have had

almost 1 million veterans from these wars show up at the VA for injuries received during the war, service-related injuries, hundreds and hundreds of thousands. This is not just a mathematical error by the Department of Defense. This is a deliberate attempt to keep the cost of war from our people.

We've got hundreds of thousands of people with post-traumatic stress disorder, hundreds of thousands with traumatic brain injury, all of whom were undiagnosed when they left the battle front. The military doesn't want to know about these injuries. They don't want to tell the American people about these injuries. This kind of war produces those injuries. I didn't hear that from Mr. POE. What do we tell the mom? We tell the mom that we shouldn't be sending her child there because of the nature of the war. There is no ''Victory is close.'' I would like to have someone define for me what that victory is.

As I said, we have had almost 1 million veterans from these wars already come to the VA. The suicide rate among active duty troops in Iraq and Afghanistan is higher than the rate in Vietnam, which was the highest that we've ever had as Americans. These are our children. These are our children. They come home with these invisible wounds. They may kill themselves from the demons that they got from this war. A third of those who had been diagnosed with PTSD—and that's only a small fraction of those who actually have it—have committed felonies in this Nation, of which several hundred were homicides, usually of their own family members. These kids did not come home to kill their spouses or their children, but they were so wounded, and they were not taken care of by our people who sent them there. We bring them home, and we say, Okay, you're on your own. And then what do we have? Suicides, homicides.

This war is tearing apart those who have taken part in it. It will have the same influence that the Vietnam War had on our civilian society. Half of the homeless on the streets tonight are Vietnam vets.

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

Mr. KUCINICH. I yield the gentleman 30 seconds.

Mr. FILNER. The rate of homelessness amongst our troops who served in Iraq and Afghanistan is higher. More Vietnam vets have died from suicide than died in the original war. That is what these wars are doing to our society. These are our children. It's time to take care of them. It's time to bring them home. Let's support the resolution on the floor.

Mr. BERMAN. Mr. Speaker, I am very pleased to yield 4 minutes to my very good friend, the gentleman from Missouri (Mr. SKELTON), the chairman of the House Armed Services Committee.

Mr. SKELTON. Mr. Speaker, have we forgotten? Have we forgotten what happened to America on 9/11? Have we forgotten who did it? Have we forgotten those who protected and gave them a safe haven?

Let me speak a word in favor of those young men and young women who wear a uniform today that are doing something about it. I'm so proud of them. Every American should be proud of them and their professionalism, their devotion to duty, their patriotism. Thus, I rise in strong opposition to this ill-timed resolution that threatens to undermine the recent gains by U.S. forces and our Afghan and coalition partners.

Six months ago, I wrote a letter to the President while he was conducting a full review of our strategy in Afghanistan, urging him to adopt and fully resource an effective counterinsurgency strategy in Afghanistan. I still maintain that pursuing such a policy offers the best chance for success in our mission there. Afghanistan is the epicenter of terrorism. We cannot forget that it was the genesis of multiple attacks that killed thousands of Americans—children, parents, spouses, neighbors. We must do everything we can to ensure that it will not happen again and be used as a safe haven for those who seek to do us harm.

Last December, after 8 long years with no strategy in Afghanistan, President Obama recommitted our Nation to defeating al Qaeda and reminded us that the success of this mission requires us to work with our international allies and Afghan partners, and we are. The President also announced that our military commander in Afghanistan, General Stanley McChrystal, the best we have in this type of conflict, would receive an additional 30,000 troops to implement this counterinsurgency strategy. These additional combat troops, combined with those already in theater, would allow our troops and civilian experts to partner with their Afghan counterparts, reverse the momentum of the Taliban and create conditions needed for governance and economic development.

Even with just a fraction of these reinforcements in place, we already see signs of success. Last month Afghan, allied, and U.S. forces launched an operation to push the Taliban out of Marjah, a town of about 50,000 people in central Helmand province that became a new hub of activity for the Taliban and insurgents after our marines drove them out of nearby Garmsir. They successfully pushed the Taliban out of Marjah and are now beginning to reestablish government in that area, the second phase of that operation. A new Afghan administrator has been put in place, and the process of building that government has begun. Additionally, in recent days, Pakistani forces made the most significant Taliban captures since the war began, detaining the Taliban's second in command, the former Taliban finance minister and two shadow governors of Afghan provinces.

This mission will be costly. It will not be easy. Hard fighting lies ahead for our forces. The Afghan people have to recommit themselves to building a government that is mostly free of corruption and is capable of providing justice and security, and it is unclear if there will be future captures in Pakistan.

But this counterinsurgent strategy is the best we have to prevent Afghanistan from becoming a safe haven for al Qaeda and those who wish to kill Americans. If we vote to pull out now and abandon those Afghans who have only recently been freed from the Taliban, I have no doubt that the Taliban would be able to reestablish their hold on southern Afghanistan, if not the entire country.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. SKELTON. After 8 long years, we finally have a strategy for success in Afghanistan, and we have a President who has appointed the right leaders in General McChrystal and Ambassador Eikenberry, who's willing to provide those leaders with the military and civilian experts that they need.

Success is not guaranteed in this mission, but passing this resolution guarantees failure in Afghanistan and poses a serious risk that we will once again face the same situation that existed on September 11, 2001. I hope my colleagues will join me in opposition to this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I proudly yield 5 minutes to the gentleman from California (Mr. MCKEON), the ranking member on the House Armed Services Committee.

Mr. MCKEON. Mr. Speaker, I rise with the gentleman from Missouri (Mr. SKELTON), my chairman, the chairman of the Armed Services Committee. I join with my colleagues from the Foreign Affairs Committee and my colleagues from the Armed Services Committee in opposition to this resolution. I am very disappointed that the House Democratic leadership would allow this resolution to come to the floor at this time for a vote. One only has to look at the headlines to know that our military forces are making progress in their offensive against the Taliban insurgents in Helmand province, even as they face snipers, mines, improvised explosive devices, and a skeptical Afghan population.

The Kucinich resolution does nothing to advance the efforts of our military commanders and troops as they work side by side with their Afghan and coalition partners. Representative KUCINICH's resolution, if enacted into law, would mandate the withdrawal of all U.S. troops from Afghanistan by the end of 2010. Why consider this resolution now? Why second-guess the Commander in Chief and his commander so soon after the announcement of a new strategy? Four months ago, the President reminded us why we are in Afghanistan. It was the epicenter of

where al Qaeda planned and launched the 9/11 attacks against innocent Americans. The President recommitted the United States to defeating al Qaeda and the Taliban and authorized the deployment of 30,000 additional U.S. forces. A portion of those forces have arrived and others are readying to deploy.

Like most Republicans, I support the President's decision to surge in Afghanistan. I believe that with additional forces, combined with giving General McChrystal the time, space and resources he needs, we can win this conflict. We do not have a choice. We must defeat al Qaeda and the Taliban. This means taking all necessary steps to ensure al Qaeda does not have a sanctuary in Afghanistan or Pakistan.

At the end of last year, I had hoped that the war debate in this country had ended, and we would give a chance for that strategy to work, we would give a chance for those soldiers, marines, airmen, sailors who have been sent there to carry out their mission, to be successful. I had hoped, as a Nation, we could move toward a place of action; we wouldn't be in a position of second-guessing before we even had a chance to complete that mission. During the debate last year, no one said that it was going to be easy.

The current operation in Afghanistan has been successful but has not come without challenges. However, as we stand here today, the Afghan flag is flying in Marjah city center. The Taliban flag has been removed. This lone flag sends a clear message to Afghans that the central government is committed to people there, that we're not going to cut and run. We're going to be with them and help successfully conclude this mission so that they can finally have peace.

Some have compared our efforts there to Russians or others in the past and have talked about the defeat of other nations in this country. We're not there to take over this country. We're there to provide them freedom. That's why we're going to be successful.

□ 1500

However, this debate is not being conducted in a vacuum. Our troops are listening. Our allies are listening. The Taliban and al Qaeda also are listening. And finally, the Afghan people are listening. This resolution sends the message, ''Pay no attention to the flag over Marjah. America cannot be trusted to uphold its own values and commitments.''

I will be attending a funeral Saturday. Each of us I am sure here have had to perform that duty. It is not one I am looking forward to. I have attended several in the past. But at this point, for me to go to that funeral and tell the Geligs that their son, Sergeant Gelig, lost his life over an effort that we are going to cut and run from is something I cannot do.

Mr. Speaker, I want to send a clear message to the Afghan people and government that our coalition partners, our military men and women, this Congress believes in you, we support you, we honor your dedication and your sacrifice. I urge my colleagues to vote ''no'' on this resolution.

Mr. KUCINICH. I just want to say that you can talk about how the Democratic leadership is bringing this up at the time that there is obviously a surge about to begin, but why question the timeliness of the debate when in fact my friend in the minority, their party didn't bring this up for 8 years of debate? Eight years. I mean I think it's timely. That is the whole point.

I yield 5 minutes to the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of this resolution. I thank the gentleman from Ohio for bringing this issue up. It is late. This war started 9 years ago. It's about time we talked about it. It was said earlier on it is hard to quit a war, and we shouldn't be quitting. I will tell you what the real problem is, it is too easy to start a war. It is too easy to get involved. And that is our problem.

The founders of this country tried very hard to prevent this kind of a dilemma that we are in now; getting involved in no-win wars and nobody knowing exactly who the enemy is. The war was started and justified by quoting and using the war powers resolution written in 1973. That was written after the fiasco of Vietnam to try to prevent the problem of slipping into war. Yet that resolution in itself was unconstitutional because it literally legalized war for 90 days without Congressional approval. It did exactly the opposite.

So here we are, the 90-day permission for war at that time now is close to 9 years. I am afraid that this is too little, hopefully not too late for us to do something about this. Are we going to do it for 10 more years? How long are we going to stay? And the enemy is said to be the Taliban. Well, the Taliban, they certainly don't like us, and we don't like them. And the more we kill, the more Taliban we get.

But I want to quote the first line of the resolution passed back in 2001, explaining the purpose for giving the President the power, which was an illegal transfer of power to the President to pursue war at will. It said, ''To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.'' The Taliban didn't launch an attack against the United States. The Government of Afghanistan didn't launch it.

The best evidence is that of those 20 individuals who participated in the 9/11 attacks, two of them might have passed through Afghanistan. A lot of the planning was done in Germany and Spain, and the training was done here in the United States. Oh, yes, the image is that they all conspired, a small group of people with bin Laden, and made this decision. Right now the evidence is not there to prove that. But certainly bin Laden was very sympathetic, loved it, and wanted to take credit for it.

One of the reasons why he wanted to take credit was that it would do three things he wanted: First, it would enhance his recruitment efforts for al Qaeda and his attacks against western powers who have become overly involved in control of the Middle East and have had a plan for 20 years to remake the Middle East. He also said that the consequence of 9/11 will be that we will bog the American people down in a no-win war and demoralize the people. There is still a lot of moral support, but there is a lot of people in this country now that the country is totally bankrupt and we are spending trillions of dollars on these useless wars that people will become demoralized, because history shows that all empires end because they expand too far and they bankrupt the country, just as the Soviet system came down. And that is what bin Laden was hoping for. He also said that the dollars spent will bankrupt this country. And we are bankrupt. And yet there is no hesitation to quit spending one cent overseas by this Congress.

We built a huge embassy in Baghdad, we built an embassy in Kabul, billion-dollar embassies, fortresses, and it's all unnecessary. Nobody is really concerned. If people were concerned about the disastrous effect of debt on this country, we would change our foreign policy and we would be safer for it. We are not safer because of our foreign policy. It is a policy of intervention that has been going on for a long time, and it will eventually end.

This war is an illegal war. This war is an immoral war. This war is an unconstitutional war. And the least you could say is it is illegitimate. There is no real purpose in this. The Taliban did not attack us on 9/11. You know, after we went into Afghanistan, immediately the concerns were shifted to remaking the Middle East. We went into Iraq, using 9/11 as a justification. It was nothing more than an excuse. Most Americans, the majority of Americans still believe that Saddam Hussein had something to do with 9/11. And I imagine most Americans believe the Taliban had something to do with 9/11. It is not true.

We need to change our foreign policy and come back to our senses and defend this country and not pretend to be the policeman of the world.

Mr. KUCINICH. Could I ask, Madam Speaker, how much time is remaining on each side?

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). The gentleman from Ohio has 68½ minutes. The gentleman from California has 36 minutes. The gentlewoman from Florida has 27½ minutes.

Mr. KUCINICH. I yield 3 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. I thank the gentleman from Ohio.

Let me just say at the outset while I am speaking on behalf of the same resolution the gentleman just before me spoke on behalf of, I couldn't disagree more that our interests do lie in protecting our national security by being in Afghanistan. My opposition is our strategy. My opposition is that somehow we are going to control the ground by maneuvering ourselves militarily to control the ground as if it is a nation-state.

I hear my colleagues talk about the flag of Afghanistan as if Afghanistan is a country. In case anybody has bothered to look at it, it is a loose collection of 121 different sovereign tribes, none of whom get along with each other, and it is a mountainous terrain of rock and gravel; and the notion that our soldiers are over there laying down their lives to secure ground. We ought to be after the Taliban and the terrorists, anybody who is organizing to strike at our country. I am for that.

But I am not for organizing an organized military campaign where we are having to go in and take in these towns and subject our soldiers to unnecessary threats where we are putting our treasure and the lives of our men and women in uniform on the line unnecessarily.

Now, someone, I can't even believe I heard this, said, oh, I can't go to a funeral and tell the parents of someone who just died that they lost their child in vain. Somewhere I heard that during the Vietnam war. So what is it we have to do? We have to double down on a bad policy to protect the honor of those who have already died? I don't think so. There isn't a soldier in this country who has laid down their lives for our Nation that isn't a hero. And no one in here disagrees with that.

What is shameful is our policy that puts them in harm's way when they don't need to be. And make no mistake about it, this is not about national security. Because if it is about national security, it is about whether we put our treasure and our lives on the line in Afghanistan, or whether we put it in Kuwait, or whether we put it in the Sudan, or whether we put it in some other place in the world, all of which is where we need it.

Where do we need it the most? That should be the question. Because we don't have the resources to put it everywhere. So don't come and tell me our national security requires that we have it in Afghanistan because that is not the only place we need it. The question is where our priorities should be. And you take it from one place, you have to put it somewhere else.

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

Mr. KUCINICH. I yield the gentleman an additional 30 seconds.

Mr. KENNEDY. Finally, if anybody wants to know where cynicism is, cynicism is that there are one, two press people in this gallery. We're talking about Eric Massa 24–7 on the TV. We're talking about war and peace, $3 billion, a thousand lives, and no press? No press? You want to know why the American public is sick? They're sick because they're not seeing their Congress do the work that they're sent to do. It's because the press, the press of the United States, is not covering the most significant issue of national importance, and that is the laying of lives down in the Nation for the service of our country. It is despicable, the national press corps right now.

Mr. BERMAN. Madam Speaker, I yield 3 minutes to the chairman of the Middle East and South Asia Subcommittee of our committee, my friend from New York (Mr. ACKERMAN).

Mr. ACKERMAN. I thank the chairman.

Madam Speaker, I rise in opposition to the resolution. I am frankly astonished that the resolution has even come to the floor. I am afraid some of our colleagues either misunderstand the plain text of the War Powers Act or would like the House to initiate a legislative version of the so-called ''memory hole'' described by George Orwell in his foreboding novel 1984. The War Powers Act provides that in the event U.S. forces are engaged in hostilities without either a declaration of war or a specific statutory authorization, a concurrent resolution can be considered to force the withdrawal of our troops. An important piece of law to be sure, but one that is wholly irrelevant to the actual circumstances under which our troops are currently fighting.

Like many others in the House, I was present on September 14, 2001, when the House passed House Joint Resolution 64, to authorize the use of United States Armed Forces against those responsible for the then-recent attacks launched against the United States. The vote, I would remind you, was 420 in favor and one against. I would note that the gentleman from Ohio, along with myself, was present and voted aye, as was the gentleman from Texas, as were 420 of us.

I would like to quote from that resolution which we are seeking to deny existed, which became Public Law 107–40 on September 18, 2001. It says, quote, ''That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.''

□ 1515

Members may like or dislike the war in Afghanistan. They may think the President's new strategy is wise or foolish. They may regard the costs of the war as bearable or not, but they are plainly not entitled to argue that the hostilities were not pursuant to specific authorization by the United States Congress.

The 107th Congress authorized the use of force. The President of the United States signed that authorization into law. If a Member of this House is opposed to the war, and I am sympathetic to such views, then the proper remedy is to pass legislation to mandate withdrawal through the Congress under regular order.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. ACKERMAN. They can likewise vote against the annual and supplemental appropriations that fund the war.

What Members ought not be able to do is to waste 3 full hours of the House's time debating a resolution founded, at best, on a mistake and, at worst, a willful intention to pretend that recent history that we did authorize this war by a 420–1 vote can be dropped into the ''memory hole.''

No matter what Members believe about the war in Afghanistan, this resolution deserves to fail.

Mr. KUCINICH. Madam Speaker, I would like to respond to my friend that the authorization for the use of military force, which passed September 14, 2001, had in its provision this particular line: ''Nothing in this resolution supersedes any requirement of the War Powers Resolution.''

So the war powers resolution is properly the subject of a debate and properly serves as a vehicle to bring this debate to the House of Representatives, and we don't need to cede our right under article I, section 8 at any time to determine whether or not we go to war. This is clearly a constitutional issue. And when I take an oath to defend the Constitution, I don't cross my fingers behind my back and say, Well, I will let the President make the final decision regarding war.

Our Founders didn't want to do that. Our Founders said in order to restrain the dog of war, they would put the ability to declare war in the legislative branch. They were very clear about that.

Do not disrespect this institution when it comes to the Constitution. Remember, the War Powers Act specifically was mentioned in the resolution that was passed on September 14, 2001. It was not superseded. And I might add that while I voted for the authorization for the use of military force because I believe America has a right to defend herself, I didn't give any President carte blanche to go and carry or prosecute a war wherever he or she, in the future, determines necessary.

I yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Madam Speaker, I thank the gentleman for yielding me

this time, and I rise in support of this resolution.

There is nothing conservative about the war in Afghanistan. In fact, it goes against every traditional conservative position I have ever known. It has meant massive foreign aid which we cannot afford and of which conservatives have traditionally been the biggest critics. It has meant huge deficit spending, shortly after a time when the Congress has raised our national debt to over $14 trillion. Conservatives have traditionally been against huge deficit spending. Conservatives have been the biggest critics of the U.N. and biggest opponents to world government, and certainly the war in Afghanistan has gone right along with that.

Fiscal conservatives should be the most horrified about the hundreds of billions that has been spent over there. This war has gone on for more than 8 years. At a time when the war in Iraq had gone on for a far shorter time than that, William F. Buckley, who opposed the war in Iraq, wrote this about that war: ''A respect for the power of the United States is engendered by our success and engagements in which we take part. A point is reached when tenacity conveys not steadfastness of purpose, but misapplication of pride.''

He went on to say, if this war drags on, talking about the war in Iraq, he said, ''Where there had been skepticism about our venture, there will be contempt.''

All of those words apply equally well to the war in Afghanistan. There is nothing conservative about the war in Afghanistan.

Georgie Ann Geyer, the conservative foreign affairs columnist, she wrote also about the war in Iraq, but it applies to this war as well. She said, ''Critics of the war have said since the beginning of the conflict that Americans, still strangely complacent about overseas wars being waged by minorities in their name, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe.''

We should remember, Madam Speaker, that even General Petraeus said we should never forget that Afghanistan has been known as the ''graveyard of empires.'' Our Constitution does not give us the power or the right to run another country, and that is what we have been doing.

It should have come as no surprise, Madam Speaker, that President Karzai of Afghanistan told ABC News recently that the U.S. needs to stay there for 15 to 20 years more, spending megabillions, of course. He wants our money, and he wants to stay in power.

But listen to what columnist George Will has said. He has now changed his position and has written about Afghanistan, that the budget will not support an expansion there. The military ''will be hard-pressed to execute it, and America's patience will not be commensurate with Afghanistan's limitless demands. This will not end well.'' Those are not my words. Those are the words of George Will.

A very small but very powerful group called neoconservatives, who are really not conservative at all, have almost totally controlled U.S. foreign policy for many years. They are supported by very large companies and government officials who benefit from perpetual war and the billions of spending it requires.

George Will wrote in that same column that the neoconservatives are ''magnificently misnamed'' and that they are really the ''most radical people in this town.''

The Pentagon now says it costs $1 billion per year for each 1,000 troops we send there. We can't afford this. We can't afford to keep spending hundreds of billions in Afghanistan.

We are not cutting and running. We have been there over 8 years now. If this resolution passes, we will be there 9 years. That is too long. It is not only enough, it is far too long. It is time to do the best thing we can do for our troops and bring our young men and women home and start putting Americans first once again.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 2 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), a member of our Committee on Foreign Affairs and the ranking member of the Agriculture Subcommittee on Department Operations and Oversight.

Mr. FORTENBERRY. I thank the gentlewoman from Florida for her leadership on Foreign Affairs and for the time.

Madam Speaker, the situation in Afghanistan is complex, and it has been difficult. And it has serious ramifications for regional and global stability. Congress understood this in the aftermath of September 11 and authorized the use of force in Afghanistan. The situation is no less serious today.

We would all like to see our troops come home as quickly as possible, leaving Afghanistan a stronger and better place. And we all deeply care about our troops, particularly those who are now wounded, who have fought so valiantly.

But, Madam Speaker, decisions regarding the disposition of our forces in Afghanistan should be made in concert with our commanders in the field who take seriously their responsibility for our troops and the success of that mission. I have confidence that General McChrystal, after a thorough and painstaking calculus, has provided a clear plan to increase stability in Afghanistan and allow our troops to withdraw as quickly and as responsibly as possible. Moreover, now is not the time to leave fledgling civil society programs more vulnerable to intimidation and attack.

So, Madam Speaker, I respectfully submit that we cannot afford to risk compromising the future of that region at this most difficult time, and I urge my colleagues to vote ''no'' on this resolution.

Mr. KUCINICH. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Madam Speaker, I was one of those Members who understood the horror of 9/11 and joined with the then-President of the United States to respond to an attack on the United States. Subsequently in the Iraq war, I voted against that war knowing that it had nothing to do with the attack on the United States on 9/11. So I do not stand on this floor with a heart that is not heavy-laden and an understanding of the importance of this resolution. This resolution is grounded in the Constitution and it has merit; for the question is, when we responded to 9/11, it was a war on terror.

Today, we find that this is a war of insurgents. There is no real documentation that al Qaeda still lingers in Afghanistan. But we do understand that we have lost 1,000 Americans to date—70 in 2010 and 316 in 2009—soldiers that we honor and respect. Never will there be one soldier that we don't call for an honor and respect of the United States. In fact, I filed legislation to have a day of honor for all of our returning soldiers. None of them should come home to silence. We should always provide great honor for them.

But here is where we are as it relates to the situation in Afghanistan. Today, although he has the right to do so, President Karzai is greeting the President of Iran. I hope they work together for peace. But the questions are: What are our soldiers doing to help impact the governance of Afghanistan? The governance that requires the fighting of corruption; the governance to fight for freedom and for human rights and the right to worship; governance to establish schools for the girls and boys and allow girls and boys to go.

Yes, we need nation building, but not with our soldiers out walking step by step trying to bypass IEDs, many times missing it and losing arms and legs and eyes. This is the time to give the President, who did do the right thing, who deliberated and who took time and responded to his generals—we salute him for that. But now is the time for the United States Congress and the constitutional separation of the branches of government to be able to assess whether or not this particular conflict must continue and whether there is a benefit to the American people.

I would make the argument there is much to do. There is much to do in cleaning up Afghanistan. There is much to do in providing for the opportunity of governance. We can do that in a way that will support the State Department with support staff from the military. And if there is a need to defend the United States, I have no doubt that the brave men and women of the United States military will stand at attention and will rise to the occasion. Now we owe their families,

these young men and women, 165,000 who came home from Iraq, many of whom are suffering from posttraumatic disorder.

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

Mr. KUCINICH. I yield the gentlewoman an additional minute.

Ms. JACKSON LEE of Texas. When we send them into battle, we have the obligation of saying there is a beginning and an end. World War I, World War II, wars that we may have liked or disliked, but we knew as they went into battle that there was an ending. And how brave they were.

As we saluted the women who participated in the Air Army Corps for Women, the WASPs today, some hundreds of them, we know that there is no doubt that they are brave. But I would say to you, end this war with Afghanistan and end this partnership with Pakistan. There are ways to be able to support the structure of both governments without our soldiers losing their lives on and on and on.

This resolution says that if the President finds it necessary to extend, he can do so. But we are asking for the troops to be out by the end of this year. So many of us have spoken to that over and over again.

Madam Speaker, this is not something unusual. This is not a cause of the fearful. This is not a cause of those who are nonpatriotic. This is a cause for people who believe in the red, white, and blue, who stand here today loving their country and believe that our soldiers are owed this respect to bring them home as heroes. We ask that you support this resolution.

Madam Speaker, I rise in solemn opposition to a war that has cost too many American lives and too many American dollars. To date, over 1,000 Americans have lost their lives in the Afghan theatre, including 70 in 2010. In 2009, 316 Americans lost their lives. The war in Afghanistan should end as safely and quickly as possible, and our troops should be brought home with honor and a national day of celebration. I strongly believe that this can and must be done by the end of the year.

This stance is borne from my deeply held belief that we must commend our military for their exemplary performance and success in Afghanistan. As lawmakers continue to debate U.S. policy in Afghanistan, our heroic young men and women continue to willingly sacrifice life and limb on the battlefield. Our troops in Afghanistan did everything we asked them to do. We sent them overseas to destroy the roots of terror and protect our homeland; they are now caught in the midst of an insurgent civil war and continuing political upheaval.

Throughout the discussion of the administration's proposed surge, I expressed my concern for the cost of sending additional troops, as well as the effect that a larger presence in Afghanistan will have on troop morale. The White House estimates that it will cost $1 million per year for each additional soldier deployed, and I believe that $30 billion would be better spent on developing new jobs and fixing our broken healthcare system. Many leaders in our armed forces, including Secretary Gates, have said that it is optimal for troops to have two years between overseas deployments; yet, today, our troops have only a year at home between deployments. Expanding the number of U.S. forces in Afghanistan by 30,000 will negatively impact troop morale and will bring us further away from the conditions necessary to maintain a strong, all-volunteer military. This is not President Obama's war and I applaud his thoughtful leadership—the Congress now needs to give counsel to have a time certain for the troops to come home.

I very strongly believe that our nation has a moral obligation to ensure that our veterans are treated with the respect and dignity that they deserve. One reason that we are the greatest nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful nation cares about them. Whether or not my colleagues agree that the time has come to withdraw our American forces from Afghanistan, I believe that all of us in Congress should be of one accord that our troops deserve our sincere thanks and congratulations.

It is because I respect our troops that I am voting to bring them home from a war that has strayed far beyond its original mandate. The United States will not and should not permanently prop up the Afghan government and military. To date, almost $27 billion—more than half of all reconstruction dollars—have been apportioned to build the Afghan National Security Forces. The focus should be on strengthening the civilian government for it to lead. And we should continue to chase the real terrorists that are now lodged in Pakistan. We must support governments with a diplomatic surge—more resources for schools, hospitals, and government reform.

U.S. military involvement in Afghanistan will come to an end, and when U.S. forces leave, the responsibility for securing their nation will fall to the people and government of Afghanistan. Governance is more than winning elections, it is about upholding human rights, especially the rights of women; it requires fighting corruption. Governance requires fighting corruption. Governance requires providing for the freedom to worship. Governance requires establishing schools that provide education from early childhood through higher education.

Yet, Afghanistan has largely failed to institute the internal reforms necessary to justify America's continued involvement. The recent elections did not reflect the will of the people, and the government has consistently failed to gain the trust of the people of Afghanistan. The troubling reports about the elections that were held on August 20, 2009 were the first in a series of very worrisome developments. The electoral process is at the heart of democracy, and the disdain for that process that was displayed in the Afghanistan elections gives me great pause. The Special Inspector General for Afghanistan Reconstruction recently released his quarterly report which detailed our nation's efforts to work with contractors and the Afghanistan government to prevent fraud and enhance transparency. This is the 8th report by the Special Inspector General, but as a recent series in the Washington Post showed, we are unable to stem the flow of corruption and waste within Afghanistan, despite our efforts at reforming our own contracting procedures. This money likely comes from the opium trade and U.S. assistance and, the Washington Post estimates, totals over one billion dollars each year.

The task of establishing legitimate governing practices remains formidable. A November 17, 2009 report from Transparency International listed Afghanistan as the second most corrupt country in the world, continuing its second straight year of declining in the corruption index. Such news is disparaging and provides an important dynamic to how we consider our strategy with regards to Afghanistan going forward. In January, a U.N. survey found that an overwhelming 59 percent of Afghans view public dishonesty as a bigger concern than insecurity (54 percent) and unemployment (52 percent). This is telling for a country with widespread violence and an unemployment rate of 40 percent.

As co-chair of the Congressional U.S.-Afghanistan Caucus, I have called for policies that allow the United States to provide benefits to the people of Afghanistan. Our effort must enhance our efforts at building both hard and soft infrastructure in Afghanistan. Change in Afghanistan is going to come through schools and roads, through health care and economic opportunity, and through increased trade and exchange. The Afghan people need our help to achieve these objectives, but I am not convinced that our military is the solution. If the Government of Afghanistan can demonstrate a responsible and non-corrupt commitment to its people, I believe that America should respond with appropriate and targeted foreign assistance.

I am also concerned that the United States is shouldering too much of the burden in Afghanistan. Although the terror attacks on American soil prompted NATO to respond with collective military action, no nation is immune from the threat of terrorism. Although the troops and resources provided by our allies have been invaluable to date, especially regarding development for the people of Afghanistan, questions must be raised about how long other nations will remain involved in Afghanistan. France and Germany, for example have already questioned whether or not to send additional troops. NATO resources must continue to focus on improving the livelihoods of the Afghan people, but if the support of these governments wavers, American troops and Afghan citizens will suffer the consequences.

I agree with our President that a stable Afghanistan is in the best interest of the international community, and I was pleased to see President Obama's outreach to our allies for additional troops. Currently, 41 NATO and other allied countries contribute nearly 36,000 troops. That number is expected to increase by nearly 6,000 with at least 5,000 additional troops coming from NATO member countries. Multilateralism is vital to ensuring that our operations in Afghanistan succeed.

Madam Speaker, today, we face difficult realities on the ground. The Taliban attacks our forces whenever and wherever they can. Agents of the Taliban seek to turn the people of Afghanistan against us as we attempt to provide them with help in every way we can. This situation is unsustainable. Afghanistan's history has earned it the nickname, ''The Graveyard of Empires,'' and I believe that we should not take this grim history lightly. By including a timetable for our operations in Afghanistan, we focus our mission and place it in a long-term context.

Although development to improve the lives of the Afghan people is important, defeating al-Qaeda and the threat they pose to America and our allies is the most important objective of our operations. To that end, I believe that Pakistan, not Afghanistan, is now the key to success and stability in the region. Over the past eight years, coalition forces have successfully pushed most of al-Qaeda out of Afghanistan and into Pakistan. This has not only put them outside the mandate of our forces, but has also forced Pakistan to address an enlarged terrorist threat.

During his State of the Union Address, President Obama spoke of the importance of Pakistan when he noted "America will remain a strong supporter of Pakistan's security and prosperity long after the guns have fallen silent, so that the great potential of its people can be unleashed." As the co-chair of the Congressional Pakistan Caucus, I know, firsthand, of the great potential of the Pakistani people, and I strongly believe that the recently approved assistance package to Pakistan will work to this end. U.S. foreign assistance to Pakistan will improve Pakistan's capacity to address terrorist networks within its own borders, but I worry that a troop increase will cause even more refugees and insurgents to cross into Pakistan.

Ultimately, we in Congress must decide what is in the best interest of the American people. Fighting al-Qaeda was in the best interest of the American people in 2001, as it continues to be today. Yet, we are now fighting an insurgency—not al-Qaeda—in Afghanistan. This should not be their mission, and we must bring our troops home.

□ 1530

Mr. KUCINICH. I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, before I yield to the gentlewoman from California, I just want to take 15 seconds to make a point with respect to the gentleman from Ohio that, while the authorization for the use of force in 2001 certainly referenced the War Powers Act, our point is that, while this debate makes sense and is appropriate, it is truly not pursuant to the War Powers Act because the War Powers Act says the direction to withdraw comes when there has not been an authorization for the use of military force, and here there was an authorization for the use of military force. I am for the debate; I am against the basis on which the debate is being held.

I yield 2 minutes to the gentlewoman from California (Ms. HARMAN), the chair of the Intelligence Subcommittee of the Homeland Security Committee.

Ms. HARMAN. I thank the gentleman for yielding.

Madam Speaker, our colleague, Mr. KUCINICH, should be commended for causing us to debate this issue on the House floor. This is a good and thoughtful debate, and I applaud especially the passionate statement of PATRICK KENNEDY of Rhode Island.

Madam Speaker, the war in Afghanistan has continued for 9 years, and the Obama administration continues to rely on the almost decade-old authorization to use military force which Congress passed, as we have heard, by an overwhelming vote a few days after 9/11/2001. Most who voted for it, including me, thought it was limited in time and place, but it became the basis for many actions taken by the Bush administration. In my view, the AUMF has been overused and abused as the basis for policy. It is time for us to consider whether it should sunset, and I believe that it should. But the resolution before us is not, in my view, the right place to address that issue.

After years of giving Afghanistan short shrift, tolerating rampant government corruption, and standing by as the Taliban reestablished itself, we now have a better strategy. That strategy, developed by President Obama late last year, includes a promised drawdown of our troops beginning in July 2011—or possibly sooner, according to Defense Secretary Robert Gates, who visited there earlier this week.

Let me be clear, I do not support the surge of an additional 30,000 additional American troops in Afghanistan. I do support multinational, NATO-led efforts to clear, hold, build, and transfer to a noncorrupt Afghan Government control over parts of that country which are or could become training grounds for terrorists intent on attacking the United States.

The good news is that Pakistan is making greater effort to crack down on Taliban and al Qaeda terror groups on its soil, and those efforts are yielding results which should help stabilize Afghanistan.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. BERMAN. I yield the gentlelady an additional 30 seconds.

Ms. HARMAN. Like Mr. KUCINICH, I want the U.S. military out of Afghanistan at the earliest reasonable date, but accelerating the Obama administration's carefully calibrated timetable could take grievous risks with our national security. I share Mr. KUCINICH's sentiment, but not his schedule.

Mr. KUCINICH. I want to thank Mr. BERMAN for agreeing to make this debate possible. I do appreciate it very much. You have been open to that, and I think the country should appreciate that about you.

I also want to say that this CRS study, Congressional Research Study, on the Authorization for the Use of Military Force makes it very clear in it that the War Powers Act is not superseded, and I would like to submit this for the RECORD.

AUTHORIZATION FOR USE OF MILITARY FORCE IN RESPONSE TO THE 9/11 ATTACKS (P.L. 107–40): LEGISLATIVE HISTORY

[From the Congressional Research Service, Jan. 16, 2007]

(By Richard F. Grimmett)

SUMMARY

In response to the terrorist attacks against the United States on September 11, 2001, the Congress passed legislation, S.J. Res. 23, on September 14, 2001, authorizing the President to "use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons. . . ." The President signed this legislation into law on September 18, 2001 (P.L. 107–40, 115 Stat. 224 (2001)). This report provides a legislative history of this statute, the "Authorization for Use of Military Force" (AUMF), which, as Congress stated in its text, constitutes the legislative authorization for the use of U.S. military force contemplated by the War Powers Resolution. It also is the statute which the President and his attorneys have subsequently cited as an authority for him to engage in electronic surveillance against possible terrorists without obtaining authorization of the special Court created by the Foreign Intelligence Surveillance Act (FISA) of 1978, as amended. This report will only be updated if events warrant.

On September 11, 2001, terrorists linked to Islamic militant Usama bin Laden hijacked four U.S. commercial airliners, crashing two into the twin towers of the World Trade Center in New York City, and another into the Pentagon building in Arlington, Virginia. The fourth plane crashed in Shanksville, Pennsylvania near Pittsburgh, after passengers struggled with the highjackers for control of the aircraft. The collective death toll resulting from these incidents was nearly 3,000. President George W. Bush characterized these attacks as more than acts of terror. "They were acts of war," he said. He added that "freedom and democracy are under attack," and he asserted that the United States would use "all of our resources to conquer this enemy."

In the days immediately after the September 11 attacks, the President consulted with the leaders of Congress on appropriate steps to take to deal with the situation confronting the United States. These discussions produced the concept of a joint resolution of the Congress authorizing the President to take military steps to deal with the parties responsible for the attacks on the United States. The leaders of the Senate and the House decided at the outset that the discussions and negotiations with the President and White House officials over the specific language of the joint resolution would be conducted by them, and not through the formal committee legislation review process. Consequently, no formal reports on this legislation were made by any committee of either the House or the Senate. As a result, it is necessary to rely on the texts of the original draft proposal by the President for a use of military force resolution, and the final bill, S.J. Res. 23, as enacted, together with the public statements of those involved in drafting the bill, to construct the legislative history of this statute. Between September 12 and 14, 2001, draft language of a joint resolution was discussed and negotiated by the White House Counsel's Office, and the Senate and House leaders of both parties. Other members of both Houses of Congress suggested language for consideration through their respective party leaders.

On Wednesday, September 12, 2001, the White House gave a draft joint resolution to the leaders of the Senate and the House. This White House draft legislation, if it had been enacted, would have authorized the President (1) to take military action against those involved in some notable way with the September 11 attacks on the U.S., but it also would have granted him (2) statutory authority "to deter and pre-empt any future acts of terrorism or aggression against the United States." This language would have seemingly authorized the President, without durational limitation, and at his sole discretion, to take military action against any nation, terrorist group or individuals in the

world without having to seek further authority from the Congress. It would have granted the President open-ended authority to act against all terrorism and terrorists or potential aggressors against the United States anywhere, not just the authority to act against the terrorists involved in the September 11, 2001 attacks, and those nations, organizations and persons who had aided or harbored the terrorists. As a consequence, this portion of the language in the proposed White House draft resolution was strongly opposed by key legislators in Congress and was not included in the final version of the legislation that was passed.

The floor debates in the Senate and House on S.J. Res. 23 make clear that the focus of the military force legislation was on the extent of the authorization that Congress would provide to the President for use of U.S. military force against the international terrorists who attacked the U.S. on September 11, 2001 and those who directly and materially assisted them in carrying out their actions. The language of the enacted legislation, on its face, makes clear—especially in contrast to the White House's draft joint resolution of September 12, 2001—the degree to which Congress limited the scope of the President's authorization to use U.S. military force through P.L. 107–40 to military actions against only those international terrorists and other parties directly involved in aiding or materially supporting the September 11, 2001 attacks on the United States. The authorization was not framed in terms of use of military action against terrorists generally.

On Friday, September 14, 2001, after the conclusion of the meetings of their respective party caucuses from 9:15 a.m. to 10:15 a.m., where the final text of the draft bill was discussed, S.J. Res. 23, jointly sponsored by Senators Thomas Daschle and Trent Lott, the Senate Majority and Minority leaders respectively, was called up for quick consideration under the terms of a unanimous consent agreement. S.J. Res. 23 was then considered and passed by the Senate by a vote of 98–0. As part of the Senate's unanimous consent agreement that set the stage for the rapid consideration and vote on S.J. Res. 23, the Senate agreed to adjourn and to have no additional votes until after the following Wednesday. That action effectively meant that if the House amended S.J. Res. 23, no further legislative action on it would occur until the middle of the following week. After the House of Representatives received S.J. Res. 23 from the Senate, on Friday, September 14, 2001, the House passed it late that evening, after several hours of debate, by a vote of 420–1, clearing it for the President. Prior to passing S.J. Res. 23, the House considered, and then tabled an identically worded joint resolution, H.J. Res. 64, and rejected a motion to recommit by Rep. John Tierney (D–Mass.), that would have had the effect, if passed and enacted, of requiring a report from the President on his actions under the joint resolution every 60 days after it entered into force.

S.J. Res. 23, formally titled in Section 1 as the ''Authorization for Use of Military Force,'' was thus passed by Congress on September 14, 2001, and was signed into law by the President on September 18, 2001. The enacted bill contains five ''Whereas clauses'' in its preamble, expressing opinions regarding why the joint resolution is necessary. Four of these are identical to the ''Whereas clauses'' contained in the White House draft joint resolution of September 12, 2001. The fifth, which was not in the original White House draft, reads as follows: ''Whereas, the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States. . . .'' This statement, and all of the other Whereas clauses in P.L. 107–40, are not part of the language after the Resolving clause of the Act, and, as such, it is not clear how a Court would treat such provisions in interpreting the scope of the authority granted in the law.

Section 2(a) of the joint resolution, authorizes the President ''to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.'' The joint resolution further states, in Section 2(b)(1), Congressional intent that it ''constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.'' Finally, Section 2(b)(2) of the joint resolution states that ''[n]othing in this resolution supercedes any requirement of the War Powers Resolution.''

A notable feature of S.J. Res. 23 is that unlike all other major legislation authorizing the use of military force by the President, this joint resolution authorizes military force against ''organizations and persons'' linked to the September 11, 2001 attacks on the United States. In its past authorizations for use of U.S. military force, Congress has permitted action against unnamed nations in specific regions of the world, or against named individual nations, but never against ''organizations or persons.'' The authorization of use of force against unnamed nations is consistent with some previous instances where authority was given to act against unnamed states when they became aggressors or took military action against the United States or its citizens.

President George W. Bush in signing S.J. Res. 23 into law on September 18, 2001, noted the Congress had acted ''wisely, decisively, and in the finest traditions of our country.'' He thanked the ''leadership of both Houses for their role in expeditiously passing this historic joint resolution.'' He noted that he had had the ''benefit of meaningful consultations with members of the Congress'' since the September 11 attacks, and that he would ''continue to consult closely with them as our Nation responds to this threat to our peace and security.'' President Bush also asserted that S.J. Res. 23 ''recognized the authority of the President under the Constitution to take action to deter and prevent acts of terrorism against the United States.'' He also stated that ''In signing this resolution, I maintain the longstanding position of the executive branch regarding the President's constitutional authority to use force, including the Armed Forces of the United States and regarding the constitutionality of the War Powers Resolution.''

It is important to note here that Presidents frequently sign bills into law that contain provisions or language with which they disagree. Presidents sometimes draw attention to these disagreements in a formal statement at the time they sign a bill into law. While Presidential ''signing statements'' may indicate that the President views certain provisions to be unconstitutional, they do not themselves have the force of law, nor do they modify the language of the enacted statute. Should the President strongly object to the language of any bill presented to him, he has the option to veto it, and compel the Congress to enact it through voting to override his veto. Once a bill is enacted into law, however, every President, in accordance with Article II, section 3 of the U.S. Constitution, is obligated to ''take care that the laws be faithfully executed. . . .'' Thus, unless its current language is changed through enactment of a new statute that amends it, or its effect is modified by opinions of the Federal Courts, the ''Authorization for Use of Military Force'' statute, P.L. 107–40, retains the legal force it has had since its enactment on September 18, 2001.

TEXT OF ORIGINAL DRAFT OF PROPOSED WHITE HOUSE JOINT RESOLUTION (SEPTEMBER 12, 2001)

JOINT RESOLUTION

To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Whereas on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens; and

Whereas such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad; and

Whereas in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence; and

Whereas such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States,

Now, therefore be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled—

That the President is authorized to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, harbored, committed, or aided in the planning or commission of the attacks against the United States that occurred on September 11, 2001, and to deter and pre-empt any future acts of terrorism or aggression against the United States.

TEXT OF S.J. RES. 23 AS PASSED SEPTEMBER 14, 2001, AND SIGNED INTO LAW

JOINT RESOLUTION

To authorize the use of United States Armed Forces against those responsible for the recent attacks launched against the United States.

Whereas on September 11, 2001, acts of treacherous violence were committed against the United States and its citizens;

Whereas such acts render it both necessary and appropriate that the United States exercise its rights to self-defense and to protect United States citizens both at home and abroad;

Whereas in light of the threat to the national security and foreign policy of the United States posed by these grave acts of violence;

Whereas such acts continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States; and

Whereas the President has authority under the Constitution to take action to deter and prevent acts of international terrorism against the United States; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the ''Authorization for Use of Military Force.''

SECTION 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or

persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

(b) WAR POWERS RESOLUTION REQUIREMENTS—

(1) SPECIFIC STATUTORY AUTHORIZATION—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

I would also like to say that section 4 of the War Powers Act requires the President to report to Congress whenever he introduces U.S. Armed Forces abroad in certain situations. And of key importance is section 4(A)(1) because it triggers the time limit in section 5(B). Section 4(A)(1) requires reporting within 48 hours, in the absence of a declaration of war or congressional authorization, the introduction of U.S. Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances.

The resolution that is before us, H. Con. Res 248, therefore directs the President, pursuant to section 5(C) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan.

I yield 4 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Madam Speaker, I read a news article in which Defense Secretary Robert Gates, during a visit to Afghanistan just recently, cautioned against overoptimism about how the military campaign is going over there. Well, no worries there, Mr. Secretary. I can't muster optimism for a war that's been going on for 8½ years and still hasn't achieved its objectives, nor has it defeated the enemy. In fact, it's hard to be optimistic now that we have lost more than 1,000 brave Americans in Afghanistan, nearly one-third of them since this last summer.

Frankly, Mr. Speaker, I am downright pessimistic about the government we are propping up in Afghanistan, which seems to reach a new low for corruption and incompetence every single day. That is why I enthusiastically support the resolution offered by my friend, the gentleman from Ohio, to bring our troops home from Afghanistan by the end of the year at the latest. The fact is that our military presence is what is fueling the very insurgency we are trying to defeat. You would think we would have learned a lesson of history by now, actually. The Afghan people have always resisted occupation, whether it was Great Britain in the 19th century or the Soviet Union just 30 years ago.

Madam Speaker, ending the war does not mean ending American support. It would be completely irresponsible of us to wash our hands of Afghanistan. There is too much humanitarian work to be done there. I propose that we replace our military surge with a civilian surge as part of a new smart security plan. We can protect America, fight terrorism, and stabilize Afghanistan with more compassion and good will than we can with rockets and guns. So let's bring the troops home. Let's replace them with more development workers, democracy promotion specialists, and economic development experts.

It costs, as we've all learned, a staggering $1 million to deploy a single soldier to Afghanistan for 1 year. Smart security would not only be more effective and more peaceful, it would be fiscally responsible to do that in the first place. The money we are currently spending in Afghanistan desperately needs to be invested in our struggling families right here at home.

Soon, Madam Speaker, the Congressional Progressive Caucus, which I co-Chair with Congressman RAÚL GRIJALVA, will release its 2011 budget alternative. It will call for redirecting billions of dollars in military spending into domestic programs that have been overlooked for far too long right here at home, like school construction, affordable housing, transportation and infrastructure, job training, health care, on and on. It is nothing short of appalling that during a crippling recession we here in the United States are nickel and diming the American people over things like unemployment benefits while the Pentagon gets a blank check to continue a failed war.

Secretary Gates warns of dark days ahead. Well, I appreciate his refusal to be a Pollyanna about Afghanistan. The fact is that there have been more than 3,000 dark days in Afghanistan already and the patience of the American people is wearing thin.

I encourage my colleagues to support H.Con.Res 238, bring the troops home, bring them home safely, and end the dark days once and for all.

Ms. ROS-LEHTINEN. Madam Speaker, I'm pleased to yield 2 minutes to the gentlewoman from Florida, Congresswoman GINNY BROWN-WAITE, a member of the House Committee on Ways and Means.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentlewoman for yielding.

You know, earlier this afternoon, our Democrat colleague, Mr. SKELTON, a decorated war hero himself, came down to the floor and he posed the question, ''Have we forgotten 9/11?'' I think that this resolution perhaps sends the wrong message that this Congress has forgotten 9/11, and also the wrong message to Americans.

Just as our young men and women are always ready and always there for us in the military, we must show equally steadfast loyalty to them. Over 1.4 million men and women are bravely serving our Nation in active military duty today. I have attended sendoff ceremonies for the troops from my district headed overseas, and I have welcomed them home. I have rejoiced with those mothers and fathers and wives who, after months of not being with their loved soldier, are able to spend time with him or her. I have also wept for those who made the ultimate sacrifice. I have wept with their families. They made the ultimate sacrifice for our country, for our safety.

Every single soldier that I have spoken to who has been to Iraq and Afghanistan would say that they would go back again. They believe in the mission. It is pretty sad that Congress doesn't. They believe in the work that they're doing out there, and they need our support, not this resolution, which is, I believe, a demoralizing resolution to our troops. Rather, I would encourage my colleagues to vote against this resolution because by voting against this resolution I believe you will be voting for our troops.

Mr. KUCINICH. Madam Speaker, I yield 3 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Madam Speaker, I rise today in support of the effort by my colleague from Ohio to draw our collective attention, both in this Congress and throughout the Nation, to bringing our troops home from Afghanistan.

In September, 2001, following the al Qaeda attacks on New York and Washington, D.C., Congress approved a resolution authorizing then-President Bush to ''use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.''

I voted in favor of that resolution and to continue to support all efforts focused on achieving that limited and specific mission. That resolution led to our military action in Afghanistan because at the time al Qaeda was using Afghanistan as a safe haven for its terrorist training camps, and the Taliban government in Afghanistan was supporting al Qaeda's presence within its borders.

As a result of the U.S. combat operations in Afghanistan, the Taliban was driven from power, many al Qaeda operatives were killed, and others fled to nearby Pakistan or other more distant countries. National and local democratic elections have been held, a constitution has been written and ratified by the people, and attempts have been made to establish stability and the rule of law in Afghanistan. Yet, after more than 8 years at war, there is evidence that the democratically elected government has little control outside the city of Kabul. Many parts of the country are ungoverned or lawless, opium production is increasing, and

the al Qaeda terrorists whom we seek to kill or capture are no longer present in Afghanistan.

I am deeply concerned that our brave men and women in harm's way in Afghanistan are now expected to perform functions not authorized in the September 2001 authorization of military force. And President Obama's strategy for moving forward in Afghanistan places insufficient emphasis on political, diplomatic, and development initiatives, contains no real exit strategy, and ignores the clear fact of mission creep.

Nobody can question the bravery of our men and women in harm's way in Afghanistan. Their service is courageous and admirable, bringing peace, stability, health, and well-being to a country that has suffered throughout years of conflict and war. But we can question whether these efforts extend beyond the very limited and specific mission articulated in the authorization of use of military force.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Mr. KUCINICH. I yield the gentlewoman 1 additional minute.

□ 1545

Ms. BALDWIN. I remain deeply committed to keeping America and American interests abroad safe from acts of terrorism, but we cannot afford to have tens of thousands of troops remain in a country where al Qaeda no longer operates. At a time when our Nation is facing such extraordinary challenges at home, I believe we should focus on rebuilding our own Nation and on putting our people back to work.

Mr. BERMAN. Madam Speaker, I yield 2 minutes to a member of our committee, to the Chair of the organization of NATO parliamentarians, known as the North Atlantic Assembly, the gentleman from Tennessee (Mr. TANNER).

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

Mr. TANNER. Thank you, Mr. Chairman.

Madam Speaker, if we were in Afghanistan by ourselves, perhaps this debate would be worthwhile, but the fact is we are not.

I am presently serving as the president of the NATO Parliamentary Assembly. The Afghan effort is a NATO-led effort.

NATO, arguably, one, if not the most successful military alliances in the modern era, is not only involved with us as allies in Afghanistan, but we know that our military might is no longer a deterrent like it was most of my life, most of our lives, during the Cold War. With a doctrine of mutually assured destruction, even though you had the bipolar world of East versus West and even though you had the USSR and their buddies and the United States and our allies, there was this, not only feeling, but we were protected by our military might. 9/11 shattered that. These people who are trying to kill us don't care how many aircraft carriers we have, how many tanks we have, how many submarines we have. It doesn't matter.

Therefore, if our military might is no longer our primary defense, what is? I would suggest that it is accurate, timely intelligence to know who, what, when, where, and how they want to try to attack us again so we can stop it.

How do we maximize that defense? We do it through allies. We do it through friends of ours. The French really have the best intelligence network in northern Africa. They are helping. They are helping in NATO.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. TANNER. If you look at all of the former Warsaw Pact countries that are now members of NATO, we are in a conflict that is global in nature. NATO is evolving from a static, land-based defense force to a security force that relieves our men and women to the extent they supply troops. It relieves the American taxpayer to the extent they help us pay for these efforts toward our common defense.

Again, were this just an American expedition, perhaps this debate would be more worthwhile, but it's not. So in the strongest possible terms, I would urge my colleagues to reject this.

Mr. KUCINICH. I yield 4 minutes to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. Madam Speaker, I have good news.

The good news is this: We won the war in Afghanistan. Now, it happened a while ago; so I may be the only person who actually remembers this, but after the 9/11 attack, within 3 months, we had expelled the Taliban government, and we did so with the use of only 1,000 U.S. Special Forces troops. Within 4 months, we had expelled al Qaeda from Afghanistan. If you don't believe me about that, you can listen to General Petraeus, who said a year ago that al Qaeda wasn't in Afghanistan anymore.

I have more good news about Iraq. The news is: We won. We won the war in Iraq years and years ago. Facing the fourth largest army in the entire world, we swept through Iraq, and within 3 weeks, we had deposed the Saddam Hussein government.

We won. Now we can go home. In fact, we could have gone home a long time ago.

What is happening now in Afghanistan and what is happening now in Iraq you can't even call a war. It is a foreign occupation. You could read the Constitution from beginning to end, and you would find nothing in the Constitution that permits or that authorizes a foreign occupation, much less one that goes on for almost a decade. Both in the price of money and in the price of blood, we simply can't afford these wars anymore.

I would like to call your attention to a report in the New England Journal of Medicine, a report dated January 31, 2008. This report reads that 15 percent of all the troops who have served in Iraq return with permanent brain damage. That's right. Permanent brain damage. Here are some of the symptoms described: a loss of consciousness, general poor health, missed workdays, medical visits, and a high number of somatic and postconcussive symptoms.

Later on in the report, on page 459, this report reads that, in this study, nearly 15 percent of soldiers reported an injury during deployment that involves a loss of consciousness or altered mental state. These soldiers, defined as having what is euphemistically referred to as mild traumatic brain injury, were significantly more likely to report high combat exposure in a blast mechanism of injury than were the 17 percent of soldiers who reported other injuries.

So, Mr. President, when you say that you are sending 50,000 more troops to Afghanistan, what you are really saying is that you are condemning 7,500 young Americans to live for the rest of their lives with brain damage. That's what you are really saying.

Beyond that, we have spent over $3 trillion on the war in Iraq. That's over $10,000 for every man, woman, and child in this country. It's over $70,000 for my family of seven. For what? What have we accomplished in 2010 that we could not have accomplished in 2009 or in 2008 or in 2007 or in 2006?

In fact, what have you heard from the other side today that they couldn't have said back then and that they will want to say next year and the year after that?

Now think about this: Our total national wealth is only $50 trillion. We have spent $3 trillion, 6 percent of that, on the war in Iraq. That kind of economic damage is something that could not have possibly been accomplished by al Qaeda itself. Osama bin Laden, on his best day, couldn't have done anything like that. He would have had to have vaporized all of New England to have come close.

Listen, we are the most powerful nation on Earth. Nobody can force us out of Iraq. Nobody can force us out of Afghanistan. We have to make that decision ourselves. Remember, we need not only strength; we need wisdom. We need to know that the worst things that happen to us as a country are the things that we do to ourselves, including these two wars.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. HUNTER), a member of the Armed Services Committee, who, during his service with the U.S. Marine Corps, served a combat tour in Afghanistan. We thank him for his service.

Mr. HUNTER. I thank the gentlewoman from Florida for yielding.

I speak to you today, Madam Speaker, not just as a United States Congressman but as a United States marine. That's what my ballot title says

in San Diego. It reads: ''U.S. Representative/Marine.''

I've served in Iraq twice. I've served in Afghanistan once. I was part of the 1st Marine Division. I, for one, don't appreciate being lectured to, especially from a gentleman like the one from Florida who just spoke, about how I'm brain-injured, about how I might have PTSD, about how I'm less of a person because I've served overseas.

This is an ill-conceived resolution. It is a resolution that is hurtful to our troops on the ground who are fighting now, and it is a resolution that is hurtful to their families. If we had passed a similar resolution about Iraq, we wouldn't have been victorious in Iraq now. We wouldn't have less than 1,000 marines in Iraq now. They have all pulled out. Why did they pull out? Because we've won. Iraq is no longer a threat.

I've had friends give their lives for this great Nation in both Iraq and Afghanistan. A vote for this resolution is sending a message to their families that their sacrifices and willingness to stand in the gap against the forces of tyranny and destruction and radical Islam were false errands.

This is the wrong message to send. Our message should be one of support and encouragement. As congressional Representatives, we should be standing side by side with our troops in the field, not abandoning our cause when our military needs us the most. If we were to pull out of Afghanistan, we would be inviting those terrorists and al Qaeda to attack us here again on American soil. We don't need another 9/11.

This resolution could well be named ''the retreat and abandonment of our military resolution.'' I don't believe the purpose of this resolution is to protect our men and women serving in harm's way. The point of this resolution, I think, would be to make America weaker.

I'll tell you why I believe this: Unlike any other Member of Congress, I have served both in Iraq and Afghanistan. Unfortunately, not any person who is in favor of this resolution has ever come and talked to me. The gentleman from Florida never came to me and asked me what I thought about it.

This isn't about the military. This is about a political ideology to make America weak and to lose our strength as a great Nation.

I would appreciate it if maybe I could be listened to next time. If we are going to work in a bipartisan fashion and if this resolution is truly for the men and women of the military, I've been here for 15 months, and I've never talked to anybody about it.

We need to make sure that we support our troops and their families and that we not allow al Qaeda to become stronger by passing this resolution.

Once again, I've raised my right hand like every other Member of Congress here to support and defend the U.S. Constitution, but I also did that as a United States marine in one of the first officer candidate classes after 9/11. I graduated in March 2002. I deployed in 2003 to Iraq, in 2004 to the battle of Fallujah, and in 2007 to Afghanistan.

My wife and three kids have lived at Camp Pendleton. They've lived on the base. I know what families in the military live like. I know what marines on the ground are going through right now.

I know what victory costs. I know what victory takes. What it doesn't take is a misrepresenting resolution that is going to hurt our military when it needs us the most.

Did I enjoy going overseas? Did I enjoy leaving my three small kids and family behind? Did I enjoy leaving steak and all the great comforts of this Nation behind? No.

It was worth it because I know, in my heart, that what we are doing in Afghanistan is going to make my children not have to go over and fight the same Islamofascists that we are over there fighting now. I know that we are going to have a safer country because of me, because of people like me, and because of people who are over there serving now. Because they are over there, fighting, my kids aren't going to have to.

So was it fun going to war? No. Was it worth it? Yes.

I urge my colleagues to vote ''no'' on this resolution.

Mr. KUCINICH. I just want to say to the gentleman who just spoke, to Mr. HUNTER, that we honor his service to our country both as a Member of Congress and in the military, as we honored your father's service. You have served this country well. You are well-spoken, and we appreciate that you are here.

I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I rise in strong support of H. Con. Res. 248, and I commend the gentleman, my friend from Ohio, for his introduction of it.

Madam Speaker, I yield to no man, no woman in terms of my support for the heroic sacrifices that our troops in the military make each and every day of their lives and each and every day of our lives. They make sacrifices on the battlefield. They fight the wars. We are elected to be decision makers, and we can decide whether there is war or whether there is peace or, at the very least, whether there is peaceful pursuit.

□ 1600

I believe, as the people do in my congressional district, that there is a time and a season for everything, and after several years of war and hundreds and thousands of casualties in Iraq and Afghanistan, that the time has come for us to draw a line in the sand and say that it is time to bring our troops home. It is time to have a concrete strategy and a concrete date by which we can extricate ourselves from Afghanistan.

I want to commend the gentleman from Ohio for having the courage and the strength of his conviction to provide the opportunity to debate this issue. The people in my congressional district unequivocally and without a doubt are in agreement, and I strongly support passage of this resolution.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 3 minutes to my friend the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. Madam Speaker, I was stationed at the Pentagon when 9/11 happened. A few months later, I was on the ground in Afghanistan as head of the Navy's anti-terrorism unit for a short mission. I watched as the Taliban and al Qaeda flowed across that border over to Pakistan. And then came that tragic misadventure in Iraq. We took that edifice of security of our Special Forces and others and placed them in that country. And what we might have done to truly have better won this global war of terror with the other elements of power, such as fix the illiteracy rate of women in Afghanistan, which is 98 percent, never occurred.

I support the President's policies not because of Afghanistan—it has spiraled too far downward to try to resurrect what we once might have done—but because of Pakistan, the most dangerous place in the world.

It should have sent chills down everybody's back when General Hayden, 3 years ago, said al Qaeda now has a safe haven in Pakistan where we cannot go, several hundred of those criminals there to plan safely against us.

I support the President's policy because, as General Gates said in a closed hearing in December, we need to seal that border. So as Pakistan, once united now again with us, moves to North Waziristan through the Taliban on its side of the border to eradicate the danger to us, the safe haven of al Qaeda, that they do not flow back over into Afghanistan whence Pakistan, who created the Taliban, might once again spread its bets.

If Pakistan becomes a failed state and al Qaeda remains, we may get out the nuclear weapons. But there are 2,000 nuclear-trained scientists in that nation who have access to the radiological material and the knowledge in a failed state potentially controlled by the Taliban and al Qaeda that endangers us.

I support this President's policy in a limited window of opportunity to help Pakistan eradicate, yes, the danger to them, but to us, that al Qaeda.

I strongly do believe that this President still needs to provide this Nation something, however, and that is what he promised us a year ago, and that was an exit strategy. Every warrior knows that when you go into battle, you have an exit strategy, which is merely benchmarks by which you measure success or failure. And if success succeeds, exit, and if the costs of failure become greater than success, exit to an alternative strategy. I believe that needs to be provided to this

Nation who, after 7 or 8 years of war, deserves to see how its national treasure is being used and if it is being successful.

But as I end, to my colleague from Ohio, I served for 31 years with the wonderful men and women of this Nation.

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

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. SESTAK. And I will always remember what the former Chairman of the Joint Chiefs of Staff said when asked about these debates here: Our men and women in the military are wise enough to know, this is your sacred duty here in the Halls of Congress, to have a debate about the use of their lives. When I led them into war, I would hope my lawmakers would have that debate if we were being used wisely.

So I thank you for bringing forward this debate, although I oppose the resolution.

Mr. KUCINICH. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT), the ranking member of the Homeland Security Subcommittee on Transportation, Security, and Infrastructure Protection.

Mr. DENT. Madam Speaker, I rise in strong opposition to this House Concurrent Resolution 248 that directs the President to remove U.S. Armed Forces from Afghanistan within 30 days of adoption of this resolution unless the President determines that it is not safe to remove U.S. forces before the end of the 30-day timeline. But even if there is an identified danger, U.S. forces would still have to be removed by December 31.

Really, here is the catch: There is a clear and present danger in removing our men and women from the field while they are engaged in the first major assault of President Obama's reaffirmed counterinsurgency strategy in Afghanistan.

But here is another danger: damaging the morale of the troops who sacrifice their safety and well-being to fight to protect our homeland, our freedoms, by not providing them with the support and resources they need to complete their mission.

This is a very dangerous business, moving troops out of a country. I have sat with Secretary Gates on more than one occasion over the years talking about withdrawing troops, in this case from Iraq, and how complex a situation this is and how dangerous it is and the logistical realities of moving this many people safely.

But don't take my word for it. I think we should also listen to the words of our Commander in Chief, President Barack Obama, who, on December 1 in his address to the Nation, said, ''I am convinced that our security is at stake in Afghanistan and in Pakistan. This is the epicenter of violent extremism practiced by al Qaeda. It is from here that we were attacked on 9/11, and it is from here that new attacks are being plotted as I speak.'' President Barack Obama's words.

He goes on. ''This is no idle danger. No hypothetical threat. In the last few months alone, we have apprehended extremists within our borders who were sent here from the border region of Afghanistan and Pakistan to commit new acts of terror, and this danger will only grow if the region slides backwards and al Qaeda can operate with impunity. We must keep the pressure on al Qaeda, and to do that we must increase the stability and capacity of our partners in the region.'' Again, that was President Obama.

He goes on in another address on March 27 of 2009, where he made another statement. He says, ''And if the Afghan Government falls to the Taliban or allows al Qaeda to go unchallenged, that country will again be a base for terrorists who want to kill as many of our people as they possibly can.''

Secretary Gates, a very fine Secretary of Defense, and I am pleased President Obama has kept him on, said on February 5 of this year, ''This is a critical moment in Afghanistan. I am confident that we can achieve our objectives, but only if the coalition continues to muster the resolve for this difficult and dangerous mission.''

Secretary of State Hillary Clinton, on September 23, said, ''Some people say, well, al Qaeda is no longer in Afghanistan. If Afghanistan were taken over by the Taliban, I can't tell you how fast al Qaeda would be back in Afghanistan.'' Secretary of State Hillary Clinton.

I also want to mention what General Petraeus has said.

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

Ms. ROS-LEHTINEN. I would like to yield an additional 30 seconds to Mr. DENT.

Mr. DENT. And our very fine commander, David Petraeus, I met with him in Florida a few months ago. He said, on January 25, ''It was in Kandahar that 9/11 attacks were planned. It was in training camps in eastern Afghanistan where the initial preparation of the attackers was carried out before they went to Hamburg and flight schools in the U.S. It is important to recall the seriousness of the mission and why it is that we are in Afghanistan in the first place and why we are still there after years and years of hard work and sacrifice that have passed.''

Again, I strongly urge that we defeat this resolution. We owe it to our troops. They are watching this debate as we speak. They want us to oppose it too.

Mr. KUCINICH. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Madam Speaker, I want to thank my friend and colleague from Ohio for bringing this resolution before us today.

Madam Speaker, I rise today to join my colleagues in speaking out against the war in Afghanistan. How much death must we bear, how much pain must we suffer, how much blood should we spill before we say enough is enough? Can we lay down the burden of war and lift up the power of peace?

Now is the time for the elected representatives of the people to give peace a chance. Now is the time for those of us who believe in peace, and not war, to speak up, to speak out, and to find a way to get in the way.

Madam Speaker, war is bloody, war is messy. It tends not just to hide the truth, but to sacrifice the truth, to bury the truth. It destroys the hopes, the dreams, and the aspirations of a people.

As one great general and President of the United States, Dwight D. Eisenhower, once said, ''Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and not clothed.''

As I said some time ago, I urge to heed the words of the spiritual: ''I'm going to lay my burden down, down by the riverside. I ain't gonna study war no more.'' We should follow the wisdom of that song.

Madam Speaker, this war has gone on long enough. Enough is enough. It is time to bring this war to an end. I urge all of my colleagues to vote for this resolution.

Mr. BERMAN. Madam Speaker, I am very pleased to yield 3½ minutes to my friend and colleague from Georgia (Mr. JOHNSON), a member of the Armed Services Committee.

Mr. JOHNSON of Georgia. Madam Speaker, what a dubious situation I find myself in, having to go behind the Honorable John Lewis, my colleague from Georgia, and to be in opposition to his view. But that is the position that I am in, and I will take on the responsibility.

Madam Speaker, I rise in opposition to the Afghan War Powers Resolution which is before us today and give the reason why, although I do want to commend Representative KUCINICH for enabling the House to have a debate on such an important issue, and I thank you for that.

□ 1615

But I cannot foresee any good coming out of a situation where we enable the Taliban to regain control over Afghanistan and to thus become a safe haven for terrorist recruitment, development, and deployment. I'm concerned that passage of this resolution would be an extraordinary usurpation of the power of the Commander in Chief in favor of a Congress where petty, partisan politics have lately been trumping policy.

Our strategy in Afghanistan and Pakistan is achieving some promising successes. Pakistan is increasingly cooperating against militants within its

border and our military campaigns in Afghanistan are routing the Taliban from their strongholds while decimating Taliban and al Qaeda leadership. The President clearly stated that he would bring focus to our efforts in Afghanistan and he would seek to improve conditions prior to drawing down U.S. forces. Passage of this resolution would prevent him from implementing that strategy and force a premature withdrawal.

Madam Speaker, let me be clear. My intent is always to oppose war. I believe that the President shares that instinct. However, I oppose this resolution, not because I support war, but because this resolution is ill-timed and ill-conceived. Now is not the time for Congress to start a constitutional turf war. I find the premise of this resolution to be flawed at the outset. Remember, we have authorized ongoing operations in Afghanistan, and we are having enough trouble managing our ordinary legislative duties as it is. Let the President execute the strategy he said he would implement and which is yielding positive results. Passage of this resolution would send a message to the world that our President's authority to conduct foreign policy has weakened in favor of a Congress that bickers over arcane Senate rules when major policy decisions are left hanging in the balance.

After too many years wasted in Iraq, an unfocused deployment of our troops in Afghanistan, this President has finally chosen to use the authority of Congress to provide a focus on the real threat. I'm happy to hear Republicans saying that the President is doing a good job, and I urge my colleagues to oppose this resolution.

Mr. KUCINICH. I would gently remind my colleague from Georgia that article 1, section 8 of the Constitution of the United States places expressly in the hands of Congress the power to declare war. This resolution does not seek to usurp our Commander in Chief. It seeks to reset the balance in our Constitution so that we reclaim what the Founders rightly intended—that the war power be in the Congress and, by reference, that we have the power to determine not just when a war starts, but when a war stops. It is also telling that in this war, in this surge, we're essentially announcing to the Taliban where we are proceeding and when.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. I'm so pleased to yield 6 minutes to the chairman of the House Republican Conference and a wonderful and esteemed member of our Committee on Foreign Affairs, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the distinguished ranking member of the committee and the chairman of the committee for their words and efforts today.

I think the gentleman from Ohio knows that I respect his passion, but I rise in strong opposition to this resolution today. I believe that it should be opposed because H. Con. Res. 248, directing the President pursuant to the War Powers Resolution to remove United States Armed Forces from Afghanistan, is not supported by the law, is not supported by the facts, and it is not supportive of our troops, and it should be opposed.

Let me speak to each of those issues. First, with regard to facts. The War Powers Resolution requires the President to notify Congress within a specific time of committing forces. Its constitutionality has been questioned over the years. This is a matter of clear public record. The gentleman cites the Constitution frequently. There is great constitutional debate about the very foundation of that legislation. But specifically, and I believe the distinguished chairman has made this point several times during the debate, the powers that are being cited here only apply in moments where there has not been a declaration of war or a statutory authorization for use of force.

I was here on September 11th. I was here for debates, Madam Speaker, over the resolution authorizing the use of force in Afghanistan. Therefore, I believe this resolution is out of order. And while I don't raise a procedural motion on that basis, I think it's worth noting.

Secondly, I think this resolution is not supported by the facts. I just returned from a bipartisan delegation trip to Kabul and Kandahar. I met with General McChrystal. Stanley McChrystal is the commander of the ISAF forces. I met with our soldiers at Camp Eggers. I went out into Afghanistan. And I have strongly supported President Obama's decision to send reinforcements into Afghanistan.

The sense that we receive from our military leaders in Afghanistan, from Afghani military and political leaders, and, most importantly, from our soldiers on the ground is that we are leaning into the fight. We are providing our soldiers with the resources and the reinforcements they need to come home safe. So now is not the time for the Congress of the United States to be second-guessing our commanders in the field and second-guessing the Commander in Chief. And so I believe, based on what I've seen and heard within the last month and a half in Afghanistan, that we have the right strategy, we have the right tactics, and we ought to continue to proceed on the course that we are proceeding on.

We're talking about real lives. I can't help but reflect on the experience of having been just north of Kandahar, where we visited with the governor of the Arghandab River area. He spoke about the Taliban's being on the run. In Kandahar there's an old proverb that says, He who controls Kandahar controls Afghanistan. The Taliban was in effect born in Kandahar, and this spring there is, as is evidenced on the evening news, an effort by the Taliban to reclaim that historic city. But as I talked to the governor of the Arghandab River province, he simply said that the only thing the Taliban has anymore with the population is threats. They don't have popular appeal, or so he told me.

But the very idea that U.S. forces or forces in the NATO coalition would precipitously withdraw would leave a vacuum into which the Taliban would readily flow. And as has been discussed here eloquently by Congressman DUNCAN HUNTER, who wore the uniform in harm's way, that vacuum would be filled not just by the Taliban but by their evil twin, al Qaeda, to, no doubt, nefarious effects.

So I think this resolution is wrong on the law. I think it's wrong on the facts. But, lastly, let me just say that I believe it's also not supportive of our troops. In the many trips that I have made downrange to visit soldiers in Iraq and Afghanistan, it's impossible for me to meet with those soldiers without being profoundly inspired. And I will acknowledge the gentleman from Ohio has spoken in glowing terms about those in uniform. I do not suggest that he has done otherwise. But I believe with all my heart that a resolution of this nature in the midst of a moment when we are, in fact, providing our soldiers with the reinforcements and the resources to be successful in Afghanistan has the potential of having a demoralizing effect on the very men and women who, separated from their families and in harm's way, are doing freedom's work.

And so I believe this resolution, however intended, should be opposed. It's not supported in the law, it's not supported by the facts, and it's not supportive of our troops. I believe it should be rejected.

Mr. KUCINICH. I yield myself 5 minutes.

To my friend from Indiana, who cited his disagreement based on law and facts and the troops, I would like to respond categorically.

First of all, section 4(a)(1) of the War Powers Act requires the President to report to Congress any introduction of U.S. forces into hostilities or imminent hostilities. When the President reports, he does so consistent with but not pursuant to the War Powers Resolution. That's nuance when we're speaking about reporting requirements, because if President Obama did submit a report pursuant to the War Powers Resolution, it would trigger a vote on withdrawal from Afghanistan. Or Congress, on the other hand, has the ability, as I have, to bring a privileged resolution forward.

Now, I have heard a lot of talk about the troops here. I don't take a backseat to anyone in support of the troops. There are some that believe the way that we support the troops is to keep them in Afghanistan. There are others who believe that the way to support the troops is to bring them home.

The Washington Post this week carried one of a series of presentations of what they call ''Faces of the Fallen.'' We owe our gratitude to each and every person who has served this country. We support those who served. But it is our obligation to be able to question the mission at any time. We should honor those who serve and those who have given their lives and made the supreme sacrifice. We owe it to them to continually critically analyze the cost of the war, the purpose of the war, and the continuation of the war.

I never had the opportunity to serve. I had a heart murmur during the Vietnam era. But my father was a World War II marine veteran who had his knee shot out in a campaign in the South Pacific. My brother Frank, who is now deceased, served in combat in Vietnam and came home with post-traumatic stress. It changed his whole life. My brother Gary, a Vietnam-era Marine veteran; my sister Beth Ann, who recently passed, an Army veteran; my nephew Gary, an Iraq combat veteran. I come from a family which believes in service. The American family, the large family of our Nation, believes in service to our country. Yet, it is true that the death toll, as The Washington Post reports in Afghanistan, is at least at 1,000, and we have to have this debate to either recommit to continuing the war and giving the reasons to the troops why we're doing that or to suggest that maybe this is the opportunity for us to take a new direction.

I reserve the balance of my time.

□ 1630

Ms. ROS-LEHTINEN. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KIRK), a member of the Committee on Appropriations.

Mr. KIRK. Madam Speaker, I feel compelled to rise today as the only Member of this body who has deployed twice to Afghanistan, both times as a Navy Reserve intelligence officer in Kandahar in 2008 and 2009. I'm not worried about the outcome of this debate. My colleague from Ohio will be defeated today more decisively than during his Presidential campaign.

I am worried about why the Speaker scheduled this debate. In the face of record job losses, a trillion-dollar health care takeover bill, and serious corruption charges leveled by the bipartisan Ethics Committee on some of the most powerful Members of this House, the Speaker has thrown an irresponsible bone to the far fringe of her party by scheduling this debate on the only unqualified success of the Obama administration, his surge to Afghanistan. By setting up this pointless debate, she risks undermining the Obama administration's admirable combat record in Afghanistan. Parts of this debate will now be replayed and misquoted by the Taliban and Iranian radios in ways that will hurt the elected government of Afghanistan, our NATO allies and Americans who wear the uniform now in the field.

I can speak from personal experience. There are no Republicans or Democrats in Afghanistan. There are American troops, our troops, who delivered a stunning set of military successes just in the last 3 months. General Nicholson and his marines took the narco-Taliban stronghold of Marjah in a single week, sending the Taliban fleeing. This is the heroin heartland that has funded the rerise of the Taliban.

In a quiet shadow war, our allies then captured the Taliban's top military commander, the equivalent of our Secretary of Defense. And when he was interrogated, we then followed up by capturing the Taliban governors of several provinces and key military leaders. If the Taliban military was a company, it has lost its CEO, its vice president, and its best salesman. At this rate, the guy who is running the mail room will now be attempting to run the Taliban soon.

We all witnessed 9/11. Especially for those of us representing large cities, the lessons that we learned on that day have now come to the core of our public service. It's obvious to say that President Obama, Secretary of State Clinton, and Secretary of Defense Gates fiercely oppose this resolution. Given our overwhelming bipartisan opposition to the resolution, many of our troops would ask, Don't they know that we're winning? What are they doing in Congress? And I would ask, given the growing ethical cloud over this House, given record unemployment in the United States, given a trillion-dollar flawed health care bill, why would the Speaker choose to schedule a forum to question of one of the biggest successes of our President?

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

Ms. ROS-LEHTINEN. I yield an additional 30 seconds so Mr. KIRK can finish his thoughts.

Mr. KIRK. I will just say that we know the resolution will be defeated. But given the opportunities that it gives Taliban propagandists on the radio, we should ask, Why did the Speaker even schedule such a lopsided debate on this floor?

Mr. BERMAN. Madam Speaker, I yield myself 1 minute to deal with the comments of my friend, the previous speaker.

I would suggest that the decision to schedule this debate did not come out of a desire to make a gesture to the extreme left or any such particular move. It was rather some sense of fealty to the institution of Congress, the institution vested with the war-declaring authority, the oversight of how our expenditures are spent. And I don't understand why you and I, who both have feelings about the wisdom of pursuing the current strategy of this administration on this issue, should be afraid of that debate or wanting to attribute motivations to the willingness to have that debate other than the congressional responsibility to have such discussions and have such debate.

Mr. KIRK. Would the gentleman yield?

Mr. BERMAN. I would be happy to yield.

Mr. KIRK. I would just say that we probably spend enough time naming post offices in the House of Representatives during the worst economy in our country——

Mr. BERMAN. To reclaim my time, this is not a discussion of post offices. This is not a discussion of suspension legislation, and both parties seem to like naming post offices and introducing other kinds of resolutions. This is a discussion about the decision to send our forces into harm's way. It's worthy of a serious debate. There is nothing wrong with that debate. I don't believe our troops are going to get demoralized by our having that debate. I believe for the country, they are going to say, We are proud to represent a country that is willing to undertake that debate.

Mr. KUCINICH. I want to thank the gentleman from California (Mr. BERMAN), who, you know, we do have a difference of opinion about this resolution, but we're united in the fact that this House should debate it, and any Member of this House, whatever their opinion is on this resolution, has the right to debate it. And to try to diminish this institution by saying, Well, this is not a proper subject for debate—we're about to begin a surge. This is a proper subject for debate, and this is why we're here.

If we wait 8½ years to debate this, and people say, Well, why are we debating it now? Should we wait another 8½ years to have a debate? Or should we have it now before we commit more and more people into combat?

I yield 5 minutes to the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. It is time for us, as a Congress, to have this long overdue discussion on our involvement in Afghanistan. According to the War Powers Resolution, we have a role to play; and it is time that we, as a Congress, exercised our authority. Whether you agree or disagree with the escalation in Afghanistan, we need to debate it. We need to vote on it, and we need to make a decision. We must not give up the powers that we were given in the Constitution.

In the wake of 9/11, I did support a military response to the direct threat that Afghanistan posed to our Nation. I believed then that it was the correct response, and I believe now that it was in concert with our NATO allies. Nine years later, I believe that Congress has the duty to reevaluate America's involvement in a war that seems to have gotten bogged down, with very few signs of success. I believe that had we not taken our focus off Afghanistan in order to invade and occupy Iraq, we would not be in the situation we're in today. But pressing ahead without regard to our Nation's best interests and ignoring Congress' war powers prerogative is the wrong course.

Let us be clear: We cannot tolerate the presence of terrorists seeking to harm our Nation anywhere in the world, but we must ask ourselves if long-term occupations are the correct answer to this threat. We must also be clear in our analysis of our situation in that country. We have a partnership with a government that seems to be increasingly unstable, corrupt and almost completely incapable of maintaining control over vast stretches of the country.

We seem unable to eradicate the Taliban enemy. They scatter before our troops into lawless regions and then return once our troops leave. Without an effective government in Afghanistan, it's hard to see this pattern changing, as the local population cannot count on the Taliban ever being gone for good.

This is a costly war without an end in sight. It's a costly war to our brave soldiers and to their families. It is costly because resources desperately needed to feed the hungry, to find a way forward on health care reform, and to fix our failing schools are being redirected to an effort whose success is questionable.

Here at home, we have had precious little debate over this war. We have seen our troops' numbers rise to above those in Iraq, and yet we have no real benchmarks or goals after which we can leave. We continue to spend massive amounts of money to maintain the occupation of both countries; and worst of all, we ask our brave men and women in uniform to continue to sacrifice their lives and bodies for this war without our Nation sacrificing similarly. The least we can do to honor their service is to debate and vote properly on this floor and to ensure that our Nation is not sending them into battle without careful thought and reflection.

Let me conclude by saying that I am from New York City, the place where 9/11 took place; and so I know firsthand the devastation that this caused to my own community. Although I supported the effort to confront bin Laden and the perpetrators of that act, I cannot now, 9 years later, agree to an effort which has moved in a different direction with different goals.

To the gentleman from Ohio (Mr. KUCINICH), I commend you for raising this painful subject and allowing our Chamber to engage in an honest and an open debate. Your courage is beyond anything that other Members can ever think of. Our troops and our Nation deserve no less, and you've given us the chance to debate this, and I thank you.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the ranking Republican member on the Appropriations Subcommittee on Energy and Water Development.

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

Mr. FRELINGHUYSEN. I rise in opposition to the resolution.

My colleagues, this is clearly the wrong resolution offered at precisely the wrong time. Can you imagine being a soldier in Afghanistan hearing of this resolution? Instead of debating a withdrawal from Afghanistan, we should be adopting a resolution praising the all-volunteer men and women of our Armed Forces and their families for their courage, dedicated service, and their continuing sacrifice in the name of protecting Americans everywhere.

Our Nation's Commander in Chief, our President, made the decision to act in Afghanistan, a difficult decision that was supported overwhelmingly by Congress. By the skill and bravery of our soldiers and marines, sailors and airmen, we've eliminated al Qaeda's operations in Afghanistan. But it is clear that we must ensure that our efforts to prevent Afghanistan from becoming a safe haven once again do not falter, do not weaken, and do not waver.

I concurred with the administration's decision to support General Stanley McChrystal's counterinsurgency strategy. That was an important step towards stabilizing Afghanistan. The President's reinforcement of our marines and soldiers, the so-called surge, helps achieve that objective and does provide additional security. The reinforcements have worked. There is success in Afghanistan. Our troops deserve support, and this resolution deserves to be soundly defeated.

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

One of the things that really doesn't often get discussion here on this floor with respect to a war is the specifics about how it affects people back home. And because I come from Cleveland, I just want to share with you some things just about my community.

Cleveland, as some of you may know, was the epicenter of the subprime mortgage meltdown. Predatory lenders descended on neighbors in our community and were able to take people into contracts that eventually led them into foreclosure and losing their homes.

Now, I don't think that even the most powerful camera would be able to pick up the sea of red dots across our metropolitan area that represents foreclosures, but you get an idea that we have a desperate need not only in Cleveland but across the country for helping to keep people in their homes. And yet more and more, our priorities are to spend money not just on these wars but to increase the Pentagon budget.

I would like to point out that just with respect to the amount of money that is being spent, allocated by congressional districts—this is the National Priorities Project that I am quoting which includes the fiscal 2010 budget. They point out that taxpayers in the 10th Congressional District that I represent will pay $591.9 million for total Afghanistan war spending, counting all the spending since 2001.

And they go on to say, Here's what that money could have been spent for instead. It could have been used to provide 209,812 people with health care for 1 year. Or it could have been used to provide 13,404 public safety officers for 1 year, or 9,063 music and arts teachers for 1 year, or 68,299 scholarships for university students for 1 year. Or it could have been spent for 106,658 students receiving Pell grants of $5,550. Or it could have been spent to provide for 5,521 affordable housing units. It could be have been spent for providing 355,972 children with health care for 1 year, or 92,161 Head Start places for children for 1 year, or 9,433 elementary school teachers for 1 year, or 662,950 homes with renewable electricity for 1 year.

□ 1645

When we spend money on wars and we spend money expanding the budget for military spending, we may say we are making things safer at home, but there is plenty of evidence to suggest that the shift in allocation of funds and the shift for spending towards wars, which were off-budget for quite a while, have put our country in a position where we are not really able to meet our needs.

When you look at this, this is from the Friends Committee on National Legislation, they say for each dollar of Federal income tax we paid in 2009, the government spent about 33 cents for Pentagon spending for current and past wars; 27 cents supporting the economy, which is the recovery and the bailouts; 17 cents for health care; 11 cents responding to poverty; 9 cents for general government, and of that 7 cents goes for interest on the public debt; 2 cents for energy, science and environment; and a penny of the Federal dollar for diplomacy, development, and war prevention.

We are setting our priorities here constantly. When we remain silent about war spending, we actually have put ourselves in a position where we go headlong. And the headlong momentum that occurs from being silent about a war just carries us into all these reshaped priorities, whether we realize it or not. That is why I have asked this resolution to be brought forth, so we could talk about this.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), the ranking member of the Appropriations Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies.

Mr. KINGSTON. Madam Speaker, I rise in opposition to this resolution, but I do appreciate Mr. KUCINICH for bringing it up. And I think it is proper to debate this. I am a member of the Appropriations Committee. And many years ago in committee we voted to support the Skaggs amendment to an appropriations rule that would have put the war powers in effect during something in the Clinton administration, but I don't remember what the

skirmish was. So I think it is appropriate for us to debate this. However, I think the timing is not exactly optimal, particularly with troops in the field.

I also want to point out that it does appear to me that if the Democrat leadership was serious about this, they would have allowed hearings in the committee, and they should have had a committee vote rather than just put it on the House floor. But I am glad that you brought it up, and I know your absolute sincerity in this.

I also want to point out to you, as somebody who voted ''no'' on the litany I am about to give on spending, that if we are looking for money, perhaps in May of '08 we should not have passed a stimulus program of $168 billion; in July of 2008, a $200 billion bailout of Fannie Mae; in August '08, $85 billion by the Federal Reserve for AIG, which is now up to $140 billion; and in November of '08, $700 billion for the TARP bailout; and in January of '09, $787 billion for a stimulus program which was designed to keep us from getting to 8 percent unemployment, and we are now pushing 10 percent unemployment. That was followed by a $410 billion omnibus spending bill. And then we had in December of '09, a $165 billion jobs program. So we're spending a lot of money. And there's a lot of it out there.

But I would suggest if we're looking for money, what we need to do is get out of the bailout business, from General Motors to the banks. And I think we could find a lot of money on a bipartisan basis. And I know the gentleman is one of the strongest critics of corporate welfare, and yet that is what we have spent 2 years doing, Democrats and Republicans alike. I won't say it started with President Obama.

I do want to say this about the troops in the field. And I do respect your support of troops. I just got back from Afghanistan. I was there Saturday, and I was in Pakistan Sunday, meeting with General McChrystal, meeting with our leadership on the ground over there. We do have a new strategy. It is shape, clear, hold, build, and transfer. And in our first muscle movement under this, as you know we went to Marja, we went to the Helmand Province, and we had a military victory. But rather than leave it there, we have now worked on a successful civilian transfer to make sure that the Afghanis are ready to take on this new conquered territory.

Karzai was briefed from the beginning on the battle for Marja. One-third of the troops were Afghanis. They fought shoulder to shoulder with the coalition forces. The governor of the Helmand province was briefed. There is a new police force that is coming in there to crack down on the corruption in the Afghan police force, because that is one of the problems.

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

Ms. ROS-LEHTINEN. I am pleased to yield 30 additional seconds to the gentleman from Georgia.

Mr. KINGSTON. I thank the gentlewoman.

Thirdly, we now have an engaged Pakistan. One hundred forty-seven thousand troops have closed off the safe havens the Taliban has been running to in Pakistan itself in the meantime. Things are happening. And while I support the gentleman's concept of making sure the War Powers Act is followed, I think the timing is poor. So I will not support it at this time because of the progress on the ground, because of the troops that are on the ground.

But again, I want to congratulate the gentleman in his strong conviction of this. I do think it is something that we in Congress need to look at. We need to look at it carefully. I hope that the committee will have some hearings on this. And I hope that we might have some regular order and have an opportunity for the minority party to maybe even offer an amendment or a motion to recommit or something like that that I think would be very beneficial for us to have this national debate.

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

I want to thank the gentleman from Georgia for the collegial manner in which he has approached this debate, and also to suggest that I think that while this is a very emotional matter, that it is possible for us to talk about it in terms that are clear and logical. I also want to say to my friend that I think I probably joined you in voting against the Wall Street bailouts. That was the fiscal conservative in me.

I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I thank the gentleman from Ohio for bringing this resolution.

I think it is high time that we actually had this debate here in Congress. While it may seem untimely, there is never enough time to have a debate about war and peace that this Congress should be engaged in, and not just the actions of any President.

I want to also join with my colleagues in expressing my support for the men and women who serve this Nation. And as a daughter of one who served through Korea and Vietnam and subsequently, you couldn't find a stronger supporter of our servicemen and women. So I would hope that on both sides of the aisle that we don't confuse our debate about policy and about a resolution with support for our men and women in uniform. Because that would be unfortunate for them and it would be disrespectful of us.

I believe that this Congress has an obligation to send a strong message to the White House that the war must come to an end. And as others have pointed out, we began this war effort to fight al Qaeda following the tragedy of September 2001. But as National Security Adviser Jim Jones has told us, there are only 100 al Qaeda left in Afghanistan. Who are we fighting? Well, now we are fighting the Taliban. And that just shows you that over the course of this time, this war and its mission and its goals have morphed and morphed and morphed to the point that we find ourselves in now.

I have no doubt that our well-trained and brave and dedicated Armed Forces will continue to be victorious on the field of battle. I am humbled by their service. But bringing stability to Afghanistan can only happen by rebuilding a truly functioning civil society—forget that, building a truly functional civil society, something that Afghanistan has not had the privilege to enjoy. This won't come by military force.

The question remains really as to the future capacity of Afghanistan's military and government to do what is required of them to build their country. We really have little evidence, if any, that this outcome is likely given the levels of corruption in the existing Karzai government that continue as well as the intertribal violence that also changes over time.

I am struck, there was a Time magazine article just this past week on the Taliban, on the fighting in Marja, and the limited success, the success that our NATO forces are having. But as was pointed out there, the take and hold and build strategy only happens if you really can transfer. And it is the transfer that I am concerned about. It is the transfer that actually endangers our troops to the point where they may transfer at one point and then have to go back and start the fight over again because that is the nature of the battle in Afghanistan.

Even more troubling is that Afghanistan shouldn't be our top national security priority.

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

Mr. KUCINICH. I yield the gentlewoman an additional 1 minute.

Ms. EDWARDS of Maryland. Our military risk their lives and our Nation spends resources in a country that has so little hope of future success, that international terrorism actually flourishes in so many countries. Estimates are that this kind of terrorism actually flourishes in about 70 countries. And yet we are so heavily invested in Afghanistan that it leaves us little time, opportunity, or resources to really fight the battle where that needs to happen. By focusing our military and our energy and our treasury on Afghanistan, we are really operating under the inaccurate Bush era philosophy that the threat we face is both well-organized, centralized, and advanced.

We know that violent fundamentalism often operates with little centralization and little organization. It is part of the reason that it can be so successful. This war is a constant reminder that our response to the quickly evolving threat of international terrorism is static, and we must end this war and look for ways to more effectively disrupt violent plots to protect our citizens, our national security, our

safety and security, and to build nations in a way that they respect processes and people.

Mr. BERMAN. Madam Speaker, first I would like to yield at the end of the ranking member's time an additional 5 minutes from our time on the assumption that 2 of those 5 minutes will be given to someone from California.

The SPEAKER pro tempore. Without objection, the gentlewoman from Florida will control 5 additional minutes.

There was no objection.

Mr. BERMAN. Second, I would like to now yield 3 minutes to the gentleman from Ohio (Mr. BOCCIERI), one of only two Members of this body who actually have been deployed in our uniformed services in Afghanistan.

Mr. BOCCIERI. Madam Speaker, as Chairman BERMAN has said, I am one of just a handful of Members who have served in Afghanistan. I remember serving on the ground there as I was deployed as a tactics officer in Operation Vigilant Sentinel. As a C–130 pilot, they sent some forward-deployed troops there to make sure that our troops got the right supplies, and that the missions that we were doing were safe, and that our crews would come home very honorably and soon.

I have to tell you that I remember that day walking to the chow hall. I had my 9-millimeter strapped to my side, walking in my uniform. And there were soldiers gathered along the streets on either side. I kind of peeked my head around, and then a Humvee drove by with the flag on it. And everybody was standing at perfect attention. I was asking somebody what that was. And they said, well, that was one of the soldiers who had recently been killed in action, and he is on his journey back to the United States.

I began to think about that soldier. Who were they? What branch of service were they in? How did they meet their fate? Did they know after C–130 pilots would fly in and unload them, cargo and troops on that very geographic spot, if they knew that they were going to fly home that way. And I remember that anonymous soldier because the mission that we have there is very important.

□ 1700

Whether we agree with this war or not, we have to understand that those troops deployed in Iraq and Afghanistan are there only because our country asked them to go. I believe that we do need to bring our troops home safely, honorably, and soon, but not yet. Discussion is good, but arbitrary deadlines are not. I am concerned about walking away from Afghanistan too prematurely. We must ensure some stability not only in Afghanistan, but also in Pakistan, because of their arsenal of nuclear weapons. It would be disastrous if we allowed some terrorist to get their hands on that arsenal of weapons.

So our policy in Afghanistan has a direct impact on the stability of our region. That is important to me, and we must continue our pursuit of those perpetrators of 9/11 in that region.

The gentleman I serve with from Ohio is a deeply honorable man, and he believes, as I do, that we need to bring our troops home safely, honorably, and soon. However, the only person that is in a position to judge the number of troops needed in Afghanistan, after considering the advice and counsel of the Secretary of Defense and the generals tasked with executing our strategy, in my opinion, is the President of the United States.

Congress's responsibility is to judge the President's strategy, making sure it meets our national defense goals, and provide him with the resources required for success. The war in Afghanistan is a top national security priority for our country. Having flown dozens of missions in and out of Bagram and Kandahar, I understand that success can only be achieved when the Afghan Government stands on its own and defends itself against any threats, whether those threats are physical, economic, or constitutional.

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

Mr. BERMAN. I yield the gentleman an additional minute.

Mr. BOCCIERI. This means that the Afghan Government needs to be fully functional, standing on its own with an army and police force capable of defending the country, and sealing the border with Pakistan; an economy that provides its citizens with an acceptable standard of living; and a reliable government and judicial structure that delivers critical services and enforces a uniform rule of law throughout the country.

Afghanistan needs civilian investments, comparable if not bigger than our military investment. While securing Afghanistan is important to our national security, our troops cannot do it alone.

It has been said that we need a foreign policy based on realism rather than idealism, and I concur with that. That's why I will not be supporting this resolution today. While I do support the gentleman's efforts to have this discussion, we need to take a very long-term strategy and find out how we do bring our troops home safely, honorably, and soon.

Mr. KUCINICH. Madam Speaker, I just would like to talk for a minute about the mission in the context of what is going on with the government in Kabul. The Washington Post did a story on February 25 which talks about ''Officials puzzle over millions of dollars leaving Afghanistan by plane for Dubai,'' and I will include that for the RECORD.

[From the Washington Post, Feb. 25, 2010]

OFFICIALS PUZZLE OVER MILLIONS OF DOLLARS LEAVING AFGHANISTAN BY PLANE FOR DUBAI

(By Andrew Higgins)

KABUL.—A blizzard of bank notes is flying out of Afghanistan—often in full view of customs officers at the Kabul airport—as part of a cash exodus that is confounding U.S. officials and raising concerns about the money's origin.

The cash, estimated to total well over $1 billion a year, flows mostly to the Persian Gulf emirate of Dubai, where many wealthy Afghans now park their families and funds, according to U.S. and Afghan officials. So long as departing cash is declared at the airport here, its transfer is legal.

But at a time when the United States and its allies are spending billions of dollars to prop up the fragile government of President Hamid Karzai, the volume of the outflow has stirred concerns that funds have been diverted from aid. The U.S. Drug Enforcement Administration, for its part, is trying to figure out whether some of the money comes from Afghanistan's thriving opium trade. And officials in neighboring Pakistan think that at least some of the cash leaving Kabul has been smuggled overland from Pakistan.

''All this money magically appears from nowhere,'' said a U.S. official who monitors Afghanistan's growing role as a hub for cash transfers to Dubai, which has six flights a day to and from Kabul.

Meanwhile, the United States is stepping up efforts to stop money flow in the other direction—into Afghanistan and Pakistan in support of al-Qaeda and the Taliban. Senior Treasury Department officials visited Kabul this month to discuss the cash flows and other issues relating to this country's infant, often chaotic financial sector.

Tracking Afghan exchanges has long been made difficult by the widespread use of traditional money-moving outfits, known as ''hawalas,'' which keep few records. The Afghan central bank, supported by U.S. Treasury advisers, is trying to get a grip on them by licensing their operations.

In the meantime, the money continues to flow. Cash declaration forms filed at Kabul International Airport and reviewed by The Washington Post show that Afghan passengers took more than $180 million to Dubai during a two-month period starting in July. If that rate held for the entire year, the amount of cash that left Afghanistan in 2009 would have far exceeded the country's annual tax and other domestic revenue of about $875 million.

The declaration forms highlight the prominent and often opaque role played by hawalas. Asked to identify the ''source of funds'' in forms issued by the Afghan central bank, cash couriers frequently put down the name of the same Kabul hawala, an outfit called New Ansari Exchange.

Early last month, Afghan police and intelligence officers raided New Ansari's office in Kabul's bazaar district, carting away documents and computers, said Afghan bankers familiar with the operation. U.S. officials declined to comment on what prompted the raid. New Ansari Exchange, which is affiliated with a licensed Afghan bank, closed for a day or so but was soon up and running again.

The total volume of departing cash is almost certainly much higher than the declared amount. A Chinese man, for instance, was arrested recently at the Kabul airport carrying 800,000 undeclared euros (about $1.1 million).

Cash also can be moved easily through a VIP section at the airport, from which Afghan officials generally leave without being searched. American officials said that they have repeatedly raised the issue of special treatment for VIPs at the Kabul airport with the Afghan government but that they have made no headway.

One U.S. official said he had been told by a senior Dubai police officer that an Afghan diplomat flew into the emirate's airport last

year with more than $2 million worth of euros in undeclared cash. The Afghan consul general in Dubai, Haji Rashoudin Mohammadi, said in a telephone interview that he was not aware of any such incident.

The high volume of cash passing through Kabul's airport first came to light last summer when British company Global Strategies Group, which has an airport security contract, started filing reports on the money transfers at the request of Afghanistan's National Directorate of Security, the domestic intelligence agency. The country's notoriously corrupt police force, however, complained about this arrangement, and Global stopped its reporting in September, according to someone familiar with the matter.

Afghan bankers interviewed in Kabul said that much of the money that does get declared belongs to traders who want to buy goods in Dubai but want to avoid the fees, delays and paperwork that result from conventional wire transfers.

The cash flown out of Kabul includes a wide range of foreign currencies. Most is in U.S. dollars, euros and—to the bafflement of officials—Saudi Arabian riyals, a currency not widely used in Afghanistan.

Last month, a well-dressed Afghan man en route to Dubai was found carrying three briefcases stuffed with $3 million in U.S. currency and $2 million in Saudi currency, according to an American official who was present when the notes were counted. A few days later, the same man was back at the Kabul airport, en route to Dubai again, with about $5 million in U.S. and Saudi bank notes.

One theory is that some of the Arab nation's cash might come from Saudi donations that were supposed to go to mosques and other projects in Afghanistan and Pakistan. But, the American official said, ''we don't really know what is going on.''

Efforts to figure out just how much money is leaving Afghanistan and why have been hampered by a lack of cooperation from Dubai, complained Afghan and U.S. officials, who spoke on the condition of anonymity. Dubai's financial problems, said a U.S. official, had left the emirate eager for foreign cash, and ''they don't seem to care where it comes from.'' Dubai authorities declined to comment.

Previous to that, the Post did a story about money funneled through a Kabul bank and companies owned by the bank's founder to individual friends, family, and business connections of Hamid Karzai. When you consider the amount of corruption that is going on in Afghanistan, it can only be called, charitably, ''crony capitalism.'' In fact, The Washington Post printed an article on February 22, entitled ''In Afghanistan, Signs of Crony Capitalism,'' and I include this for the RECORD.

[From the Washington Post, Feb. 22, 2010]

IN AFGHANISTAN, SIGNS OF CRONY CAPITALISM

(By Andrew Higgins)

KABUL.—Afghanistan's biggest private bank—founded by the Islamic nation's only world-class poker player—celebrated its fifth year in business last summer with a lottery for depositors at Paris Palace, a Kabul wedding hall.

Prizes awarded by Kabul Bank included nine apartments in the Afghan capital and cash gifts totaling more than $1 million. The bank trumpeted the event as the biggest prize drawing of its kind in Central Asia.

Less publicly, Kabul Bank's boss has been handing out far bigger prizes to his country's U.S.-backed ruling elite: multimillion-dollar loans for the purchase of luxury villas in Dubai by members of President Hamid Karzai's family, his government and his supporters.

The close ties between Kabul Bank and Karzai's circle reflect a defining feature of the shaky post-Taliban order in which Washington has invested more than $40 billion and the lives of more than 900 U.S. service members: a crony capitalism that enriches politically connected insiders and dismays the Afghan populace.

''What I'm doing is not proper, not exactly what I should do. But this is Afghanistan,'' Kabul Bank's founder and chairman, Sherkhan Farnood, said in an interview when asked about the Dubai purchases and why, according to data from the Persian Gulf emirate's Land Department, many of the villas have been registered in his name. ''These people don't want to reveal their names.''

Afghan laws prohibit hidden overseas lending and require strict accounting of all transactions. But those involved in the Dubai loans, including Kabul Bank's owners, said the cozy flow of cash is not unusual or illegal in a deeply traditional system underpinned more by relationships than laws.

The curious role played by the bank and its unorthodox owners has not previously been reported and was documented by land registration data; public records; and interviews in Kabul, Dubai, Abu Dhabi and Moscow.

Many of those involved appear to have gone to considerable lengths to conceal the benefits they have received from Kabul Bank or its owners. Karzai's older brother and his former vice president, for example, both have Dubai villas registered under Farnood's name. Kabul Bank's executives said their books record no loans for these or other Dubai deals financed at least in part by Farnood, including home purchases by Karzai's cousin and the brother of Mohammed Qasim Fahim, his current first vice president and a much-feared warlord who worked closely with U.S. forces to topple the Taliban in 2001.

At a time when Washington is ramping up military pressure on the Taliban, the off-balance-sheet activities of Afghan bankers raise the risk of fmancial instability that could offset progress on the battlefield. Fewer than 5 percent of Afghans have bank accounts, but among those who do are many soldiers and policemen whose salaries are paid through Kabul Bank.

A U.S. official who monitors Afghan finances, who spoke on the condition of anonymity because he was not authorized to comment publicly, said banks appear to have plenty of money but noted that in a crisis, Afghan depositors ''won't wait in line holding cups of latte'' but would be ''waving AK–47s.''

Kabul Bank executives, in separate interviews, gave different accounts of what the bank is up to with Dubai home buyers. ''They are borrowers. They have an account at Kabul Bank,'' said the bank's chairman, Farnood, a boisterous 46-year-old with a gift for math and money—and the winner of $120,000 at the 2008 World Series of Poker Europe, held in a London casino.

The bank's chief audit officer, Raja Gopalakrishnan, however, insisted that the loan money didn't come directly from Kabul Bank. He said it was from affiliated but separate entities, notably a money-transfer agency called Shaheen Exchange, which is owned by Farnood, is run by one of Kabul Bank's 16 shareholders and operates in Kabul out of the bank's headquarters.

The audit officer said Farnood ''thinks it is one big pot,'' but the entities are ''legally definitely separate.''

A NEW ECONOMY

In some ways, Kabul Bank is a symbol of how much has changed in Afghanistan since 2001, when the country had no private banks and no economy to speak of. Kabul Bank has opened more than 60 branches and recently announced that it will open 250 more, and it claims to have more than $1 billion in deposits from more than a million Afghan customers.

Kabul Bank prospers because Afghanistan, though extremely poor, is in places awash with cash, a result of huge infusions of foreign aid, opium revenue and a legal economy that, against the odds, is growing at about 15 percent a year. The vast majority of this money flows into the hands of a tiny minority—some of it through legitimate profits, some of it through kickbacks and insider deals that bind the country's political, security and business elites.

The result is that, while anchoring a free-market order as Washington had hoped, financial institutions here sometimes serve as piggy banks for their owners and their political friends. Kabul Bank, for example, helps bankroll a money-losing airline owned by Farnood and fellow bank shareholders that flies three times a day between Kabul and Dubai.

Kabul Bank's executives helped finance President Hamid Karzai's fraud-blighted reelection campaign last year, and the bank is partly owned by Mahmoud Karzai, the Afghan president's older brother, and by Haseen Fahim, the brother of Karzai's vice presidential running mate.

Farnood, who now spends most of his time in Dubai, said he wants to do business in a ''normal way'' and does not receive favors as a result of his official contacts. He said that putting properties in his name means his bank's money is safe despite a slump in the Dubai property market: He can easily repossess if borrowers run short on cash.

A review of Dubai property data and interviews with current and former executives of Kabul Bank indicate that Farnood and his bank partners have at least $150 million invested in Dubai real estate. Most of their property is on Palm Jumeirah, a man-made island in the shape of a palm tree where the cheapest house costs more than $2 million.

Mirwais Azizi, an estranged business associate of Farnood and the founder of the rival Azizi Bank in Kabul, has also poured money into Dubai real estate, with even more uncertain results. A Dubai company he heads, Azizi Investments, has invested heavily in plots of land on Palm Jebel Ali, a stalled property development. Azizi did not respond to interview requests. His son, Farhad, said Mirwais was busy.

Responsibility for bank supervision in Afghanistan lies with the Afghan central bank, whose duties include preventing foreign property speculation. The United States has spent millions of dollars trying to shore up the central bank. But Afghan and U.S. officials say the bank, though increasingly professional, lacks political clout.

The central bank's governor, Abdul Qadir Fitrat, said his staff had ''vigorously investigated'' what he called ''rumors'' of Dubai property deals, but ''unfortunately, up until now they have not found anything.'' Fitrat, who used to live in Washington, last month sent a team of inspectors to Kabul Bank as part of a regular review of the bank's accounts. He acknowledged that Afghan loans are ''very difficult to verify'' because ''we don't know who owns what.''

Kabul Bank's dealings with Mahmoud Karzai, the president's brother, help explain why this is so. In interviews, Karzai, who has an Afghan restaurant in Baltimore, initially said he rented a $5.5 million Palm Jumeirah mansion, where he now lives with his family. But later he said he had an informal home-loan agreement with Kabul Bank and pays $7,000 a month in interest.

''It is a very peculiar situation. It is hard to comprehend because this is not the usual way of doing business,'' said Karzai, whose home is in Farnood's name.

Karzai also said he bought a 7.4 percent stake in the bank with $5 million he borrowed from the bank. But Gopalakrishnan, the chief audit officer, said Kabul Bank's books include no loans to the president's brother.

Also in a Palm Jumeirah villa registered in Farnood's name is the family of Ahmad Zia Massoud, Afghanistan's first vice president from 2004 until last November. The house, bought in December 2007 for $2.3 million, was first put in the name of Massoud's wife but was later re-registered to give Farnood formal ownership, property records indicate.

Massoud, brother of the legendary anti-Soviet guerrilla leader Ahmad Shah Massoud, said that Farnood had always been the owner but let his family use it rent-free for the past two years because he is ''my close friend.'' Massoud added: ''We have played football together. We have played chess together.'' Farnood, however, said that though the ''villa is in my name,'' it belongs to Massoud ''in reality.''

Haseen Fahim, the brother of Afghanistan's current first vice president, has been another beneficiary of Kabul Bank's largesse. He got money from Farnood to help buy a $6 million villa in Dubai, which, unusually, is under his own name. He borrowed millions more from the bank, which he partly owns, to fund companies he owns in Afghanistan.

In an interview at Kabul Bank's headquarters, Khalilullah Fruzi, who as chief executive heads the bank's day-to-day operations, said he didn't know how much bank money has ended up in Dubai. If Karzai's relatives and others buy homes ''in Dubai, or Germany or America . . . that is their own affair,'' Fruzi said, adding that the bank ''doesn't give loans directly for Dubai.''

Fruzi, a former gem trader, said Kabul Bank is in robust health, makes a profit and has about $400 million in liquid assets deposited with the Afghan central bank and other institutions. Kabul Bank is so flush, he added, that it is building a $30 million headquarters, a cluster of shimmering towers of bulletproof glass.

The bank is also spending millions to hire gunmen from a company called Khurasan Security Services, which, according to registration documents, used to be controlled by Fruzi and is now run by his brother.

The roots of Kabul Bank stretch back to the Soviet Union. Both Fruzi and Farnood got their education and their start in business there after Moscow invaded Afghanistan in 1979.

While in Moscow, Farnood set up a successful hawala money-transfer outfit to move funds between Russia and Kabul. Russian court documents show that 10 of Farnood's employees were arrested in 1998 and later convicted of illegal banking activity. Fearful of arrest in Russia and also in Taliban-ruled Afghanistan, Farnood shifted his focus to Dubai.

In 2004, three years after the fall of the Taliban regime, he got a license to open Kabul Bank. His Dubai-registered hawala, Shaheen Exchange, moved in upstairs and started moving cash for bank clients. It last year shifted $250 million to $300 million to Dubai, said the chief audit officer.

The bank began to take in new, politically connected shareholders, among them the president's brother, Mahmoud, and Fahim, brother of the vice president, who registered his stake in the name of his teenage son.

Fahim said two of his companies have borrowed $70 million from Kabul Bank. Insider borrowing, he said, is unavoidable and even desirable in Afghanistan because, in the absence of a solid legal system, business revolves around trust, not formal contracts. ''Afghanistan is not America or Europe. Afghanistan is starting from zero,'' he said.

Fahim's business has boomed, thanks largely to subcontracting work on foreign-funded projects, including a new U.S. Embassy annex and various buildings at CIA sites across the country, among them a remote base in Khost where seven Americans were killed in a December suicide attack by a Jordanian jihadiist. ''I have good opportunities to get profit,'' Fahim said.

''LIKE WILD HORSES''

Kabul Bank also plunged into the airline business, providing loans to Pamir Airways, an Afghan carrier now owned by Farnood, Fruzi and Fahim. Pamir spent $46 million on four used Boeing 737–400s and hired Hashim Karzai, the president's cousin, formerly of Silver Spring, as a ''senior adviser.''

Farnood said he also provided a ''little bit'' of money to help Hashim Karzai buy a house on Palm Jumeirah in Dubai. Karzai, in brief telephone interviews, said that the property was an investment and that he had borrowed some money from Farnood. He said he couldn't recall details and would ''have to check with my accountant.''

Noor Delawari, governor of the central bank during Kabul Bank's rise, said Farnood and his lieutenants ''were like wild horses'' and ''never paid attention to the rules and regulations.'' Delawari said he didn't know about any property deals by Kabul Bank in Dubai. He said that he, too, bought a home in the emirate, for about $200,000.

Fitrat, the current central bank governor, has tried to take a tougher line against Kabul Bank and its rivals, with little luck. Before last year's presidential election, the central bank sent a stern letter to bankers, complaining that they squander too much money on ''security guards and bulletproof vehicles'' and ''expend large-scale monetary assistance to politicians.'' The letter ordered them to remain ''politically neutral.''

Kabul Bank did the opposite: Fruzi, its chief executive, joined Karzai's campaign in Kabul while Farnood, its poker-playing chairman, organized fundraising events for Karzai in Dubai. One of these was held at the Palm Jumeirah house of Karzai's brother.

The government has returned the favor. The ministries of defense, interior and education now pay many soldiers, police and teachers through Kabul Bank. This means that tens of millions of dollars' worth of public money sloshes through the bank, an unusual arrangement, as governments generally don't pump so much through a single private bank.

Soon after his November inauguration for a second term, President Karzai spoke at an anti-corruption conference in Kabul, criticizing officials who ''after one or two years work for the government get rich and buy houses in Dubai.'' Last month, he flew to London for a conference on Afghanistan, attended by Secretary of State Hillary Rodham Clinton and other leaders, and again promised an end to the murky deals that have so tarnished his rule.

Also in London for the conference were Farnood, who now has an Afghan diplomatic passport, and Fruzi, who served as a financial adviser to Karzai's reelection campaign and also owns a house in Dubai. ''If there is no Kabul Bank, there will be no Karzai, no government,'' Fruzi said.

As a result, U.S. taxpayers and aid organizations are investing billions of dollars in Afghanistan, but the leaders of the country are investing in real estate in Dubai. We care about democracy. Try building democracy in a place which is rife with narcotraffic, crony capitalism, and villas in Dubai. What is this about? Why are we there? I mean, I am from Cleveland, Ohio. The people I represent are very basic people. When you tell them that the head of Afghanistan has his hands in all of these crooked deals, you start to wonder, We are going to build a democracy on this person's shoulders? I don't think so.

We are supporting a government where corruption is epidemic. Last year, USAID reported that corruption in Afghanistan is significant, a growing problem, and that pervasive, systemic corruption was at an unprecedented scope in the country's history. On November 17, Transparency International ranked Afghanistan as the second most corrupt nation in the world. And to compound the fears, in President Karzai's fraud-filled election late last year, he recently took over the country's election watchdog group. Is this the kind of person that we can trust to have a partnership with for democracy? I don't think so.

A January 2010 report by the United Nations Office on Drugs and Crime reveals that Afghan citizens were forced to pay an estimated $2.5 billion a year in bribes. According to evidence collected through wiretaps and bank records, a senior border police official in Kandahar allegedly collected salaries of hundreds of ghost policemen and stole money from a government fund intended to pay orphans and widows. Is this the kind of environment where we can build a democracy?

Our troops in Afghanistan have to deal with corrupt officials on a daily basis. A commander of the Afghan border police offered to give the U.S. military prime land at a crossing with Pakistan to build a waiting area for supply vehicles needed for President Obama's troop increase. The same man, U.S. officials believe, earns tens of millions of dollars a year trafficking opium and extorting cargo truck drivers. Is this the kind of person that we can create movement toward a democracy with?

[From the Nation, Nov. 30, 2009]

HOW THE U.S. FUNDS THE TALIBAN

(By Aram Roston)

On October 29, 2001, while the Taliban's rule over Afghanistan was under assault, the regime's ambassador in Islamabad gave a chaotic press conference in front of several dozen reporters sitting on the grass. On the Taliban diplomat's right sat his interpreter, Ahmad Rateb Popal, a man with an imposing presence. Like the ambassador, Popal wore a black turban, and he had a huge bushy beard. He had a black patch over his right eye socket, a prosthetic left arm and a deformed right hand, the result of injuries from an explosives mishap during an old operation against the Soviets in Kabul.

But Popal was more than just a former mujahedeen. In 1988, a year before the Soviets fled Afghanistan, Popal had been charged in the United States with conspiring to import more than a kilo of heroin. Court records show he was released from prison in 1997.

Flash forward to 2009, and Afghanistan is ruled by Popal's cousin President Hamid Karzai. Popal has cut his huge beard down to a neatly trimmed one and has become an immensely wealthy businessman, along with his brother Rashid Popal, who in a separate case pleaded guilty to a heroin charge in 1996 in Brooklyn. The Popal brothers control the huge Watan Group in Afghanistan, a consortium engaged in telecommunications, logistics and, most important, security. Watan Risk Management, the Popals' private military arm, is one of the few dozen private security companies in Afghanistan. One of Watan's enterprises, key to the war effort, is protecting convoys of Afghan trucks heading from Kabul to Kandahar, carrying American supplies.

Welcome to the wartime contracting bazaar in Afghanistan. It is a virtual carnival of improbable characters and shady connections, with former CIA officials and ex-military officers joining hands with former Taliban and mujahedeen to collect U.S. government funds in the name of the war effort.

In this grotesque carnival, the U.S. military's contractors are forced to pay suspected insurgents to protect American supply routes. It is an accepted fact of the military logistics operation in Afghanistan that the US government funds the very forces American troops are fighting. And it is a deadly irony, because these funds add up to a huge amount of money for the Taliban. ''It's a big part of their income,'' one of the top Afghan government security officials told The Nation in an interview. In fact, US military officials in Kabul estimate that a minimum of 10 percent of the Pentagon's logistics contracts—hundreds of millions of dollars—consists of payments to insurgents.

Understanding how this situation came to pass requires untangling two threads. The first is the insider dealing that determines who wins and who loses in Afghan business, and the second is the troubling mechanism by which ''private security'' ensures that the US supply convoys traveling these ancient trade routes aren't ambushed by insurgents.

A good place to pick up the first thread is with a small firm awarded a US military logistics contract worth hundreds of millions of dollars: NCL Holdings. Like the Popals' Watan Risk, NCL is a licensed security company in Afghanistan.

What NCL Holdings is most notorious for in Kabul contracting circles, though, is the identity of its chief principal, Hamed Wardak. He is the young American son of Afghanistan's current defense minister, Gen. Abdul Rahim Wardak, who was a leader of the mujahedeen against the Soviets. Hamed Wardak has plunged into business as well as policy. He was raised and schooled in the United States, graduating as valedictorian from Georgetown University in 1997. He earned a Rhodes scholarship and interned at the neoconservative think tank the American Enterprise Institute. That internship was to play an important role in his life, for it was at AEI that he forged alliances with some of the premier figures in American conservative foreign policy circles, such as the late Ambassador Jeane Kirkpatrick.

Wardak incorporated NCL in the United States early in 2007, although the firm may have operated in Afghanistan before then. It made sense to set up shop in Washington, because of Wardak's connections there. On NCL's advisory board, for example, is Milton Bearden, a well-known former CIA officer. Bearden is an important voice on Afghanistan issues; in October he was a witness before the Senate Foreign Relations Committee, where Senator John Kerry, the chair, introduced him as ''a legendary former CIA case officer and a clearheaded thinker and writer.'' It is not every defense contracting company that has such an influential adviser.

But the biggest deal that NCL got—the contract that brought it into Afghanistan's major leagues—was Host Nation Trucking. Earlier this year the firm, with no apparent trucking experience, was named one of the six companies that would handle the bulk of US trucking in Afghanistan, bringing supplies to the web of bases and remote outposts scattered across the country.

At first the contract was large but not gargantuan. And then that suddenly changed, like an immense garden coming into bloom. Over the summer, citing the coming ''surge'' and a new doctrine, ''Money as a Weapons System,'' the U.S. military expanded the contract 600 percent for NCL and the five other companies. The contract documentation warns of dire consequences if more is not spent: ''service members will not get food, water, equipment, and ammunition they require.'' Each of the military's six trucking contracts was bumped up to $360 million, or a total of nearly $2.2 billion. Put it in this perspective: this single two-year effort to hire Afghan trucks and truckers was worth 10 percent of the annual Afghan gross domestic product. NCL, the firm run by the defense minister's well-connected son, had struck pure contracting gold.

Host Nation Trucking does indeed keep the US military efforts alive in Afghanistan. ''We supply everything the army needs to survive here,'' one American trucking executive told me. ''We bring them their toilet paper, their water, their fuel, their guns, their vehicles.'' The epicenter is Bagram Air Base, just an hour north of Kabul, from which virtually everything in Afghanistan is trucked to the outer reaches of what the Army calls ''the Battlespace''—that is, the entire country. Parked near Entry Control Point 3, the trucks line up, shifting gears and sending up clouds of dust as they prepare for their various missions across the country.

The real secret to trucking in Afghanistan is ensuring security on the perilous roads, controlled by warlords, tribal militias, insurgents and Taliban commanders. The American executive I talked to was fairly specific about it: ''The Army is basically paying the Taliban not to shoot at them. It is Department of Defense money.'' That is something everyone seems to agree on.

Mike Hanna is the project manager for a trucking company called Afghan American Army Services. The company, which still operates in Afghanistan, had been trucking for the United States for years but lost out in the Host Nation Trucking contract that NCL won. Hanna explained the security realities quite simply: ''You are paying the people in the local areas—some are warlords, some are politicians in the police force—to move your trucks through.''

Hanna explained that the prices charged are different, depending on the route: ''We're basically being extorted. Where you don't pay, you're going to get attacked. We just have our field guys go down there, and they pay off who they need to.'' Sometimes, he says, the extortion fee is high, and sometimes it is low. ''Moving ten trucks, it is probably $800 per truck to move through an area. It's based on the number of trucks and what you're carrying. If you have fuel trucks, they are going to charge you more. If you have dry trucks, they're not going to charge you as much. If you are carrying MRAPs or Humvees, they are going to charge you more.''

Hanna says it is just a necessary evil. ''If you tell me not to pay these insurgents in this area, the chances of my trucks getting attacked increase exponentially.''

Whereas in Iraq the private security industry has been dominated by US and global firms like Blackwater, operating as de facto arms of the US government, in Afghanistan there are lots of local players as well. As a result, the industry in Kabul is far more dog-eat-dog. ''Every warlord has his security company,'' is the way one executive explained it to me.

In theory, private security companies in Kabul are heavily regulated, although the reality is different. Thirty-nine companies had licenses until September, when another dozen were granted licenses. Many licensed companies are politically connected: just as NCL is owned by the son of the defense minister and Watan Risk Management is run by President Karzai's cousins, the Asia Security Group is controlled by Hashmat Karzai, another relative of the president. The company has blocked off an entire street in the expensive Sherpur District. Another security firm is controlled by the parliamentary speaker's son, sources say. And so on.

In the same way, the Afghan trucking industry, key to logistics operations, is often tied to important figures and tribal leaders. One major hauler in Afghanistan, Afghan International Trucking (AIT), paid $20,000 a month in kickbacks to a US Army contracting official, according to the official's plea agreement in US court in August. AIT is a very well-connected firm: it is run by the 25-year-old nephew of Gen. Baba Jan, a former Northern Alliance commander and later a Kabul police chief. In an interview, Baba Jan, a cheerful and charismatic leader, insisted he had nothing to do with his nephew's corporate enterprise.

But the heart of the matter is that insurgents are getting paid for safe passage because there are few other ways to bring goods to the combat outposts and forward operating bases where soldiers need them. By definition, many outposts are situated in hostile terrain, in the southern parts of Afghanistan. The security firms don't really protect convoys of American military goods here, because they simply can't; they need the Taliban's cooperation.

One of the big problems for the companies that ship American military supplies across the country is that they are banned from arming themselves with any weapon heavier than a rifle. That makes them ineffective for battling Taliban attacks on a convoy. ''They are shooting the drivers from 3,000 feet away with PKMs,'' a trucking company executive in Kabul told me. ''They are using RPGs [rocket-propelled grenades] that will blow up an up-armed vehicle. So the security companies are tied up. Because of the rules, security companies can only carry AK–47s, and that's just a joke. I carry an AK—and that's just to shoot myself if I have to!''

The rules are there for a good reason: to guard against devastating collateral damage by private security forces. Still, as Hanna of Afghan American Army Services points out, ''An AK–47 versus a rocket-propelled grenade—you are going to lose!'' That said, at least one of the Host Nation Trucking companies has tried to do battle instead of paying off insurgents and warlords. It is a US-owned firm called Four Horsemen International. Instead of providing payments, it has tried to fight off attackers. And it has paid the price in lives, with horrendous casualties. FHI, like many other firms, refused to talk publicly; but I've been told by insiders in the security industry that FHI's convoys are attacked on virtually every mission.

For the most part, the security firms do as they must to survive. A veteran American manager in Afghanistan who has worked there as both a soldier and a private security contractor in the field told me, ''What we are doing is paying warlords associated with the Taliban, because none of our security elements is able to deal with the threat.'' He's

an Army veteran with years of Special Forces experience, and he's not happy about what's being done. He says that at a minimum American military forces should try to learn more about who is getting paid off.

''Most escorting is done by the Taliban,'' an Afghan private security official told me. He's a Pashto and former mujahedeen commander who has his finger on the pulse of the military situation and the security industry. And he works with one of the trucking companies carrying US supplies. ''Now the government is so weak,'' he added, ''everyone is paying the Taliban.''

To Afghan trucking officials, this is barely even something to worry about. One woman I met was an extraordinary entrepreneur who had built up a trucking business in this male-dominated field. She told me the security company she had hired dealt directly with Taliban leaders in the south. Paying the Taliban leaders meant they would send along an escort to ensure that no other insurgents would attack. In fact, she said, they just needed two armed Taliban vehicles. ''Two Taliban is enough,'' she told me. ''One in the front and one in the back.'' She shrugged. ''You cannot work otherwise. Otherwise it is not possible.''

Which leads us back to the case of Watan Risk, the firm run by Ahmad Rateb Popal and Rashid Popal, the Karzai family relatives and former drug dealers. Watan is known to control one key stretch of road that all the truckers use: the strategic route to Kandahar called Highway 1. Think of it as the road to the war—to the south and to the west. If the Army wants to get supplies down to Helmand, for example, the trucks must make their way through Kandahar.

Watan Risk, according to seven different security and trucking company officials, is the sole provider of security along this route. The reason is simple: Watan is allied with the local warlord who controls the road. Watan's company website is quite impressive, and claims its personnel ''are diligently screened to weed out all ex-militia members, supporters of the Taliban, or individuals with loyalty to warlords, drug barons, or any other group opposed to international support of the democratic process.'' Whatever screening methods it uses, Watan's secret weapon to protect American supplies heading through Kandahar is a man named Commander Ruhullah. Said to be a handsome man in his 40s, Ruhullah has an oddly high-pitched voice. He wears traditional salwar kameez and a Rolex watch. He rarely, if ever, associates with Westerners. He commands a large group of irregular fighters with no known government affiliation, and his name, security officials tell me, inspires obedience or fear in villages along the road.

It is a dangerous business, of course: until last spring Ruhullah had competition—a one-legged warlord named Commander Abdul Khaliq. He was killed in an ambush.

So Ruhullah is the surviving road warrior for that stretch of highway. According to witnesses, he works like this: he waits until there are hundreds of trucks ready to convoy south down the highway. Then he gets his men together, setting them up in 4x4s and pickups. Witnesses say he does not limit his arsenal to AK–47s but uses any weapons he can get. His chief weapon is his reputation. And for that, Watan is paid royally, collecting a fee for each truck that passes through his corridor. The American trucking official told me that Ruhullah ''charges $1,500 per truck to go to Kandahar. Just 300 kilometers.''

It's hard to pinpoint what this is, exactly—security, extortion or a form of ''insurance.'' Then there is the question, Does Ruhullah have ties to the Taliban? That's impossible to know. As an American private security veteran familiar with the route said, ''He works both sides . . . whatever is most profitable. He's the main commander. He's got to be involved with the Taliban. How much, no one knows.''

Even NCL, the company owned by Hamed Wardak, pays. Two sources with direct knowledge tell me that NCL sends its portion of US logistics goods in Watan's and Ruhullah's convoys. Sources say NCL is billed $500,000 per month for Watan's services. To underline the point: NCL, operating on a $360 million contract from the US military, and owned by the Afghan defense minister's son, is paying millions per year from those funds to a company owned by President Karzai's cousins, for protection.

Hamed Wardak wouldn't return my phone calls. Milt Bearden, the former CIA officer affiliated with the company, wouldn't speak with me either. There's nothing wrong with Bearden engaging in business in Afghanistan, but disclosure of his business interests might have been expected when testifying on US policy in Afghanistan and Pakistan. After all, NCL stands to make or lose hundreds of millions based on the whims of US policy-makers.

It is certainly worth asking why NCL, a company with no known trucking experience, and little security experience to speak of, would win a contract worth $360 million. Plenty of Afghan insiders are asking questions. ''Why would the US government give him a contract if he is the son of the minister of defense?'' That's what Mahmoud Karzai asked me. He is the brother of President Karzai, and he himself has been treated in the press as a poster boy for access to government officials. The New York Times even profiled him in a highly critical piece. In his defense, Karzai emphasized that he, at least, has refrained from US government or Afghan government contracting. He pointed out, as others have, that Hamed Wardak had little security or trucking background before his company received security and trucking contracts from the Defense Department. ''That's a questionable business practice,'' he said. ''They shouldn't give it to him. How come that's not questioned?''

I did get the opportunity to ask General Wardak, Hamed's father, about it. He is quite dapper, although he is no longer the debonair ''Gucci commander'' Bearden once described. I asked Wardak about his son and NCL. ''I've tried to be straightforward and correct and fight corruption all my life,'' the defense minister said. ''This has been something people have tried to use against me, so it has been painful.''

Wardak would speak only briefly about NCL. The issue seems to have produced a rift with his son. ''I was against it from the beginning, and that's why we have not talked for a long time. I have never tried to support him or to use my power or influence that he should benefit.''

When I told Wardak that his son's company had a US contract worth as much as $360 million, he did a double take. ''This is impossible,'' he said. ''I do not believe this.''

I believed the general when he said he really didn't know what his son was up to. But cleaning up what look like insider deals may be easier than the next step: shutting down the money pipeline going from DoD contracts to potential insurgents.

Two years ago, a top Afghan security official told me, Afghanistan's intelligence service, the National Directorate of Security, had alerted the American military to the problem. The NDS delivered what I'm told are ''very detailed'' reports to the Americans explaining how the Taliban are profiting from protecting convoys of US supplies.

The Afghan intelligence service even offered a solution: what if the United States were to take the tens of millions paid to security contractors and instead set up a dedicated and professional convoy support unit to guard its logistics lines? The suggestion went nowhere.

The bizarre fact is that the practice of buying the Taliban's protection is not a secret. I asked Col. David Haight, who commands the Third Brigade of the Tenth Mountain Division, about it. After all, part of Highway 1 runs through his area of operations. What did he think about security companies paying off insurgents? ''The American soldier in me is repulsed by it,'' he said in an interview in his office at FOB Shank in Logar Province. ''But I know that it is what it is: essentially paying the enemy, saying, 'Hey, don't hassle me.' I don't like it, but it is what it is.''

As a military official in Kabul explained contracting in Afghanistan overall, ''We understand that across the board 10 percent to 20 percent goes to the insurgents. My intel guy would say it is closer to 10 percent. Generally it is happening in logistics.''

In a statement to The Nation about Host Nation Trucking, Col. Wayne Shanks, the chief public affairs officer for the international forces in Afghanistan, said that military officials are ''aware of allegations that procurement funds may find their way into the hands of insurgent groups, but we do not directly support or condone this activity, if it is occurring.'' He added that, despite oversight, ''the relationships between contractors and their subcontractors, as well as between subcontractors and others in their operational communities, are not entirely transparent.''

In any case, the main issue is not that the US military is turning a blind eye to the problem. Many officials acknowledge what is going on while also expressing a deep disquiet about the situation. The trouble is that—as with so much in Afghanistan—the United States doesn't seem to know how to fix it.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Agriculture and Small Business Committees and the ranking member on the Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law.

Mr. KING of Iowa. Madam Speaker, I thank the gentlewoman from Florida for yielding to me.

I rise in opposition to H. Con. Res. 248. It is not with disrespect for my colleague from Ohio, and I am confident that the gentleman from Ohio is aware of that, but I read the resolution, and to me it reads as a retreat resolution. I think about the times that America has been characterized as retreating. As I look back through the history that I have lived through and the history that I have studied, I think of a little book I have in my office that I wish I would have brought over here. It is the book, ''How We Won the War,'' by General Giap of Vietnam, North Vietnam at the time. And I ran across that book randomly, and I began to read through that, and what would be going through the mind of a Vietnamese general.

First, I would make the point that we didn't lose the war tactically in Vietnam; it was lost here in the United

States, and a lot of it exactly on the floor of this Congress and in debates that began and flowed through similar to these debates that we have today.

As I read that, it is on page 8, it is not worth reading the book, it says that they got the inspiration because the United States had negotiated an agreement with Korea. Where did they get their inspiration to win the war against us in Vietnam? They saw that we didn't fight the Korean war through to a final victory but negotiated a settlement. And then I would fast-forward to June 11, 2004, where I was sitting waiting to go into Iraq the next day, and on the screen of Al Jazeera TV came Muqtada al-Sadr speaking in Arabic with English closed caption. He said, If we continue to attack Americans, they will leave Iraq the same way they left Vietnam, the same way they left Lebanon, the same way they left Mogadishu. That is the inspiration not just for our enemies of al Qaeda in Iraq and in Afghanistan and around the world, it is the inspiration for all of our enemies around the world, and it was the inspiration for Osama bin Laden when he ordered the attack on the United States on September 11.

We cannot lose our will. When we engage in an operation, we have to push it through to success. In fact, that legacy of Lebanon, Vietnam, and Mogadishu has been put to rest by a victory in Iraq, a victory that would not have been achieved if the people who brought these debates to the floor 44 times in the 110th Congress, resolutions that were designed to unfund, underfund, or undermine our troops, we fought off all of those resolutions. Now we have a victory in Iraq that is being claimed by this administration who opposed it back then.

I don't trust the judgment of people who have always been against armed conflict. I trust the judgment of the people who fight and win wars and the people who lead us through those wars that we fight and win.

This is an American destiny question that is before us. If we walk away from this conflict in Afghanistan for any reason, America's destiny will forever be diminished, and they will never take us seriously again.

Mr. KUCINICH. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Madam Speaker, I rise today for this opportunity to speak as an original cosponsor of this bill on what I believe is the foremost foreign policy issue facing the United States today. There is perhaps no more important matter on the table right now than Afghanistan, not least because every dollar we spend abroad for war is a dollar of investment lost to all of our communities here at home.

We have spent more than $250 billion fighting and occupying Afghanistan. President Obama is now implementing his plan to send an additional 30,000 troops to Afghanistan, which will cost another $33 billion. This is an enormous amount of money, and the security gains are dubious when there are more al Qaeda in other parts of the globe.

So long as the United States has a major military presence in Afghanistan, long-term stability will continue to be a goal just out of our reach. More troops are not the answer.

We need to turn the corner. We must rebuild. We must build a governing capacity among the Afghans, not military fighting capacity. As long as Afghanistan is able to depend exclusively on the United States for stability, the longer they will continue to do so. The quicker we prepare for transfer authority to the Afghans, the sooner we will be able to leave the country.

Over a year ago, President Obama announced his strategy to disrupt, dismantle, and defeat al Qaeda in its safe havens of Afghanistan and Pakistan. I made clear that I would not rubber-stamp his strategy for more troops. The only way we can solve this mess is to put in place a regional strategy with international buy-in. That strategy must include a strong civilian component capable of achieving diplomatic and development objectives, as well as security goals.

I was distressed to read several months ago that Special Envoy Richard Holbrooke acknowledged that we had built almost no capacity in the Afghan authorities.

The SPEAKER pro tempore (Ms. EDWARDS of Maryland). The time of the gentleman has expired.

Mr. KUCINICH. I yield the gentleman another 30 seconds.

Mr. FARR. We sent our troops to war in Afghanistan, but after more than 8 years of war, we are only now actively trying to support peace. For years, I have worked to develop a Civilian Response Corps that can bring the whole of government approach to winning the peace.

We have proven time and time again that we can kick down doors, but we have not yet proven that we can build peace. We are finally standing up the Civilian Response Corps, and we are finally developing the capacity so that war without end is not our only option.

In the recent operation in Marjah, the military aspect of the operation started in February 12, and by February 25 the Afghan flag was raised. This week, Afghan President Karzai, together with General Stanley McChrystal, visited Marjah. They met with elders who told President Karzai they wanted Afghan troops, not international forces, in their town. They expressed frustration at the government's lack of ability to provide services. It is those public services—provided by a civilian corps supported by Afghan security—that will win the peace.

The long-term solution in Afghanistan will be a civilian solution, and the sooner we move to this next phase the better. For this reason, I believe a vote for success in Afghanistan is a vote for this resolution to remove our military troops by year's end.

Mr. BERMAN. Madam Speaker, I am pleased to yield 1 minute to the majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I rise in opposition to this resolution, which would urge the withdrawal of American troops from Afghanistan, in my opinion, at great cost to America's security and, indeed, the Afghan people. But I want to rise as well to thank my friend, the gentleman from Ohio (Mr. KUCINICH), with whom I work closely. This issue needs to be debated. This issue needs to be raised. The American people have a right to have us debate this issue.

□ 1715

Their young men and young women are in harm's way. They are in harm's way at our insistence, or at least at our sufferance. So it is right to have this debate. And while I disagree with the gentleman from Ohio, I appreciate the fact that he provides this opportunity to discuss this very, very important issue.

Madam Speaker, after years in which Afghanistan was a secondary concern, in my view, President Obama has set our policy on a new course which is already showing significant results. I believe that this is not the time to change that policy.

There is vast agreement that an indefinite presence in Afghanistan or Iraq is unacceptable. In Iraq we have reached the transition point of handing over responsibility to the central Government to take care of its own people. We see positive signs, such as the recent Iraq election in which 62 percent of the voters turned out in the face of terrorist violence. Was it perfect? It was not. Are there concerns yet about who could run and who could not? There are, appropriate concerns. But nevertheless, we see progress.

Given the increasing stability of the Iraq Government, President Obama is proceeding with responsible troop withdrawals. Today, 96,000 American troops remain, down from 140,000 troops, and calculated and careful drawdowns continue. All American combat troops are set to leave Iraq by the end of August.

At the same time, the President conducted a comprehensive reevaluation of our Afghanistan policy, one in which all viewpoints were heard. Some thought it took too long; some of us believed it was a careful, thoughtful, and correct attention to an important decision.

The Obama administration came to the conclusion that a failed Afghanistan was the launching pad for terrorist attacks that killed thousands of Americans as well as a source of regional instability, and that a newly failed Afghan state could pose the same danger again. That is why we, in a bipartisan way, authorized troops to go to Afghanistan about a decade ago. That is why the President committed to a strategy of troop increases, not as an open-ended commitment, but as part of a limited strategy of counterinsurgency with withdrawals set to begin in the summer of 2011.

This is not a war we fight alone. Our allies understand that the threat of terrorism affects us all and have pitched in accordingly. Since the President's December 1 speech announcing his new policy, we have seen a sharp increase in international cooperation with our allies, pledging approximately 10,000 additional troops and more military trainees.

Our new Afghan strategy has already seen real success in Afghanistan and in Pakistan, which demonstrates that this resolution is especially ill-timed. Among the highlights of that success have been the capture of Mullah Baradar, the second-highest ranking member of the Taliban and most significant Taliban capture since the beginning of the war, and Mullah Abdul Kabir, a senior Taliban leader. Both were captured in Pakistan, which illustrates increased cooperation from the Pakistan Government, thanks in large part to the administration's careful diplomacy.

As The Washington Post put it on February 23, ''Pakistani security forces have long supported or turned a blind eye to Afghan Taliban members seeking sanctuary in Pakistan. The recent arrests seem to mark a change in that attitude.'' Clearly, success in Afghanistan will be posited on the success of those in Pakistan to act against sanctuaries. At the same time, the leadership of al Qaeda and Taliban has been severely damaged through strikes in Pakistan. And the new counterinsurgency strategy has been put to work in Marjah, an important district in Helmand province, where American, coalition, and Afghan troops have worked and fought successfully together to strengthen the central Government against Taliban fighters.

Let me say, the gentleman has made some comments about the Afghan central Government. All of us share the gentleman's concerns about the central Government. These are concerns that are properly raised and need to be addressed. However, there is no doubt that years of war against the Taliban and terrorists have imposed a heavy cost on the Afghan people. Despite those heavy costs, the Afghan people support the coalition's continued presence in their country, perhaps because they know that reprisals from an unchecked Taliban would be fierce and unforgiving. In fact, our failure to follow through when the Soviets withdrew resulted, very frankly, in the Taliban's presence.

According to a recent poll conducted by the BBC, ABC, and German television, 68 percent of Afghans want American troops to stay in their country and 56 percent of Afghans believe their country is headed in the right direction, compared to just 30 percent last spring. Just since last spring, we have seen almost a doubling of the view that Afghanistan is heading in the right direction on behalf of Afghan citizens.

Madam Speaker, there is no question that our strategy in Afghanistan and Pakistan has suffered from neglect, poor planning, and minimal diplomacy, but passing this resolution would show that we've learned the wrong lessons from those years of relative neglect. Abandoning Afghanistan just when a new strategy and new leadership has begun to bear fruit I think would be a mistake. And although I appreciate the gentleman's leadership and incisive analysis, which bears listening to, on this issue we disagree.

I would urge, therefore, my colleagues to vote ''no'' on the resolution before us.

Mr. KUCINICH. I want to thank our majority leader for his participation and also for his cooperation in ensuring that this debate could happen. You and our Speaker and Mr. BERMAN are appreciated for your willingness to provide for this moment to happen so that the House could be heard from, so thank you.

I would ask, Madam Speaker, how much time remains in the debate? I am sure we're winding down here.

The SPEAKER pro tempore. The gentleman from Ohio has 13½ minutes remaining. The gentleman from California has 9 minutes remaining. And the gentlewoman from Florida has 5 minutes remaining.

Mr. KUCINICH. I yield myself 3 minutes.

One of the areas of concern that I have about our presence in Afghanistan that I haven't seen discussed that much deals with the role of oil and gas, particularly in Afghanistan. Paul Craig Roberts, who was an Assistant Secretary of Treasury under the Reagan administration, reported in November of last year on a former British ambassador to Uzbekistan, Craig Murray, who was fired from his job when he spoke out about documents he saw ''proving that the motivation for U.S. and U.K. military aggression in Afghanistan had something to do with the natural gas deposits in Uzbekistan and Turkmenistan.'' He continues, and these are his words, ''The Americans wanted a pipeline that bypassed Russia and Iran and went through Afghanistan. To ensure this, an invasion was necessary.''

I did some additional research on that and I found an article by Craig Murray where he claims that Mr. Karzai ''was put in place because of his role with Unocal in developing the Trans-Afghanistan Gas Pipeline project. That remains a chief strategic goal. The Asian Development Bank has agreed finance to start construction in spring, 2011. It is, of course, a total coincidence that 30,000 extra U.S. troops will arrive 6 months before, and that the U.S. (as opposed to other NATO forces) deployment area corresponds with the pipeline route.''

I have a map of the pipeline. It's probably not easily visible, but it starts on the west in Turkmenistan, goes through Afghanistan, south to Pakistan and India, and it touches near both Helmand and Kandahar province, which is exactly where our troop buildup is occurring. I will put this article by Mr. Murray into the RECORD.

OBAMA IS WRONG ON BOTH COUNTS

(By Craig Murray)

Obama loves his rhetoric, and his speech on the Afghan surge was topped by a rhetorical flourish:

''Our cause is just, our resolve unshaken''.

He is of course wrong on both counts.

The occupation of Afghanistan by the US and its allies is there to prop up the government of President Karzai. Karzai's has always been an ultra-corrupt government of vicious warlords and drugs barons. I have been pointing this out for years, http://www.dailymail.co.uk/news/article-469983/Britain-protecting-biggest-heroin-crop-time.html#ixzz0VS78HVR1

The CIA is up to its usual tricks again supporting the drug running of key warlords loyal to them. They are also setting up death squads on the Central American model, in cooperation with Blackwater.

Fortunately Karzai's rigging of his re-election was so blatant that the scales have fallen from the eyes of the public and even the mainstream media. Politicians no longer pretend we are promoting democracy in Afghanistan.

Karzai comes directly from the Bush camp and was put in place because of his role with Unocal in developing the Trans Afghanistan Gas Pipeline project. That remains a chief strategic goal. The Asian Development Bank has agreed finance to start construction in Spring 2011. It is of course a total coincidence that 30,000 extra US troops will arrive six months before, and that the US (as opposed to other NATO forces) deployment area corresponds with the pipeline route.

Obama's claim that ''Our cause is just'' ultimately rests on the extraordinary claim that, eight years after the invasion, we are still there in self-defence. In both the UK and US, governments are relying on the mantra that the occupation of Afghanistan protects us from terrorism at home.

This is utter nonsense. The large majority of post 9/11 terror incidents have been by Western Muslims outraged by our invasion of Afghanistan and Iraq. Put bluntly, if we keep invading Muslim countries, of course we will face a violent backlash. The idea that because we occupy Afghanistan a Muslim from Dewsbury or Detroit disenchanted with the West would not be able to manufacture a bomb is patent nonsense. It would be an infinitely better strategy to make out theoretical Muslim less disenchanted by not attacking and killing huge numbers of his civilian co-religionists.

Our cause is unjust.

We are responsible for the deaths of tens of thousands of civilians in Afghanistan and Pakistan, and for the further of radicalisation of Muslim communities worldwide. That threatens a perpetual war—which is of course just what the military-industrial complex and the security industry want. They have captured Obama.

Fortunately, our resolve is shaken.

The ordinary people of the UK and US have begun in sufficient numbers to see through this perpetual war confidence trick; they realise there is nothing in it for them but dead youngsters and high taxes. That is why Obama made a very vague promise—which I believe in its vagueness and caveats to be deliberate deceit—that troops will start to leave in 2011.

Today's promises of 5,000 additional NATO troops are, incidentally, empty rhetoric. I gather from friends in the FCO that firm pledges to date amount to 670.

A well-placed source close to the Taliban in Pakistan tells me that the Afghan Taliban

and their tribal allies have a plan. As the US seeks massively to expand the Afghan forces, they are feeding in large numbers of volunteers. I suspect that while we may see the odd attack on their trainers, the vast majority will get trained, fed, paid and equipped and bide their time before turning en masse. This is nothing new; it is precisely the history of foreign occupations in the region and the purchase of tribal auxiliaries and alliances.

I will also have this article called ''Unocal and the Afghanistan Pipeline'' submitted in the RECORD because he talks about how ''Unocal was not interested in a partnership. The U.S. Government, its affiliated transnational oil and construction companies, and the ruling elite of the West had coveted the same oil and gas transit route for years.

''A trans-Afghanistan pipeline was not simply a business matter, but a key component of a broader geostrategic agenda: total military and economic control of Eurasia.'' This is supposedly described in Zbigniew Brzezinski's book, ''The Grand Chessboard: American Primacy and Its Geostrategic Imperatives'' as ''the center of world power.''

''Capturing the region's oil wealth and carving out territory in order to build a network of transit routes was a primary objective of U.S. military interventions throughout the 1990s in the Balkans, the Caucasus, and Caspian Sea.''

[From Centre for Research on Globalisation, March 2002]

UNOCAL AND THE AFGHANISTAN PIPELINE

(By Larry Chin)

CRG's Global Outlook, premiere issue on ''Stop the War'' provides detailed documentation on the war and the ''Post-September 11 Crisis.'' Order/subscribe. Consult Table of Contents

PART ONE OF A TWO-PART SERIES PLAYERS ON A RIGGED GRAND CHESSBOARD: BRIDAS,

After the fall of the Soviet Union, Argentine oil company Bridas, led by its ambitious chairman, Carlos Bulgheroni, became the first company to exploit the oil fields of Turkmenistan and propose a pipeline through neighboring Afghanistan. A powerful US-backed consortium intent on building its own pipeline through the same Afghan corridor would oppose Bridas' project.

THE COVETED TRANS-AFGHAN ROUTE

Upon successfully negotiating leases to explore in Turkmenistan, Bridas was awarded exploration contracts for the Keimar block near the Caspian Sea, and the Yashlar block near the Afghanistan border. By March 1995, Bulgheroni had accords with Turkmenistan and Pakistan granting Bridas construction rights for a pipeline into Afghanistan, pending negotiations with the civil war-torn country.

The following year, after extensive meetings with warlords throughout Afghanistan, Bridas had a 30–year agreement with the Rabbani regime to build and operate an 875–mile gas pipeline across Afghanistan.

Bulgheroni believed that his pipeline would promote peace as well as material wealth in the region. He approached other companies, including Unocal and its then-CEO, Roger Beach, to join an international consortium.

Unocal was not interested in a partnership. The United States government, its affiliated transnational oil and construction companies, and the ruling elite of the West had coveted the same oil and gas transit route for years.

A trans-Afghanistan pipeline was not simply a business matter, but a key component of a broader geo-strategic agenda: total military and economic control of Eurasia (the Middle East and former Soviet Central Asian republics). Zbigniew Brezezinski describes this region in his book ''The Grand Chessboard—American Primacy and Its Geostrategic Imperatives'' as ''the center of world power.'' Capturing the region's oil wealth, and carving out territory in order to build a network of transit routes, was a primary objective of US military interventions throughout the 1990s in the Balkans, the Caucasus and Caspian Sea.

As of 1992, 11 western oil companies controlled more than 50 percent of all oil investments in the Caspian Basin, including Unocal, Amoco, Atlantic Richfield, Chevron, Exxon-Mobil, Pennzoil, Texaco, Phillips and British Petroleum.

In ''Taliban: Militant Islam, Oil and Fundamentalism in Central Asia'' (a definitive work that is a primary source for this report), Ahmed Rashid wrote, ''US oil companies who had spearheaded the first US forays into the region wanted a greater say in US policy making.''

Business and policy planning groups active in Central Asia, such as the Foreign Oil Companies Group operated with the full support of the US State Department, the National Security Council, the CIA and the Department of Energy and Commerce.

Among the most active operatives for US efforts: Brezezinski (a consultant to Amoco, and architect of the Afghan-Soviet war of the 1970s), Henry Kissinger (advisor to Unocal), and Alexander Haig (a lobbyist for Turkmenistan), and Dick Cheney (Halliburton, US-Azerbaijan Chamber of Commerce).

Unocal's Central Asia envoys consisted of former US defense and intelligence officials. Robert Oakley, the former US ambassador to Pakistan, was a ''counter-terrorism'' specialist for the Reagan administration who armed and trained the mujahadeen during the war against the Soviets in the 1980s. He was an Iran-Contra conspirator charged by Independent Counsel Lawrence Walsh as a key figure involved in arms shipments to Iran.

Richard Armitage, the current Deputy Defense Secretary, was another Iran-Contra player in Unocal's employ. A former Navy SEAL, covert operative in Laos, director with the Carlyle Group, Armitage is allegedly deeply linked to terrorist and criminal networks in the Middle East, and the new independent states of the former Soviet Union (Tajikistan, Uzbekistan, and Kyrgistan).

Armitage was no stranger to pipelines. As a member of the Burma/Myanmar Forum, a group that received major funding from Unocal, Armitage was implicated in a lawsuit filed by Burmese villagers who suffered human rights abuses during the construction of a Unocal pipeline. (Halliburton, under Dick Cheney, performed contract work on the same Burmese project.)

BRIDAS VERSUS THE NEW WORLD ORDER

Much to Bridas' dismay, Unocal went directly to regional leaders with its own proposal. Unocal formed its own competing US-led, Washington-sponsored consortium that included Saudi Arabia's Delta Oil, aligned with Saudi Prince Abdullah and King Fahd. Other partners included Russia's Gazprom and Turkmenistan's state-owned Turkmenrozgas.

John Imle, president of Unocal (and member of the US-Azerbaijan Chamber of Commerce with Armitage, Cheney, Brezezinski and other ubiquitous figures), lobbied Turkmenistan's president Niyazov and prime minister Bhutto of Pakistan, offering a Unocal pipeline following the same route as Bridas.'

Dazzled by the prospect of an alliance with the US, Niyazov asked Bridas to renegotiate its past contract and blocked Bridas' exports from Keimar field. Bridas responded by filing three cases with the International Chamber of Commerce against Turkmenistan for breach of contract. (Bridas won.) Bridas also filed a lawsuit in Texas charging Unocal with civil conspiracy and ''tortuous interference with business relations.'' While its officers were negotiating with Pakistani and Turkmen oil and gas officials, Bridas claimed that Unocal had stolen its idea, and coerced the Turkmen government into blocking Bridas from Keimir field. (The suit was dismissed in 1998 by Judge Brady G. Elliott, a Republican, who claimed that any dispute between Unocal and Bridas was governed by the laws of Turkmenistan and Afghanistan, rather than Texas law.)

In October 1995, with neither company in a winning position, Bulgheroni and Imle accompanied Niyazov to the opening of the UN General Assembly. There, Niyazov awarded Unocal with a contract for a 918-mile natural gas pipeline. Bulgheroni was shocked. At the announcement ceremony, Unocal consultant Henry Kissinger said that the deal looked like ''the triumph of hope over experience.''

Later, Unocal's consortium, CentGas, would secure another contract for a companion 1,050-mile oil pipeline from Dauletabad through Afghanistan that would connect to a tanker loading port in Pakistan on the coast of the Arabian Sea.

Although Unocal had agreements with the governments on either end of the proposed route, Bridas still had the contract with Afghanistan.

The problem was resolved via the CIA and Pakistani ISI-backed Taliban. Following a visit to Kandahar by US Assistant Secretary of State for South Asia Robin Raphael in the fall of 1996, the Taliban entered Kabul and sent the Rabbani government packing.

Bridas' agreement with Rabbani would have to be renegotiated.

WOOING THE TALIBAN

According to Ahmed Rashid, ''Unocal's real influence with the Taliban was that their project carried the possibility of US recognition, which the Taliban were desperately anxious to secure.''

Unocal wasted no time greasing the palms of the Taliban. It offered humanitarian aid to Afghan warlords who would form a council to supervise the pipeline project. It provided a new mobile phone network between Kabul and Kandahar. Unocal also promised to help rebuild Kandahar, and donated $9,000 to the University of Nebraska's Center for Afghan Studies. The US State Department, through its aid organization USAID, contributed significant education funding for Taliban. In the spring of 1996, Unocal executives flew Uzbek leader General Abdul Rashid Dostum to Dallas to discuss pipeline passage through his northern (Northern Alliance-controlled) territories.

Bridas countered by forming an alliance with Ningarcho, a Saudi company closely aligned with Prince Turki el-Faisal, the Saudi intelligence chief. Turki was a mentor to Osama bin Laden, the ally of the Taliban who was publicly feuding with the Saudi royal family. As a gesture for Bridas, Prince Turki provided the Taliban with communications equipment and a fleet of pickup trucks. Now Bridas proposed two consortiums, one to build the Afghanistan portion, and another to take care of both ends of the line.

By November 1996, Bridas claimed that it had an agreement signed by the Taliban and Dostum—trumping Unocal.

The competition between Unocal and Bridas, as described by Rashid, ''began to reflect the competition within the Saudi Royal family.''

In 1997, Taliban officials traveled twice to Washington, D.C. and Buenos Aires to be wined and dined by Unocal and Bridas. No agreements were signed.

It appeared to Unocal that the Taliban was balking. In addition to royalties, the Taliban demanded funding for infrastructure projects, including roads and power plants. The Taliban also announced plans to revive the Afghan National Oil Company, which had been abolished by the Soviet regime in the late 1970s.

Osama bin Laden (who issued his fatwa against the West in 1998) advised the Taliban to sign with Bridas. In addition to offering the Taliban a higher bid, Bridas proposed an open pipeline accessible to warlords and local users. Unocal's pipeline was closed—for export purposes only. Bridas' plan also did not require outside financing, while Unocal's required a loan from the western financial institutions (the World Bank), which in turn would leave Afghanistan vulnerable to demands from western governments.

Bridas' approach to business was more to the Taliban's liking. Where Bulgheroni and Bridas' engineers would take the time to ''sip tea with Afghan tribesmen,'' Unocal's American executives issued top-down edicts from corporate headquarters and the US Embassy (including a demand to open talks with the CIA-backed Northern Alliance).

While seemingly well received within Afghanistan, Bridas' problems with Turkmenistan (which they blamed on Unocal and US interference) had left them cash-strapped and without a supply.

In 1997, they went searching for a major partner with the clout to break the deadlock with Turkmenistan. They found one in Amoco. Bridas sold 60 percent of its Latin American assets to Amoco. Carlos Bulgheroni and his contingent retained the remaining minority 40 percent. Facilitating the merger were other icons of transnational finance, Chase Manhattan (representing Bridas), Morgan Stanley (handling Amoco) and Arthur Andersen (facilitator of post-merger integration). Zbigniew Brezezinski was a consultant for Amoco.

(Amoco would merge with British Petroleum a year later. BP is represented by the law firm of Baker & Botts, whose principal attorney is James Baker, lifelong Bush friend, former secretary of state, and a member of the Carlyle Group.)

Recognizing the significance of the merger, a Pakistani oil company executive hinted, ''If these (Central Asian) countries want a big US company involved, Amoco is far bigger than Unocal.''

CLEARING THE CHESSBOARD AGAIN

By 1998, while the Argentine contingent made slow progress, Unocal faced a number of new problems.

Gazprom pulled out of CentGas when Russia complained about the anti-Russian agenda of the US. This forced Unocal to expand CentGas to include Japanese and South Korean gas companies, while maintaining the dominant share with Delta. Human rights groups began protesting Unocal's dealings with the brutal Taliban. Still riding years of Clinton bashing and scandal mongering, conservative Republicans in the US attacked the Clinton administration's Central Asia policy for its lack of clarity and ''leadership.''

Once again, violence would change the dynamic.

In response to the bombing of US embassies in Nairobi and Tanzania (attributed to bin Laden), President Bill Clinton sent cruise missiles into Afghanistan and Sudan. The administration broke off diplomatic contact with the Taliban, and UN sanctions were imposed.

Unocal withdrew from CentGas, and informed the State Department ''the gas pipeline would not proceed until an internationally recognized government was in place in Afghanistan.'' Although Unocal continued on and off negotiations on the oil pipeline (a separate project), the lack of support from Washington hampered efforts.

Meanwhile, Bridas declared that it would not need to wait for resolution of political issues, and repeated its intention of moving forward with the Afghan gas pipeline project on its own. Pakistan, Turkmenistan and Afghanistan tried to push Saudi Arabia to proceed with CentGas (Delta of Saudi Arabia was now the leader). But war and US-Taliban tension made business impossible.

For the remainder of the Clinton presidency, there would be no official US or UN recognition of Afghanistan. And no progress on the pipeline.

Then George Walker Bush took the White House.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. ROE), the ranking member of the Veterans' Affairs Subcommittee on Oversight and Investigation.

Mr. ROE of Tennessee. I thank the gentlewoman for yielding, and I rise in strong opposition to this resolution.

If passed, this would send a terrible message to our troops in harm's way and only serve to boost morale among our enemies who now have to face the reality that they are being tracked night and day.

I served in the Army in 1973 and 1974 in the infantry in Korea. I felt abandoned at that time by my country. I never want a soldier to feel like I felt at that time. I saw what happened in Vietnam when Washington bureaucrats and lawmakers micromanaged the war and prevented commanders from having the resources available which they thought would win. I will never support a plan for this or any other war in which I think we are tying the hands of our brave servicemembers.

In my judgment, the strategy devised by our military leaders and being implemented by our Armed Forces is the correct one. I have always said I will support this military plan so long as we do not set arbitrary dates for withdrawal from the country, which will only set a target date for those who would try to kill our young men and women.

It is important that we do not forget why we are in Afghanistan. We are fighting this war because a previous Afghan regime allowed al Qaeda, the terrorist group responsible for countless attacks around the globe, including the September 11 attacks against the United States, to operate freely within its borders. If the coalition forces leave, the Taliban could regain control of the country and once again provide safe harbors for those who hate America and want to destroy our country.

Winning the war in Afghanistan will also help deter a radical Islamic government from taking over Pakistan, a country with over 15 nuclear weapons. It seems that in recent months, since our surge in force has begun, we have seen Pakistan become more willing to confront the radical elements within its own borders. And while there is much work left to be done, there is no question that our more aggressive strategy against the enemy is having many positive results.

In April of 2009 I participated in a congressional delegation to visit Afghanistan to observe our operations firsthand. I can tell you without hesitation that we have every reason to be proud of our men and women serving in Afghanistan; they're doing a great job. What they need now is support and a clear signal from Washington that the job they are accomplishing is appreciated and in our national interests. By soundly defeating this resolution today, hopefully we will send such a message. And it is my hope and prayer that we never have to enter another war.

Mr. KUCINICH. Madam Speaker, I yield myself 2 minutes.

I would like to speak for a moment about civilian casualties in Afghanistan.

According to the United Nations, airstrikes continue to be a leading cause of civilian casualties. Days into the Marjah military offensive, 12 Afghans died when two rockets fired by NATO forces hit the wrong house. Ten of the 12 Afghans killed were from the same family. U.S. military officials initially apologized for the death of the civilians, but later backtracked, claiming they were insurgents. An Italian aid group working at a hospital just outside of Marjah accused allied forces of blocking dozens of critically wounded citizens from receiving medical attention at the hospital. A February 21 NATO airstrike conducted by U.S. Special Forces helicopters killed over 27 civilians and wounded dozens more after minibuses were hit by helicopters ''patrolling the area hunting for insurgents who had escaped the NATO offensive in the Marjah area,'' over 100 miles outside of Marjah in the southern province of Uruzgan.

□ 1730

The Wall Street Journal cited Afghan and NATO representatives, explaining that the air strike was ordered because it was believed that the minibus carried fresh Taliban fighters who were sent to help those under attack. However, the source of intelligence used to determine that the minibus carried insurgents has not been made known.

Admiral Mike Mullen, Chair of the Joint Chiefs of Staff, claimed the goal of the Marjah operation was to have no civilian casualties.

I submit for the RECORD a Brookings Institution 2009 report estimate that 10 civilians die for every militant killed in a drone strike.

I submit for the RECORD an article published in The Nation, written by journalist Anand Gopal, titled ''America's Secret Afghan Prisons,'' which reveals the existence of secret detention facilities at Bagram.

The daily night raids and indiscriminate aerial bombings must stop. The alleged torture of Afghans who are accused of supporting the Taliban who are captured in such night raids and the slaughter of innocent civilians in drone attacks only serve to embolden popular support against the United States.

[From the Brookings Institution, Mar. 10, 2010]

DO TARGETED KILLINGS WORK?

(BY DANIEL L. BYMAN)

JULY 14, 2009.—Killing terrorist leaders is difficult, is often ineffective, and can easily backfire. Yet it is one of the United States' few options for managing the threat posed by al Qaeda from its base in tribal Pakistan. By some accounts, U.S. drone activity in Pakistan has killed dozens of lower-ranking and at least 10 mid- and high-ranking leaders from al Qaeda and the Taliban.

Critics correctly find many problems with this program, most of all the number of civilian casualties the strikes have incurred. Sourcing on civilian deaths is weak and the numbers are often exaggerated, but more than 600 civilians are likely to have died from the attacks. That number suggests that for every militant killed, 10 or so civilians also died.

To reduce casualties, superb intelligence is necessary. Operators must know not only where the terrorists are, but also who is with them and who might be within the blast radius. This level of surveillance may often be lacking, and terrorists' deliberate use of children and other civilians as shields make civilian deaths even more likely.

Beyond the humanitarian tragedy incurred, civilian deaths create dangerous political problems. Pakistan's new democratic government is already unpopular for its corruption, favoritism, and poor governance. U.S. strikes that take a civilian toll are a further blow to its legitimacy—and to U.S. efforts to build goodwill there. As counterterrorism expert David Kilcullen put it, ''When we intervene in people's countries to chase small cells of bad guys, we end up alienating the whole country and turning them against us.''

And even when they work, killings are a poor second to arrests. Dead men tell no tales and thus are no help in anticipating the next attack or informing us about broader terrorist activities. So in any country with a functioning government, it is better to work with that government to seize the terrorist than to kill him outright. Arresting al Qaeda personnel in remote parts of Pakistan, however, is almost impossible today; the Pakistani government does not control many of the areas where al Qaeda is based, and a raid to seize terrorists there would probably end in the militants escaping and U.S. and allied casualties in the attempt.

When arrests are impossible, what results is a terrorist haven of the sort present along the Afghanistan-Pakistan border today. Free from the threat of apprehension, terrorists have a space in which to plot, organize, train, and relax—an extremely dangerous prospect. In such a haven, terrorist leaders can recruit hundreds or even thousands of potential fighters and, more importantly, organize them into a dangerous network. They can transform idealistic but incompetent volunteers into a lethal legion of fighters. They can also plan long-term global operations—terrorism ''spectaculars'' like the September 11 attacks, which remain one of al Qaeda's goals.

Killing terrorist operatives is one way to dismantle these havens. Plans are disrupted when individuals die or are wounded, as new people must be recruited and less experienced leaders take over day-to-day operations. Perhaps most importantly, organizations fearing a strike must devote increased attention to their own security because any time they communicate with other cells or issue propaganda, they may be exposing themselves to a targeted attack.

Given the humanitarian and political risks, each strike needs to be carefully weighed, with the value of the target and the potential for innocent deaths factored into the equation. In addition, the broader political consequences must be evaluated; the same death toll can have vastly different political consequences depending on the context. But equally important is the risk of not striking—and inadvertently allowing al Qaeda leaders free reign to plot terrorist mayhem.

We must not pretend the killings are anything but a flawed short-term expedient that at best reduces the al Qaeda threat—but by no means eliminates it. Even as U.S. strikes have increased, Pakistan has suffered staggering levels of terrorism as groups with few or limited links to al Qaeda have joined the fray. Al Qaeda itself can also still carry out attacks, including ones outside Pakistan in Europe and even the United States. Thanks to the drone strikes, they are just harder to pull off. The real answer to halting al Qaeda's activity in Pakistan will be the long-term support of Pakistan's counterinsurgency efforts. While this process unfolds, targeted killings are one of America's few options left.

[From the Nation, Feb. 15, 2010]

AMERICA'S SECRET AFGHAN PRISONS

(By Anand Gopal)

One quiet, wintry night last year in the eastern Afghan town of Khost, a young government employee named Ismatullah simply vanished. He had last been seen in the town's bazaar with a group of friends. Family members scoured Khost's dusty streets for days. Village elders contacted Taliban commanders in the area who were wont to kidnap government workers, but they had never heard of the young man. Even the governor got involved, ordering his police to round up nettlesome criminal gangs that sometimes preyed on young bazaargoers for ransom.

But the hunt turned up nothing. Spring and summer came and went with no sign of Ismatullah. Then one day, long after the police and village elders had abandoned their search, a courier delivered a neat handwritten note on Red Cross stationery to the family. In it, Ismatullah informed them that he was in Bagram, an American prison more than 200 miles away. US forces had picked him up while he was on his way home from the bazaar, the terse letter stated, and he didn't know when he would be freed.

In the past few years Pashtun villagers in Afghanistan's rugged heartland have begun to lose faith in the American project. Many of them can point to the precise moment of this transformation, and it usually took place in the dead of night, when most of the country was fast asleep. In its attempt to stamp out the growing Taliban insurgency and Al Qaeda, the US military has been arresting suspects and sending them to one of a number of secret detention areas on military bases, often on the slightest suspicion and without the knowledge of their families. These night raids have become even more feared and hated in Afghanistan than coalition airstrikes. The raids and detentions, little known or understood outside the Pashtun villages, have been turning Afghans against the very forces many of them greeted as liberators just a few years ago.

ONE DARK NIGHT IN NOVEMBER

November 19, 2009, 3:15 am. A loud blast woke the villagers of a leafy neighborhood outside Ghazni, a city of ancient provenance in the country's south. A team of US soldiers burst through the front gate of the home of Majidullah Qarar, the spokesman for Afghanistan's agriculture minister. Qarar was in Kabul at the time, but his relatives were home, four of them sleeping in the family's one-room guesthouse. One of them, Hamidullah, who sold carrots at the local bazaar, ran toward the door of the guesthouse. He was immediately shot but managed to crawl back inside, leaving a trail of blood behind him. Then Azim, a baker, darted toward his injured cousin. He, too, was shot and crumpled to the floor. The fallen men cried out to the two relatives—both of them children—remaining in the room. But they refused to move, glued to their beds in silent horror.

The foreign soldiers, most of them tattooed and bearded, then went on to the main compound. They threw clothes on the floor, smashed dinner plates and forced open closets. Finally they found the man they were looking for: Habib-ur-Rahman, a computer programmer and government employee. Rahman was responsible for converting Microsoft Windows from English to the local Pashto language so that government offices could use the software. The Afghan translator accompanying the soldiers said they were acting on a tip that Rahman was a member of Al Qaeda.

They took the barefoot Rahman and a cousin to a helicopter some distance away and transported them to a small American base in a neighboring province for interrogation. After two days, US forces released Rahman's cousin. But Rahman has not been seen or heard from since.

''We've called his phone, but it doesn't answer,'' said his cousin Qarar, the agriculture minister's spokesman. Using his powerful connections, Qarar enlisted local police, parliamentarians, the governor and even the agriculture minister himself in the search for his cousin, but they turned up nothing. Government officials who independently investigated the scene in the aftermath of the raid and corroborated the claims of the family also pressed for an answer as to why two of Qarar's family members were killed. American forces issued a statement saying that the dead were ''enemy militants [who] demonstrated hostile intent.''

Weeks after the raid, the family remains bitter. ''Everyone in the area knew we were a family that worked for the government,'' Qarar said. ''Rahman couldn't even leave the city, because if the Taliban caught him in the countryside they would have killed him.''

Beyond the question of Rahman's guilt or innocence, it's how he was taken that has left such a residue of hatred among his family. ''Did they have to kill my cousins? Did they have to destroy our house?'' Qarar asked. ''They knew where Rahman worked. Couldn't they have at least tried to come with a warrant in the daytime? We would have forced Rahman to comply.''

''I used to go on TV and argue that people should support this government and the foreigners,'' he added. ''But I was wrong. Why should anyone do so? I don't care if I get fired for saying it, but that's the truth.''

THE DOGS OF WAR

Night raids are only the first step in the American detention process in Afghanistan.

Suspects are usually sent to one of a series of prisons on US military bases around the country. There are officially nine such jails, called Field Detention Sites in military parlance. They are small holding areas, often just a clutch of cells divided by plywood, and are mainly used for prisoner interrogations.

In the early years of the war, these were but way stations for those en route to Bagram prison, a facility with a notorious reputation for abusive behavior. As a spotlight of international attention fell on Bagram in recent years, wardens there cleaned up their act, and the mistreatment of prisoners began to shift to the little-noticed Field Detention Sites.

Of the twenty-four former detainees interviewed for this article, seventeen claim to have been abused at or en route to these sites. Doctors, government officials and the Afghan Independent Human Rights Commission, an independent Afghan body mandated by the Afghan Constitution to investigate abuse allegations, corroborate twelve of these claims.

One of these former detainees is Noor Agha Sher Khan, who used to be a police officer in Gardez, a mud-caked town in the eastern part of the country. According to Sher Khan, American forces detained him in a night raid in 2003 and brought him to a Field Detention Site at a nearby US base. ''They interrogated me the whole night,'' he recalled, ''but I had nothing to tell them.'' Sher Khan worked for a police commander whom US forces had detained on suspicion of having ties to the insurgency. He had occasionally acted as a driver for this commander, which made him suspicious in American eyes.

The interrogators blindfolded him, taped his mouth shut and chained him to the ceiling, he alleges. Occasionally they unleashed a dog, which repeatedly bit him. At one point they removed the blindfold and forced him to kneel on a long wooden bar. ''They tied my hands to a pulley [above] and pushed me back and forth as the bar rolled across my shins. I screamed and screamed.'' They then pushed him to the ground and forced him to swallow twelve bottles of water. ''Two people held my mouth open, and they poured water down my throat until my stomach was full and I became unconscious,'' he said. ''It was as if someone had inflated me.'' After he was roused, he vomited uncontrollably.

This continued for a number of days. Sometimes he was hung upside down from the ceiling, other times he was blindfolded for extended periods. Eventually he was moved to Bagram, where the torture ceased. Four months later he was quietly released, with a letter of apology from US authorities for wrongfully imprisoning him.

An investigation of Sher Khan's case by the Afghan Independent Human Rights Commission and an independent doctor found that he had wounds consistent with the abusive treatment he alleges. American forces have declined to comment on the specifics of his case, but a spokesman said that some soldiers involved in detentions in this part of the country had been given unspecified ''administrative punishments.'' He added that ''all detainees are treated humanely,'' except for isolated cases.

THE DISAPPEARED

Some of those taken to the Field Detention Sites are deemed innocuous and never sent to Bagram. Even then, some allege abuse. Such was the case with Hajji Ehsanullah, snatched one winter night in 2008 from his home in the southern province of Zabul. He was taken to a detention site in Khost Province, some 200 miles away. He returned home thirteen days later, his skin scarred by dog bites and with memory difficulties that, according to his doctor, resulted from a blow to the head. American forces had dropped him off at a gas station in Khost after three days of interrogation. It took him ten more days to find his way home.

Others taken to these sites seem to have disappeared entirely. In the hardscrabble villages of the Pashtun south, where rumors grow more abundantly than the most bountiful crop, locals whisper tales of people who were captured and executed. Most have no evidence. But occasionally a body turns up. Such was the case at a detention site on a US military base in Helmand Province, where in 2003 a US military coroner wrote in the autopsy report of a detainee who died in US custody (later made available through the Freedom of Information Act): ''Death caused by the multiple blunt force injuries to the lower torso and legs complicated by rhabdomyolysis (release of toxic byproducts into the system due to destruction of muscle). Manner of death is homicide.''

In the dust-swept province of Khost one day this past December, US forces launched a night raid on the village of Motai, killing six people and capturing nine, according to nearly a dozen local government authorities and witnesses. Two days later, the bodies of two of those detained—plastic cuffs binding their hands—were found more than a mile from the largest US base in the area. A US military spokesman denies any involvement in the deaths and declines to comment on the details of the raid. Local Afghan officials and tribal elders steadfastly maintain that the two were killed while in US custody. American authorities released four other villagers in subsequent days. The fate of the three remaining captives is unknown.

The matter could be cleared up if the US military were less secretive about its detention process. But secrecy has been the order of the day. The nine Field Detention Sites are enveloped in a blanket of official secrecy, but at least the Red Cross and other humanitarian organizations are aware of them. There may, however, be other sites whose existence on the scores of US and Afghan military bases that dot the country have not been disclosed. One example, according to former detainees, is a detention facility at Rish-Khor, an Afghan army base that sits atop a mountain overlooking the capital, Kabul.

One night last year US forces raided Zaiwalat, a tiny village that fits snugly into the mountains of Wardak Province, a few dozen miles west of Kabul, and netted nine locals. They brought the captives to Rish-Khor and interrogated them for three days. ''They kept us in a container,'' recalled Rehmatullah Muhammad, one of the nine. ''It was made of steel. We were handcuffed for three days continuously. We barely slept those days.'' The plain-clothed interrogators accused Muhammad and the others of giving food and shelter to the Taliban. The suspects were then sent to Bagram and released after four months. (A number of former detainees said they were interrogated by plainclothed officials, but they did not know if these officials belonged to the military, the CIA or private contractors.)

Afghan human rights campaigners worry that US forces may be using secret detention sites like the one allegedly at Rish-Khor to carry out interrogations away from prying eyes. The US military, however, denies even having knowledge of the facility.

THE BLACK JAIL

Much less secret is the final stop for most captives: the Bagram Theater Internment Facility. These days ominously dubbed ''Obama's Guantánamo,'' Bagram nonetheless now offers the best conditions for captives during the entire detention process.

Its modern life as a prison began in 2002, when small numbers of detainees from throughout Asia were incarcerated there on the first leg of an odyssey that would eventually bring them to the US detention facility in Guantánamo, Cuba. In later years, however, it became the main destination for those caught within Afghanistan as part of the growing war there. By 2009 the inmate population had swelled to more than 700. Housed in a windowless old Soviet hangar, the prison consists of two rows of serried, cagelike cells bathed continuously in light. Guards walk along a platform that runs across the mesh tops of the pens, an easy position from which to supervise the prisoners below.

Regular, even infamous, abuse in the style of Iraq's Abu Ghraib prison marked Bagram's early years. Abdullah Mujahid, for example, was apprehended in the village of Kar Marchi in the eastern province of Paktia in 2003. Although Mujahid was a Tajik militia commander who had led an armed uprising against the Taliban in their waning days, US forces accused him of having ties to the insurgency. ''In Bagram we were handcuffed, blindfolded and had our feet chained for days,'' he recalled. ''They didn't allow us to sleep at all for thirteen days and nights.'' A guard would strike his legs every time he dozed off. Daily, he could hear the screams of tortured inmates and the unmistakable sound of shackles dragging across the floor.

Then one day a team of soldiers dragged him to an aircraft but refused to tell him where he was going. Eventually he landed at another prison, where the air felt thick and wet. As he walked through the row of cages, inmates began to shout, ''This is Guantánamo! You are in Guantánamo!'' He would learn there that he was accused of leading the Pakistani Islamist group Lashkar-e-Taiba (which in reality was led by another person who had the same name and who died in 2006). The United States eventually released him and returned him to Afghanistan.

Former Bagram detainees allege that they were regularly beaten, subjected to blaring music twenty-four hours a day, prevented from sleeping, stripped naked and forced to assume what interrogators term ''stress positions.'' The nadir came in late 2002, when interrogators beat two inmates to death.

According to former detainees and organizations that work with them, the US Special Forces also run a second secret prison somewhere on Bagram Air Base that the Red Cross still does not have access to. Used primarily for interrogations, it is so feared by prisoners that they have dubbed it the ''Black Jail.''

One day two years ago, US forces came to get Noor Muhammad outside the town of Kajaki in the southern province of Helmand. Muhammad, a physician, was running a clinic that served all comers, including the Taliban. The soldiers raided his clinic and his home, killing five people (including two patients) and detaining both his father and him. The next day villagers found the handcuffed body of Muhammad's father, apparently killed by a gunshot.

The soldiers took Muhammad to the Black Jail. ''It was a tiny, narrow corridor, with lots of cells on both sides and a big steel gate and bright lights,'' he said. ''We didn't know when it was night and when it was day.'' He was held in a windowless concrete room in solitary confinement. Soldiers regularly dragged him by his neck and refused him food and water. They accused him of providing medical care to the insurgents, to which he replied, ''I am a doctor. It's my duty to provide care to every human being who comes to my clinic, whether they are Taliban or from the government.''

Eventually Muhammad was released, but he has since closed his clinic and left his home village. ''I am scared of the Americans and the Taliban,'' he said. ''I'm happy my father is dead, so he doesn't have to experience this hell.''

AFRAID OF THE DARK

In the past two years American officials have moved to reform the main prison at Bagram, if not the Black Jail. Torture has stopped, and prison officials now boast that the typical inmate gains fifteen pounds while in custody. In the early months of this year, officials plan to open a dazzling new prison that will eventually replace Bagram, one with huge, airy cells, the latest medical equipment and rooms for vocational training. The Bagram prison itself will be handed over to the Afghans in the coming year, although the rest of the detention process will remain in US hands.

But human rights advocates say that concerns about the detention process remain. The US Supreme Court ruled in 2008 that inmates at Guantánamo cannot be stripped of their right to habeus corpus, but it stopped short of making the same argument for Bagram (officials say that since it is in the midst of a war zone, US civil rights legislation does not apply). Inmates there do not have access to a lawyer, as they do in Guantánamo. Most say they have no idea why they have been detained. They do now appear before a review panel every six months, which is intended to reassess their detention, but their ability to ask questions about their situation is limited. ''I was only allowed to answer yes or no and not explain anything at my hearing,'' said former detainee Rehmatullah Muhammad.

Nonetheless, the improvement in Bagram's conditions begs the question: can the United States fight a cleaner war? That's what Afghan war commander Gen. Stanley McChrystal promised last summer: fewer civilian casualties, fewer of the feared house raids and a more transparent detention process.

The American troops that operate under NATO command have begun to enforce stricter rules of engagement: they may now officially hold detainees for only ninety-six hours before transferring them to the Afghan authorities or freeing them, and Afghan forces must take the lead in house searches. American soldiers, when questioned, bristle at these restrictions—and have ways of circumventing them. ''Sometimes we detain people, then, when the ninety-six hours are up, we transfer them to the Afghans,'' said one marine who spoke on the condition of anonymity. ''They rough them up a bit for us and then send them back to us for another ninety-six hours. This keeps going until we get what we want.''

A simpler way of dancing around the rules is to call in the Special Operations Forces—the Navy SEALS, Green Berets and others—which are not under NATO command and thus not bound by the stricter rules of engagement. These elite troops are behind most of the night raids and detentions in the search for ''high-value suspects.'' Military officials say in interviews that the new restrictions have not affected the number of raids and detentions at all. The actual change, however, is more subtle: the detention process has shifted almost entirely to areas and actors that can best avoid public scrutiny—small field prisons and Special Operations Forces.

The shift signals a deeper reality of war, say American soldiers: you can't fight guerrillas without invasive raids and detentions, any more than you can fight them without bullets. Seen through the eyes of a US soldier, Afghanistan is a scary place. The men are bearded and turbaned. They pray incessantly. In most of the country, women are barred from leaving the house. Many Afghans own an assault rifle. ''You can't trust anyone,'' said Rodrigo Arias, a marine based in the northeastern province of Kunar. ''I've nearly been killed in ambushes, but the villagers don't tell us anything. But they usually know something.''

An officer who has worked in the Field Detention Sites says that it takes dozens of raids to turn up a useful suspect. ''Sometimes you've got to bust down doors. Sometimes you've got to twist arms. You have to cast a wide net, but when you get the right person, it makes all the difference.''

For Arias, it's a matter of survival. ''I want to go home in one piece. If that means rounding people up, then round them up.'' To question this, he said, is to question whether the war itself is worth fighting. ''That's not my job. The people in Washington can figure that out.''

If night raids and detentions are an unavoidable part of modern counterinsurgency warfare, then so is the resentment they breed. ''We were all happy when the Americans first came. We thought they would bring peace and stability,'' said Rehmatullah Muhammad. ''But now most people in my village want them to leave.'' A year after Muhammad was released, his nephew was detained. Two months later, some other residents of Zaiwalat were seized. It has become a predictable pattern in Muhammad's village: Taliban forces ambush American convoys as they pass through it, and then retreat into the thick fruit orchards nearby. The Americans return at night to pick up suspects. In the past two years, sixteen people have been taken and ten killed in night raids in this single village of about 300, according to villagers. In the same period, they say, the insurgents killed one local and did not take anyone hostage.

The people of Zaiwalat now fear the night raids more than the Taliban. There are nights when Muhammad's children hear the distant thrum of a helicopter and rush into his room. He consoles them but admits he needs solace himself. ''I know I should be too old for it,'' he said, ''but this war has made me afraid of the dark.''

Mr. BERMAN. Madam Speaker, initially, I yield an additional 2 minutes of my time to that of the ranking member. It is to be added onto her time and is to be subtracted from our time.

Now I yield 3 minutes to the chairman of the Asia, the Pacific, and the Global Environment Subcommittee, the delegate from American Samoa, Mr. ENI FALEOMAVAEGA.

Mr. FALEOMAVAEGA. I thank the gentleman, the distinguished chairman of our Committee on Foreign Affairs, for allowing me to say a few words concerning the proposed resolution.

Madam Speaker, despite my reservations about our strategy in Afghanistan, I do want to say that I have the utmost respect for the gentleman from Ohio for bringing this resolution forward for the purpose of having a public debate among our colleagues.

I also want to say that I associate myself with the remarks made earlier by my colleague from Georgia (Mr. KINGSTON) in asking, Why not, why not debate the issue? We should not deprive ourselves of understanding a little more about the situation that we face right now in Afghanistan.

Madam Speaker, after 8 long years in that country for the United States and after 30 years for the Afghan people, I remain skeptical that adding 30,000 U.S. troops and that focusing more on local and provincial levels of government will bring lasting stability and success in Afghanistan. I do, of course, want our new strategy to succeed, and I know that our military and civilian personnel on the ground will give it a supreme effort. They represent the very best this country has to offer.

Yet Afghanistan's history is replete with the failures of outside powers, or countries, in their attempting to take over or to remake the Afghan people—from Alexander the Great, to Genghis Khan, to the United Kingdom, to the Soviet Union, and now even to us.

It is my understanding that by adding 30,000 additional troops to the 68,000 troops that we now have on the ground in Afghanistan, we are adding approximately 100,000 additional troops, with NATO forces, to go after some 27,000 Taliban and a couple of hundred al Qaeda.

By the way, I wanted to ask, Was it the Taliban or the al Qaeda people who attacked us on 9/11? I believe it was al Qaeda, and 15 of the 19 terrorists who attacked us on 9/11 were Saudi Arabs. It's interesting to note that.

Another thing is that, indeed, most objective observers believe it will take a commitment of years, perhaps even decades, by our troops and that it will take hundreds of billions of dollars by our taxpayers for Afghanistan to overcome its divisions and to develop and to maintain a stable, functional government.

When I weigh the likely costs in terms of lives and resources against the potential benefits for U.S. security, I am left wondering whether we are, in fact, on the right track.

As I am not a genius when it comes to military strategy, here is something that I am trying to figure out: the Taliban are Pashtuns, and 12 million Pashtuns live in Afghanistan. They make up almost 50 percent of Afghanistan's population. President Karzai is even a Pashtun. There are an additional 27 million Pashtuns who live on the other side of the border, right on the border between Pakistan and Afghanistan.

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

Mr. BERMAN. I yield the gentleman 1 additional minute.

Mr. FALEOMAVAEGA. Is it any wonder we have had such a difficult time locating Osama bin Laden? He has been moving between Pakistan and Afghanistan for all of these years.

Madam Speaker, I do not believe invoking the 1973 War Powers Act to require the U.S. withdrawal from Afghanistan is appropriate at this time. In September 2001, Congress passed a joint resolution, signed by the President 4 days later, which granted the President the authority to use all necessary and appropriate forces against those whom he determined planned, authorized, committed or aided the September 11 attacks in 2001.

So, whether one agrees with the war in Afghanistan or not, whether one agrees with the administration's new strategy or not, there should be no doubt that House Concurrent Resolution 248, with all due respect to my friend from Ohio, is not the way to force a withdrawal of U.S. troops. Therefore, I urge my colleagues to vote against this proposed resolution.

Mr. KUCINICH. Madam Speaker, I would like to speak about the failure of the counterinsurgency strategy.

The Brookings Institution recently reported that, in terms of raw violence, the situation is at an historic worst level with early 2010 levels of various types of attacks much higher than even last year at this time. Much of that is due to the recent Marjah campaign and, more generally, to the deployment of additional U.S. and Afghan troops to parts of the country where they have not been present before.

The President has called this war a just war. The framing of war as ''just'' is served to legitimize the slaughter of innocent civilians in Iraq and Afghanistan.

A 200-page report by the RAND Corporation is entitled, ''Counterintelligence in Afghanistan Deals a Huge Blow to our Ideas of Counterinsurgency.'' It reads: In many cases, a significant direct intervention by U.S. military forces may undermine popular support and legitimacy. The United States is also unlikely to remain for the duration of most insurgencies. This study's assessment of 90 insurgencies indicates that it takes an average of 14 years to defeat insurgents once an insurgency develops. Occupations fuel insurgencies. In other words, this assessment does not fit into the President's supposed rapid increase and the shaky plan to withdraw by the summer of 2011.

The Brookings report continues: Second, the United States and other international actors need to improve the quality of local governance, especially in rural areas of Afghanistan. Field research in the east and south show that development and reconstruction did not reach most rural areas because of the deteriorating security environment. Even the provincial reconstruction teams, which were specifically designed to assist in the development of reconstruction projects, operate inside pockets in east and south because of security concerns.

NGOs and State agencies, such as USAID and the Canadian International Development Agency, were also not involved in the reconstruction and development in many areas of the south and east.

The irony of this situation is that rural areas which were at most risk from the Taliban, which were unhappy with the slow pace of change, a population with the greatest unhappiness, received little assistance. The counterinsurgency in Afghanistan will be won or lost in the local communities of rural Afghanistan, not in urban centers such as Kabul, says the Brookings Institution.

Now, someone I'm not used to quoting, conservative columnist George Will, wrote in The Washington Post that the counterinsurgency theory concerning the time and level of forces required to protect the population indicates that, nationwide, Afghanistan would need hundreds of thousands of coalition troops, perhaps, for a decade or more. That is inconceivable.

For how long are we willing to dedicate billions of dollars and thousands of lives before we realize that we can't win Afghanistan militarily? Our biggest mistake in the Afghanistan strategy is to think that we can separate the Taliban from the rest of the population. We cannot. The Taliban is a local resistance movement that is part and parcel of an indigenous population. We lost Vietnam because we failed to win the hearts and minds of local populations without providing them with a competent government that provided them with basic security and with a decent living. That message can and should be applied to Afghanistan.

The strategy for winning Afghanistan is simple: Stop killing the people and they will stop killing you.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 1 minute to my colleague, the gentleman from Florida (Mr. STEARNS), a member of the Veterans' Affairs and Energy and Commerce Committees.

Mr. STEARNS. I thank my distinguished colleague.

My colleagues, this debate is reminiscent of a debate we had 3 years ago, almost to the day, on February 14, 15, and 16.

You will remember, the gentleman from Ohio (Mr. KUCINICH), that the debate was that you tried to force us to pull out of Iraq before the job was done. I hope you remember that.

From the moment we got there, many of the folks wanted us to leave. Most remarkable is that these same folks wanted us to leave just before we stabilized Iraq. They were not in favor of the surge. Yet the surge worked. Now they want us to leave Afghanistan in 30 days without giving this new strategy a chance to succeed.

The President of the United States has indicated he wants to stay there for 18 months. Why won't his opponents just allow the President to have the opportunity to fulfill his own commitment which he has made publicly? Are they so up in arms that they would undermine the President, especially in light of the fact they were wrong in Iraq?

We have an opportunity to let General McChrystal apply the successes in Iraq to Afghanistan, which, I might add, are successes my friends on the other side of the aisle opposed, and to possibly win there and to possibly stabilize the country. We need to let the strategy work and achieve the successes like we had in Iraq.

It is ironic that Iraq recently held parliamentary elections. Without the success of the surge and the United States' presence for this short amount of time, Iraq would not have had these elections. Imagine what Iraq would look like if we had listened to the naysayers a few years ago.

Is it possible that this resolution means all the work and sacrifice that occurred would be for naught because these people today want to pull out within 30 days? They opposed our successful strategy in Iraq and oppose it in Afghanistan.

There is no logic in that they want to undercut their President and undercut the troops. They have provided no justification. While no proposal guarantees success, a precipitous withdrawal of U.S. support would guarantee failure.

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

Ms. ROS-LEHTINEN. Madam Speaker, I yield 1 minute to another Florida colleague, the gentleman from Florida (Mr. ROONEY), a member of the Armed Services and Judiciary Committees.

Mr. ROONEY. First, I want to acknowledge and thank Congressman JOHN BOCCIERI and Congressman DUNCAN HUNTER for their service in Afghanistan.

Madam Speaker, as a former captain in the Army in the 1st Cavalry Division and as an instructor at West Point, I had the distinct honor of teaching some of the men and women who are now serving in Afghanistan. I heard from them directly about the progress being made and about the need for the continued support of this Congress. It is for that reason that I will vote ''no'' on this resolution.

Withdrawal now would destabilize that area of the world, and it would create a vacuum for terror. Groups like al Qaeda and the Taliban would increasingly gain access to weapons that would cause great damage to our allies and, eventually, to us.

General McChrystal's implementation of President Obama's counterinsurgency strategy is producing dramatic successes, including the capture of key Taliban leaders and the rooting out of Taliban forces.

A withdrawal now undermines what our troops have done. It undermines the winning strategy we are pursuing in Afghanistan, a strategy we all know the United States can achieve. It is for that reason I encourage my colleagues to send a message to our troops and to vote ''no.''

Mr. KUCINICH. Madam Speaker, I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 2 minutes, the balance of my time, to the gentleman from California (Mr. DANIEL E. LUNGREN), the ranking member of the Committee on House Administration and a member of the Homeland Security and Judiciary Committees. I can think of no better person with whom to close the debate on our side.

Mr. DANIEL E. LUNGREN of California. I thank the gentlewoman.

Madam Speaker, I join the chairman and ranking member of the committee in opposing this resolution.

Sometimes in public debate, we ask the wrong question or we place ourselves in the wrong context. I am reminded of a headline that I saw not too long ago on a domestic issue. The headline read simply: ''Prison Population Increases Despite Drop in Crime.'' For those of us involved in the criminal justice system, we thought maybe it never dawned on the writer that the crime rate was dropping precisely because we were putting the bad guys in prison.

Similarly today, this resolution sets an arbitrary deadline for troops to leave Afghanistan, and it is a terribly misguided reading of the facts we face today. Our troops are succeeding. No one questions that. Our allies are helping us. Why then would we handicap them today with such a terrible message from our Congress? The message is, despite what you are doing on the ground, despite your successes, we are going to pull you out with an arbitrary date. What could be more demoralizing? What could be more wrong?

Madam Speaker, this resolution, unfortunately, is the wrong question. It sends the wrong message. It is being sent at precisely the wrong time.

I hope that we have a strong vote against this resolution so that our troops will have an unquestioned message of support from us that we recognize what they are doing, that we follow what they are doing, that we support what they are doing, and that we rejoice in their victorious work today and in the days ahead.

□ 1745

Mr. KUCINICH. I yield myself 1 minute.

The more troops we send into Afghanistan, the more support the Taliban gains as resistors of foreign occupation. We say we want to negotiate with the Taliban in the future while, at the same time, conducting air strikes to take out Taliban strongholds across the country.

Just yesterday, The Washington Post published an article about the Zabul province and the pouring in of Taliban fighters following a retreat of U.S. Armed Forces from Zabul in December. If we accept the premise that we can never leave Afghanistan until the Taliban is eradicated, we may be there for a very long time.

The justification for our continued military presence in Afghanistan is that the Taliban, in the past, has provided a safe haven for al Qaeda, or could do so in the future. General Petraeus has already admitted that al Qaeda has little or no presence in Afghanistan.

We have to careful about branding al Qaeda and the Taliban as a single terrorist movement. Al Qaeda is an international organization, and, yes, they are a threat to the United States. The Taliban is only a threat to us as long as we continue our military occupation of Afghanistan.

Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Madam Speaker, first let me thank the gentleman from Ohio for this very important resolution. Today's debate and discussion on the path forward in Afghanistan and the proper role of Congress in determining the United States' commitment of our country while at war, this debate and discussion is long overdue. So thank you, Congressman KUCINICH, for bringing this to the floor.

Now in our 9th year of war, this body has yet to conduct a full and honest accounting of the benefits, costs, affordability, and strategic importance of the United States military operations in Afghanistan.

In order to understand Afghanistan and where we are today in terms of our commitment, I think it is really useful to point to how we got here. Of course, after the horrific events, the tragic events of 9/11 in 2001, I had to vote against the authorization to use force, this use of force authorization, because I knew that that authorization was a blank check to wage war anywhere, at any time, and for any length.

Almost 9 years later, in reflecting on the rush to war in Afghanistan and the Bush administration's war of choice in Iraq, the sacrifices made by our brave, young men and women in uniform and the cost to our economic and national security, all of these costs are totally immeasurable. Countless innocent civilians have lost their lives in Afghanistan, and just a few weeks ago the number of American troops killed in Afghanistan rose to over 1,000.

Where does this end? Where does it end? We have already given $1 trillion to the Pentagon for the wars in Iraq and Afghanistan, and the economic impact of these wars is estimated to be as much as $7 trillion in direct and indirect costs to the United States.

It is our responsibility as Members of Congress to really develop a more effective U.S. foreign policy for the 21st century. After a decade of open-ended wars, I encourage my colleagues to finally stand firm in asserting their constitutional prerogative to determine when the United States enters into war.

Ms. ROS-LEHTINEN. Madam Speaker, in closing, I would like to build on something that our colleague from California (Mr. HUNTER) had said earlier about the need to fight and defeat the enemy in Afghanistan so that our children or our grandchildren don't have to.

Our men and women in uniform are fighting for their families, for our families, for our Nation, for our future. They embrace their mission. They are honored by the opportunity to serve. They volunteered for it. Let us show our appreciation by voting ''no'' on this damaging resolution before us today.

I yield back the balance of my time.

Mr. BERMAN. Madam Speaker, because I have no further requests for time and I understand that the sponsor of this resolution has both the right and the intention of closing, I will yield back the balance of my time.

Mr. KUCINICH. I want to thank Mr. BERMAN and my colleagues for this opportunity to engage in this important debate.

At the current estimated deployment rate, the number of troops in Afghanistan will increase from about 70,000 at the end of 2009 to the stated goal of 100,000 by July of this year. My resolution calls for the withdrawal of all U.S. Armed Forces from Afghanistan no later than December 31 of this year. And it can be done. Unlike Iraq, where we have significant infrastructure built in and around the country to support our presence there, prior to last year, the United States invested very little in permanent infrastructure for U.S. Armed Forces in Afghanistan.

President Obama has called on the logisticians for the U.S. military to triple the amount of troops we have had in the country since the war started. If the administration expects the U.S. military to figure out a way for a rapid increase of troops on the ground, we can figure out how to have a method of rapid withdrawal.

Getting supplies into Afghanistan is one of the biggest obstacles to providing adequate support for troops on the ground. Due to frequent attacks on U.S. convoys traveling to Afghanistan through Pakistan, the U.S. is forced to deliver most of the supplies by air.

Madam Speaker, we have, in the last 3 hours, talked about 1,000 troop casualties; we have talked about a cost of a quarter of a trillion dollars and rising; we have spoken of civilian casualties and about the incredible amount of corruption that is going on in Afghanistan; we have spoken of the role of the pipeline, which is sure to deserve more critical inquiry; and we have talked about the failure of doctrines of counterinsurgency. That strategy doesn't work, and there are logistics of withdrawal that we can pursue.

The question is should the United States' people continue to bear the burden of this war when we have so many problems at home, with 15 million people unemployed, with millions of people losing their homes, with so many people without health care, with so many people not being able to send their children to good schools.

We have to reset our priorities. Our priorities should begin by getting out of Afghanistan, and then we can turn to getting out of Iraq.

Thank you very much for this debate. I urge approval of the resolution.

Mr. STARK. Madam Speaker, I rise today in support of H. Con. Res. 248 to bring our troops home from Afghanistan.

Despite the wishes of the people who voted him into office, President Obama is escalating the War in Afghanistan. It's now up to Congress to end the war. This resolution would invoke the War Powers Resolution of 1973, and

remove troops from Afghanistan no later than the end of the year.

This war has no clear objective. We have spent $258 billion on the War in Afghanistan, with billions more to come this year. American soldiers and their families are paying a greater price. Over 1,000 soldiers have died, and over 5,000 have been wounded in action. According to the UN Assistance Mission in Afghanistan, Human Rights Watch, and other humanitarian organizations, tens of thousands of Afghan civilians have been killed.

It is time for Congress to assert its constitutional authority over matters of war and bring our troops home. I urge my colleagues to support this resolution, so that we can focus on diplomacy and infrastructure development that will bring a lasting peace to Afghanistan.

Mr. McMAHON. Madam Speaker, I rise as a supporter of our men and women in uniform who put their lives on the line every single day to strongly oppose H. Con. Res. 248.

Setting aside legitimate procedural objections to H. Con. Res 248, this is the wrong time to withdraw our troops from Afghanistan. Secretary Gates just wrapped up a visit to Afghanistan and our troops have successfully lifted the Taliban flag off of Marja, and are preparing to expand security to other Afghan regions.

We are just beginning to implement General McChrystal's strategy to drive insurgents, terrorists and narco-traffickers out of Afghanistan, where they have comfortably plotted against the U.S. for years. U.S. and International Security Assistance Forces are laying the groundwork for the next push into the Taliban heartland of Kandahar, as we speak. Securing Kandahar will allow us to secure Afghanistan. If we have a peaceful Kandahar, we will have a peaceful Afghanistan.

I support our Commander in Chief in his plan to send an additional 30,000 troops to Afghanistan on December 1, 2009. It is time to give this strategy a chance. This Administration has made the elimination of Al-Qaeda and the stability of Afghanistan a top priority. In addition, many of our coalition partners particulary the United Kingdom, and Canada and Muslim allies like Pakistan, have also stepped up their engagement and cooperation. They are committed to the fight and we should be as well. They know that a stable Afghanistan will bring stability and security to Pakistan and all of South Asia.

Our troops now have the leadership and the vision to complete this mission. Their success militarily is working hand in hand with American and international humanitarian assistance and NGOs which are helping to educate women, clean drinking water and provide healthcare.

Obviously sending Americans to war is our most serious obligation as Members of Congress. But equally serious is our obligation to care for our veterans. In my first year in Congress, working with Members on both sides of the aisle, we have already secured a record amount in mental health funding for our troops and to expand the number of mental health professionals at the DoD. This Administration and Congress is committed to making sure that our Veterans receive the highest quality of care possible both in the field and at home.

Until then, our troops should be proud to help stabilize the region that has fanned the flames of radical hostility and extreme terrorist ideology that led to the horrors of September 11th. Afghanistan should never again be a launching pad for terrorist activities.

We are the United States, and it is our duty to fight for democracy and fight against terror. I urge my colleagues to vote against H. Con. Res. 248 today and give the Afghanistan mission the fighting chance to succeed.

Mr. McDERMOTT. Madam Speaker, I rise today in support of Representative KUCINICH's resolution to call our troops home from Afghanistan. When the President announced in December that he wanted 30,000 additional troops sent to Afghanistan, I said that I was unconvinced his plan would work. And now that many of those troops are in place, I'm still not convinced. We recently watched the start of Operation Mushtarak, the largest coordinated offensive since 2001, which is intended to loosen the Taliban's grip in the Southern region of the country. It was originally supposed to take a few weeks, but now estimates say that it may take 12 to 18 months. I think this is a perfect example of the biggest obstacle we face: we are asking troops to fix problems that the military is not capable of solving.

American soldiers have been in Afghanistan for nearly a decade and have been doing a magnificent job of what's been asked of them. But with every passing year, I grow more doubtful that we have the ability to build a stable democracy with the military alone. And I certainly do not believe that committing more troops will bring about the change necessary to stabilize the country, nor do I believe that it will hasten the process.

But that's the course that many continue to advocate, including President Obama. And while I know that the President wants to get out of Afghanistan as fast as possible, I also believe that if we want to help the Afghani people form a stable democracy and functioning economy, we need to help them with even more aid and support, not an increase in troops.

Over the last 30 years, Afghanistan has served as a battlefield in a series of devastating conflicts, first between the Soviet Union and the United States, and then between the United States and the Taliban. We hear a lot about the problems with poppy farming in the region, but we don't hear much about the cause. Before any of these incursions, Afghanistan was considered the orchard capital of central Asia, with nearly 80 percent of the population working on the land. But now it is estimated that more than 60 percent of the orchards and vineyards have been destroyed, which led many Afghanis into poppy production and the drug trade. This is in part due to the fact that the Soviets thought that orchards were too good a place to hide, so they cut them all down.

The kinds of problems that Afghanistan faces are not the kinds of problems the U.S. military or NATO are equipped to solve. That is ultimately up to the Afghani government and its people, and we need to realize that our involvement can only do so much. The sooner we understand that, the sooner we can make a strategically acceptable exit.

I rise today to voice my support for Representative KUCINICH's resolution to invoke the War Powers Act to call all of our troops home from Afghanistan within the next 30 days—or, as the legislation outlines, by the end of the year if 30 days is deemed too dangerous. I refuse to watch as we send soldier after soldier into a battle I do not believe the military can win.

Mr. DEFAZIO. Madam Speaker, the war in Afghanistan has entered its ninth year without clearly defined objectives or an exit strategy. With a deteriorating security situation and no comprehensive political outcome yet in sight, many experts view the war in Afghanistan as open-ended.

The open-ended nature of this conflict is evident in the complexities of defining the enemy. The U.S. invaded Afghanistan shortly after 9/11 because of the Taliban's support and refuge of al-Qaeda. We have had to combat the ever changing Taliban, foreign al Qaeda fighters, and the revolving loyalties of numerous tribal war lords. Furthermore, our close relationship with the Pakistan government has been seriously challenged by the jihadist threat now in Pakistan. We have no clear response to this new threat beyond drone attacks that also have high rates of civilian casualties.

President Bush's disregard for the complexities of Afghanistan and the damage that came from his disregard has severely undermined any prospect of stability and a successful conclusion to this conflict. The unnecessary war in Iraq also diverted critical resources when we needed them the most in Afghanistan. These failures by the Bush Administration encouraged the division of Afghanistan and allowed al Qaeda to move effortlessly into Pakistan.

President Obama's surge strategy in Afghanistan is counterproductive and sends the wrong message. The President sent an additional 17,000 troops in early 2009 and then another 30,000 troops late last year. Beyond nation building, the additional troops have no clear mission and do not resolve the problems in Pakistan.

Much like President Obama's exit strategy in Iraq, we need a clear exit strategy for Afghanistan. The Afghani and Pakistani people need to know our troops are not permanent. Unfortunately, President Obama has doubled down in Afghanistan.

Afghanistan will not become stable until a political consensus is found across ethnic, tribal, religious and party affiliations. The government must be able to provide basic security for its population without the corruption that exists today. These same needs are just as true in Pakistan.

H. Con. Res. 248 is flawed because it offers a blunt directive to bring all the troops home in a short time frame. The resolution also offers an opportunity send a message to the President that his Afghan strategy is failing. My vote in favor of this resolution is a vote against the President's surge strategy in Afghanistan, a vote to demand an exit plan, and a vote to demand a regional diplomatic response to undercut the radicalization of Pakistan.

Mr. HOLT. Madam Speaker, I thank the gentleman from Ohio for initiating this needed debate on our policy in Afghanistan. Indeed, I opposed the war in Iraq because I felt it distracted us from finishing the job we had started in Afghanistan—finding and bringing to justice those who attacked us on 9/11. I think we have to acknowledge that the current Administration has accomplished more in less time to address the deteriorating situation in Afghanistan than the previous Administration did during its eight years in power. The capture of Mullah Baradar and the disruption of the Quetta, Pakistan-based Taliban leadership group headed by Mullah Omar—these significant tactical successes are the direct result of

President Obama's current policies, particularly his success in pressuring the government of Pakistan to live up to its obligations to help us root out the remaining Al Qaeda and Afghan Taliban elements at large in Pakistan. That's the good news. The bad news is that every time we take out one of their field commanders, several more rise to take their place. This is the nature of insurgency, it is the nature of the problem that confronts us, and it is not a problem that will be resolved by the continuous, endless use of military force. I came to the floor in December 2009 and posed a series of questions about our policy in this war, and many of those questions remain unanswered. However, several events over the last few months have answered at least one question: Are we fighting on the wrong battlefield?

Congress must push the Administration to think anew about this problem, as this conflict is not confined to Afghanistan and Pakistan. We saw that with the Ft. Hood terrorism incident, and with the near-tragedy on Christmas Day in the skies above Detroit. The ideas that motivated Major Hasan and Mr. Abdulmuttalab are propagated around the world via the mass media and the internet. Going to a training camp in the Pakistani tribal areas is no longer a requirement for a radicalized individual who wants to commit an act of terror.

The extremist ideology that is used to motivate these people itself occupies a safe haven—the internet and the global mass media. Unless and until we confront that reality, we will not prevail in this struggle. That is why we must think anew about how we're approaching this problem. I encourage the President to do that, and I encourage my colleagues to do that.

Mr. CONYERS. Madam Speaker, there are few issues of state as weighty as those we discuss today. The decision to engage in military conflict affects us all in innumerable ways. There are the obvious effects on our military men and women who risk their lives abroad, while also giving up many of the small joys associated with sharing life's meaningful moments with family and friends.

Similarly, each of us bears the costs associated with domestic investments sacrificed at home when we decide to instead spend vast sums of money abroad. Each dollar spent in Afghanistan on a Blackwater mercenary is a dollar that could be spent keeping a teacher in the classroom, putting a cop on the beat, or retraining a Detroit steelworker so he or she can compete in the emerging industries that will underpin the global economy.

Lastly, and perhaps most importantly, waging war tests our values as a nation. During these periods of conflict, the eyes of the world, rightly, are trained on our actions abroad. The ability to inflict violence upon large numbers of our fellow human beings demands that the American people be allowed to sit in judgment about what is being done in their name—to determine if the potent weapons at our disposal are wielded in a just manner. The question of whether or not we are living up to this highest of burdens could not be more important and that is why we must debate the War in Afghanistan here on the House Floor today.

While the number of Members who will join my good friend from Ohio and myself in supporting this resolution may be small, this vote will not accurately represent the views of the public at large. A poll commissioned by CNN this January found that a majority of the American people oppose the War in Afghanistan. Apparently, as with many issues in Washington, those who are forced bear the costs of war are the first to recognize a flawed policy, while those who profit from perpetual war do their best to blunt any change in course.

As a co-founder of the Out of Iraq Caucus, I remember that it took some time for official Washington to comprehend the scope of the public's opposition to that war. Thankfully, that caucus eventually grew to bloc of 70 Members and we were able to successfully match the will of the people with the priorities of the Congress. As a result, our troops will pull out of Iraqi cities this summer and leave the country by the end of the year.

I believe that, as with Iraq, the Administration and Congress will, and must, adopt a course in Afghanistan that will benefit both the Afghan and American people. That is why I have founded the "Out of Afghanistan Caucus," which acknowledges that peace and security in Afghanistan will only occur when the United States reorients its commitment to the Afghan government and people by emphasizing indigenous reconciliation and reconstruction strategies, rigorous regional diplomacy, and swift redeployment of the US military.

It is increasingly clear that our military presence in Afghanistan inflames ethnic Pashtuns—many of whom would have nothing to do with the Taliban if they did not view the United States as an existential threat to their distinctive tribal culture and way of life. By picking sides in a 35-year-old civil war, the United States has made the necessary reconciliation between all parties in Afghanistan all but impossible. Similarly, I oppose the constant Predator drone strikes in both Afghanistan and Pakistan, in which one in three casualties is an innocent civilian. This violence will breed enmity, when we really need to be bringing these warring parties together.

I hope that the House votes today in support of this War Powers Privileged Resolution. Regardless of the outcome, I and many others in the Congress will continue to organize against additional troop funding and for Afghan-centric development policies that will speed peaceful and permanent reconciliation. I hope that you will join me as a Member of the Out of Afghanistan Caucus and you will support this historic resolution.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1146, the previous question is ordered.

The question is on agreeing to the concurrent resolution.

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

Mr. KUCINICH. 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, this 15-minute vote on adoption of House Concurrent Resolution 248 will be followed by 5-minute votes on the motion to suspend the rules on House Concurrent Resolution 249 and House Resolution 1144.

The vote was taken by electronic device, and there were—yeas 65, nays 356, not voting 9, as follows:

[Roll No. 98]

YEAS—65

Baldwin
Campbell
Capuano
Chu
Clarke
Clay
Cleaver
Crowley
Davis (IL)
DeFazio
Doyle
Duncan
Edwards (MD)
Ellison
Farr
Filner
Frank (MA)
Grayson
Grijalva
Gutierrez
Hastings (FL)
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Kagen
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Maffei
Maloney
Markey (MA)
McDermott
McGovern
Michaud
Miller, George
Nadler (NY)
Napolitano
Neal (MA)
Obey
Olver
Paul
Payne
Pingree (ME)
Polis (CO)
Quigley
Rangel
Richardson
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Serrano
Speier
Stark
Stupak
Tierney
Towns
Tsongas
Velázquez
Waters
Watson
Welch
Woolsey

NAYS—356

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Cantor
Cao
Capito
Capps
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
Davis (TN)
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jenkins
Johnson (GA)
Johnson, Sam
Jordan (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
Matsui

McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Oberstar
Olson
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sarbanes
Scalise
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stearns
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)

NOT VOTING—9

Barrett (SC)
Camp
Conyers
Davis (AL)
Deal (GA)
Diaz-Balart, L.
Hoekstra
Wasserman Schultz
Young (FL)

□ 1822

Messrs. GENE GREEN of Texas, CARSON of Indiana, Mrs. CAPPS, Messrs. BACHUS, COSTELLO, and Mrs. LOWEY changed their vote from ''yea'' to ''nay.''

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

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. WASSERMAN SCHULTZ. Madam Speaker, on rollcall No. 98, I was unavoidably detained. Had I been present, I would have voted "no."

COMMEMORATING THE 45TH ANNIVERSARY OF BLOODY SUNDAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 249, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 249.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 21, as follows:

[Roll No. 99]

YEAS—409

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
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
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Latham
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
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)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—21

Barrett (SC)
Blunt
Burton (IN)
Camp
Conyers
Davis (AL)
Deal (GA)
Diaz-Balart, L.
Dicks
Edwards (TX)
Farr
Gordon (TN)
Grijalva
Hodes
Hoekstra
Kline (MN)
Larson (CT)
LaTourette
Lee (NY)
Polis (CO)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1830

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Madam Speaker, on rollcall No. 99, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. CONYERS. Madam Speaker, on March 10, 2010, I was called away on personal business. I regret that I was not present to vote on H. Res. 1146, H. Res. 1088, H.R. 4621, H. Con. Res. 248, and H. Con. Res. 249.

Had I been present, I would have voted "yea" on all votes.

EXPRESSING CONDOLENCES TO CHILE EARTHQUAKE VICTIMS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1144.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 1144.

The question was taken.

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

RECORDED VOTE

Mr. ANDREWS. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 404, noes 1, not voting 25, as follows:

[Roll No. 100]

AYES—404

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
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
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Brown-Waite, Ginny
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Lynch
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McMorris Rodgers
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Miller, Gary
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Murphy, Patrick
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Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
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Ryan (OH)
Ryan (WI)
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Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
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NOES—1

Paul

NOT VOTING—25

Akin
Barrett (SC)
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Davis (AL)
Deal (GA)
Delahunt
Diaz-Balart, L.
Dicks
Gordon (TN)
Grijalva
Harman
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Kaptur
Kline (MN)
Lee (NY)
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Velázquez
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1837

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.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Madam Speaker, by direction of the Democratic Caucus, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1156

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

COMMITTEE ON THE BUDGET.—Mr. Moore of Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KUCINICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H. Con. Res. 248.

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

There was no objection.

COMMUNICATION FROM THE HONORABLE CAROLYN C. KILPATRICK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable CAROLYN C. KILPATRICK, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 2010.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony by the United States District Court for the Eastern District of Michigan.

After consulting with my attorney, I will make the determinations required by Rule VIII.

Sincerely,

CAROLYN C. KILPATRICK,
Member of Congress.

COMMUNICATION FROM THE HONORABLE JOHN D. DINGELL, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN D. DINGELL, Member of Congress:

CONGRESS OF THE UNITED STATES,
Washington, DC, March 10, 2010.

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

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for testimony and documents by the United States District Court for the Eastern District of New York.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the precedents and privileges of the House.

Sincerely,

JOHN D. DINGELL,
Member of Congress.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian E. Pate, one of his secretaries.

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 the motion 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.

Any record vote on the postponed question will be taken later.

HAITI DEBT RELIEF AND EARTHQUAKE RECOVERY ACT OF 2010

Mr. MEEKS of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4573) to direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4573

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 ''Haiti Debt Relief and Earthquake Recovery Act of 2010''.

SEC. 2. DEBT RELIEF FOR HAITI.

Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following new section:

''SEC. 1628. CANCELLATION OF HAITI'S DEBTS TO INTERNATIONAL FINANCIAL INSTITUTIONS.

''(a) IN GENERAL.—The Secretary of the Treasury should direct the United States Executive Director at the International Monetary Fund, the International Development Association, the Inter-American Development Bank, the International Fund for Agricultural Development, and other multilateral development institutions (as defined in section 1701(c)(3)) to use the voice, vote and influence of the United States at each such institution to seek to achieve—

''(1) the immediate and complete cancellation of any and all remaining debts owed by Haiti to such institutions;

''(2) the suspension of Haiti's debt service payments to such institutions until such time as the debts are canceled completely; and

''(3) the provision of emergency, humanitarian and reconstruction assistance from such institutions to Haiti in the form of grants or other assistance such that Haiti does not accumulate debt.

''(b) USE OF CERTAIN FUNDS FOR ASSISTANCE TO HAITI.—The Secretary of the Treasury should instruct the United States Executive Director of the International Monetary Fund to advocate the use of some of the realized windfall profits that exceed the required contribution to the Poverty Reduction and Growth Trust (as referenced in the IMF Reforms Financial Facilities for Low-Income Countries Public Information Notice (PIN) No. 09/94) from the ongoing sale of 12,965,649 ounces of gold acquired since the second Amendment of the Fund's Article of Agreement, to provide debt stock relief, debt service relief, and grants for Haiti.

''(c) SECURING OTHER RELIEF FOR HAITI.—The Secretary of the Treasury and the Secretary of State should use all appropriate diplomatic influence to secure cancellation of any and all remaining bilateral, multilateral and private creditor debt owed by Haiti.''.

SEC. 3. INFRASTRUCTURE INVESTMENT.

(a) TRUST FUND.—The Secretary of the Treasury should support the creation and utilization of a multilateral trust fund for Haiti that would leverage potential United States contributions and promote bilateral donations to such a fund for the purpose of making investments in Haiti's future, including efforts to combat soil degradation and promote reforestation and infrastructure investments such as electric grids, roads, water and sanitation facilities, and other critical infrastructure projects.

(b) INCREASE IN TRANSFER OF EARNINGS.—The Secretary of the Treasury should direct the United States Executive Director of the Inter-American Development Bank to seek to increase the transfer of its earnings to the Fund for Special Operations and to a trust fund or grant facility for Haiti.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MEEKS) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MEEKS of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous materials thereon.

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

There was no objection.

Mr. MEEKS of New York. Madam Speaker, I yield myself 5 minutes.

Today, Madam Speaker, we consider an issue that is close to all of our hearts. Haiti suffered a devastating earthquake on January 12 of this year. The country, which was finally making strides to more stable economic and political growth after so many failed governments of the past, was rocked by a natural disaster of historic proportions. The images from the disaster are fresh in our minds. The immediate needs of the people are clear, and the desire of the global community and the average American citizens to help Haiti recover as fast as possible are clear and give us all hope.

Earlier today, I joined with President Obama and other members of this House at the White House in restating America's commitment to stand by our brothers and sisters in Haiti, and to lend them a hand up to get back on a path to economic growth and social healing. In speaking with President Preval today, I told him that Haiti debt relief was but the first of a broader set of initiatives that we will undertake to enable the people of Haiti to rebuild their country, their lives, their businesses, and their communities.

□ 1845

As Chair of the International Monetary Policy and Trade Subcommittee, I am proud to have moved this bill successfully in a strongly bipartisan manner. I thank the woman whose name will appear on this bill who has worked very hard to make this bill happen, the chairwoman of the Subcommittee on Housing, the gentlewoman from California (Ms. WATERS) who has been a long and strong supporter for Haiti.

Forgiving Haiti's debts to the World Bank, the IMF, the IDB, and IFAD is good policy and is the right thing to do. But forgiving these debts alone will not deliver the desperately needed tents to provide shelter from the impending rainy season. Debt relief alone will not rebuild roads, hospitals, churches, schools, and the physical infrastructure that Haiti needs to get back to work. Debt relief alone will not heal the physical and psychological wounds of the injured and traumatized or develop the human capital the country needs so desperately. As our agencies, from USAID to the Treasury Department, to the State Department, to our Armed Forces, to average citizens from around the country, lend support to Haiti in the immediate aftermath of the earthquake, we must not lose sight of the longer-term needs of this country, its government, and its people.

Indeed, we are now moving to the second and third phase of a long and arduous process; namely, moving from the immediate rescue and survival concerns, though they are still critical, to reconstruction and ultimately long-term economic recovery. Doing this will require leadership of the Haitian people and government as they take ownership for the future they care to build. It will also require effective coordination of our aid and development efforts to limit waste, duplication and, ultimately, loss of goodwill.

As we do all of this and as implementation is planned, special attention

needs to be paid to the need to rebuild Haiti's human capital. Several of our government agencies are already at work doing this, and I will keep pressure on them, as I am sure others in this House will, as well as the development banks and international financial institutions, to ensure that they invest heavily in developing the people of Haiti and the institutions of Haiti, to enable them to effectively govern and set their own path to a brighter future with dignity and independence.

Lastly, I will keep the pressure on the international institutions to deliver the necessary resources to Haiti without adding to that nation's long-term debt burden. In over 200 years of independence, Haiti has always been saddled with unsustainable debts, whether extraordinarily high debt obligations owed to the French as a condition of independence in the early 1800s, as is often brought out by Congressman GREEN of Houston, or from international institutions unscrupulously saddling the people of Haiti with debts diverted by dictators in the second half of the 20th century, or over $1 billion in debts still owed today, despite the country having earned $1.2 billion in debt forgiveness from the international institutions last year.

The people of Haiti have worked far too long and far too hard to repay debts they had little say in accruing and which have yielded very little benefit to the average citizen. This cynical game of debt accrual and debt forgiveness must end, and as Chair of the International Monetary Policy Subcommittee, I will be doing my part to see that happens. The people of Haiti deserve better than that and deserve a chance to invest in their own futures.

MARCH 8, 2010.

Hon. BARNEY FRANK,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANK: I am writing to you concerning H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act of 2010, introduced by Rep. Maxine Waters on February 2, 2010.

This bill contains provisions within the Rule X jurisdiction of the Committee on Foreign Affairs. In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this Committee's right to mark up this bill. I do so with the understanding that by waiving consideration of the bill, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of Foreign Affairs Committee conferees during any House-Senate conference convened on this legislation.

Please include a copy of this letter and your response in the Congressional Record during consideration of the measure on the House floor.

Sincerely,

HOWARD L. BERMAN,
Chairman.

MARCH 8, 2010.

Hon. HOWARD BERMAN,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 4573, the ''Debt Relief for Earthquake Recovery in Haiti Act of 2010.'' This bill will be considered by the House shortly.

I want to confirm our mutual understanding with respect to the consideration of this bill. I acknowledge that portions of the bill fall within the jurisdiction of the Committee on Foreign Affairs and I appreciate your cooperation in moving the bill to the House floor expeditiously. I further agree that your decision to not to proceed with a markup on this bill will not prejudice the Committee on Foreign Affairs with respect to its prerogatives on this or similar legislation. I would support your request for an appropriate number of conferees in the event of a House-Senate conference.

I will include a copy of this letter and your response in the Congressional Record. Thank you again for your cooperation.

BARNEY FRANK,
Chairman.

Madam Speaker, I reserve the balance of my time.

Mr. GARY G. MILLER of California. Madam Speaker, I yield to the gentleman from Alabama (Mr. BACHUS) such time as he may consume.

Mr. BACHUS. I thank the ranking member for yielding, and I want to commend him for his work on this legislation. I also want to commend Chairman WATERS and Chairman MEEKS for their work, and other Members who I think have worked in a bipartisan way for an excellent legislation and a very worthy legislation. I rise in complete support for the Debt Relief for Earthquake Recovery Act.

If you picked a country and a capital in a country anywhere in the world which could least deal with a devastating earthquake, it would be Port-au-Prince, Haiti. You could not visualize a worse scenario.

The immediate legacy, other than which you have witnessed on the TV screens here in America, is that there will be virtually a generation of orphans who have lost their parents. That alone would be a challenge for any country. Think of New Orleans and what a challenge that has been for our country. For Haiti, it is a monumental undertaking. And, quite frankly, it is hard to visualize in our lifetime seeing Haiti recover.

The human tragedy following that earthquake is overwhelming. As Haiti's citizens seek to rebuild, I think it is very important for us to stand with them and alongside them. And I commend the administration for their efforts since the earthquake. Many of our agencies are there. Many of our charities are there. Many of our church groups are there. Many of our NGOs are there: the Jubilee Act, Melinda St. Louis, her organization; Tom Hart of the One Campaign. I think those two organizations have done a wonderful job of highlighting the need not only in Haiti, but in many of the impoverished countries.

The first measure we can take—other than the efforts that we have witnessed, many American volunteers and government efforts—to ensure that all of Haiti's remaining resources are devoted to reconstruction and not to development loans that it is unrealistic to expect can ever be repaid, this legislation is a part of that step.

Haiti's impoverished condition dates back to its origins under French colonial rule, to 1804, 205, 206 years ago, when Haiti's citizens won their independence in a revolution similar to our revolution from the French colonial regime. France imposed a blockade and imposed and extracted a promise of $21 billion in reparations, and that is $21 billion in today's currency. That is greater than the debt incurred at that time by the United States, a much bigger government. So Haiti, when they were born as a country, they were immediately impoverished, and their enslavement continued. I will say that.

The amazing thing, if you look at that debt that the French imposed and you read about it, part of the debt was repayment for compensation for property, which included the slave population. I mean, that's amazing. That's amazing. That is something that we can't go back and do anything about, but we can certainly do something today. But when the French lost their ability to enslave that population, they extracted, because of their navy, a blockade and that debt.

With the country's economic productivity being drained, since its inception, to pay this enormous debt, which has never been paid off, never paid off because there were other debts added, economic development stifled since 1804.

Sometimes we say, Why Haiti? Why is it so poor? Why has it always been so poor? It never stood a chance.

In more recent times, and one would think that things couldn't get worse than that, Duvalier, under his dictatorship, was responsible for more than 40 percent of the additional loans to Haiti. I mean, think about loaning to a dictator who is suppressing his people. We have seen that in Africa and other places, and it is an absurdity that we ought to address in Haiti and we ought to address in other places because, in that way, countries that did that contributed. The brutal regime further despoiled the country by diverting funds borrowed for development to their own personal enrichment to bank accounts out of the country.

With this history, it is no surprise that Haiti was deeply impoverished since the beginning, their foundation as a nation. And this bill by Ms. WATERS and others takes a very fine first step toward the goal of eliminating Haiti's uncollectible debts so that the country can begin, for the first time, really, the process of becoming self-sustaining, and they are going to need a lot of help.

The text to be considered says the Treasury Secretary should direct U.S. representatives at international financial institutions to work with their

colleagues to try to achieve cancellation of debt owed by Haiti to those institutions. Since any cancellation would take months to accomplish, it seeks suspension of debt payment services until the cancellation takes place. None of these institutions realistically expects Haiti to service its debt at a time Haiti is lying in ruins.

As a former Treasury Under Secretary before our committee last week said, it is a ''cruel hoax'' on both the people of developing countries and on the taxpayers of donor nations to pretend that even without an earthquake, Haiti, a country whose citizens subsist on a dollar or two a day, is ever going to be able to pay back billions of dollars in development loans.

The United States has always been a benevolent and caring country. Even during our current economic challenges, we have not lost our compassion. In fact, our present travails have, in some respects, I believe, given us a greater appreciation for the desperation and suffering of those facing challenges and hardships in Haiti, although theirs are much greater than anything that we are undergoing.

The United States, and let me stress this, if you don't hear anything else, if you are thinking about voting against this bill, hear this: The United States has forgiven all of its bilateral debt to Haiti. What we are asking is we are asking others to do what we have done. What we are doing with this is directing the Secretary of the Treasury to use his voice and influence to seek debt cancellation from others. Among them are Venezuela and Taiwan. By far, Venezuela is the largest bilateral creditor. Taiwan is a distant second. Forgiving the debt Haiti owes to multilateral agencies is consistent with our principles, and we can lead by example while we lend a helping hand.

In conclusion, Madam Speaker, this bill before us contains some minor changes to the bill that came out of the Committee on Financial Services, all of which I support. The changes don't add any cost. They don't change the intent of the bill.

Added at the end of original committee text is a section very similar to the bill that the Senate passed last week by unanimous consent. The section says the Secretaries of State and Treasury should support the creation and use of a multinational trust fund that could include and leverage any future U.S. aid to Haiti, and that aid ought to be in the form of grants, not loans, and that the Secretary of the Treasury should seek a speed-up in interbank transfers at the Inter-American Development Bank so they may be used in Haiti's recovery.

These are sensible steps, and I support the changes and I commend my colleagues who are also here in support of this very worthy legislation.

Mr. MEEKS of New York. I want to thank the ranking member of the full committee as well as the ranking member of the subcommittee for the cooperative spirit in working together in getting this bill to where it is today. Thank you for working in a very bipartisan manner to this point.

At this time, I would like to yield 5 minutes to the gentlewoman from California (Ms. WATERS) who is the author of this bill and who has been a longtime supporter for the people of Haiti.

Ms. WATERS. First, I would like to thank the gentleman from New York (Mr. MEEKS) for the time, and I appreciate all of the work that he has done on this bill.

Indeed, I would also like to thank all of the Members who support this bill, including BARNEY FRANK, the chairman of the Financial Services Committee, who made sure we got the bill up and going and we could expedite it in a way I have never seen any other bill expedited.

I thank SPENCER BACHUS, the ranking member of the Financial Services Committee, whom I have worked with for over 10 years, appreciating that he understands so very thoroughly the history of Haiti and what it means to the world.

I thank GREGORY MEEKS, again, the chairman of the International Monetary Policy and Trade Subcommittee, whose manager's amendment added so much in the way of improvement to this bill, and the gentlewoman from Florida (Ms. ROS-LEHTINEN), the ranking member of the Foreign Affairs Committee; ELIOT ENGEL, chairman of the Western Hemisphere Subcommittee, and all of the other cosponsors of the bill, and especially the Congressional Black Caucus.

□ 1900

I would also like to thank Kathleen Sengstock, my senior legislative assistant, who worked very hard on this bill. Kathleen is an expert on debt relief and has worked for the past 10 years on debt relief for all of the poor countries of the world.

I would also like to thank Daniel McGlinchey and other professional staff persons with the Financial Services Committee.

Ladies and gentlemen, Haiti was struck by a devastating earthquake on January 12, 2010. According to the U.S. Agency for International Development, 230,000 people were killed and 1.3 million people were displaced from their homes. There is still a desperate need for clean water, food, shelter, and basic sanitation. Three million people, one-third of the country's population, were affected by the earthquake.

Today, we are very fortunate to have in this country the President of Haiti, President Preval. The CBC—that is, the Congressional Black Caucus—held a meeting with President Preval, and he thanked us all, not only the members of the Congressional Black Caucus, but all of the Members of Congress and the American people for the aid and support we have provided for Haiti. He thanked all of the American agencies for the lives that they have saved, the food that they have distributed, along with the water and the medical care and much more.

He reminded us that the rains are coming, and perhaps hurricanes, and there is still a need for emergency adequate shelter, and of course long-term housing. But today we are talking about one of the simplest but most important things we can do to help Haiti: That is to cancel its debt.

Haiti's democratic government has worked very hard in recent years to qualify for debt relief. In order to qualify, the Government of Haiti successfully developed and implemented a comprehensive poverty-reduction strategy paper under the direction of the International Monetary Fund and the World Bank. As a result, multilateral financial institutions provided Haiti $1.2 billion in debt relief last June. This was a critical step forward for Haiti. Nevertheless, Haiti still has a significant debt burden that will interfere with recovery and development efforts unless the remaining debts are canceled.

According to the U.S. Treasury Department, Haiti still owes $828 million to the multilateral development institutions. This includes $447 million to the Inter-American Development Bank, $284 million to the IMF, $39 million to the World Bank Group's International Development Association, and $58 million to the International Fund for Agricultural Development. In addition, Haiti owes approximately $400 million to other individual countries.

I introduced H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act of 2010, to free Haiti from the burden of these debts. The bill directs the Secretary of the Treasury to instruct the U.S. executive directors at the multilateral development institutions to use the voice, vote, and influence of the United States to achieve several things: The immediate and complete cancellation of all debts owed by Haiti to these institutions; the suspension of Haiti's debt service payments until such time as the debts are canceled; and the provision of emergency humanitarian and reconstruction assistance to Haiti in the form of grants so that Haiti does not accumulate additional debt.

This bill also directs the Secretary of the Treasury and the Secretary of State to use all appropriate diplomatic influence to secure the cancellation of all remaining bilateral, multilateral, and private creditor debt owed by Haiti. Debt cancellation will allow the Government of Haiti to focus its meager resources on essential humanitarian relief, reconstruction, and redevelopment.

The people of Haiti are poor, but they are physically and spiritually resilient. I know that with the support of the international community they will recover from this tragedy and create a brighter future for their children.

I urge my colleagues to support the Debt Relief for Earthquake Recovery in Haiti Act of 2010.

Mr. GARY G. MILLER of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of this bill, the Debt Relief for Earthquake Recovery in Haiti Act of 2010.

Representatives MEEKS and WATERS wasted no time responding with this legislation. They have been the most stalwart proponents of the Haitian people, and the Haitian people are very fortunate to have them on their side. I want to applaud them for their efforts with this act.

As the Members of this body know, on January 12, 2010, Haiti experienced a 7.0 magnitude earthquake centered approximately 15 miles southwest of the nation's capital, Port-au-Prince. What followed were 50 aftershocks with magnitudes over 4.0, all occurring within 24 hours.

As of now, the Haitian Government has estimated 230,000 deaths and 300,000 injured. Additionally, 700,000 people have been displaced in the Port-au-Prince area. Damage caused by the earthquake is estimated between $8 billion and $14 billion, with reports speculating that reconstruction costs could approximate $14 billion.

As the people of Haiti strive to put the pieces of their lives and the country back together, Congress clearly needs to help. This bill would have the Secretary of the Treasury instruct the U.S. representatives at the World Bank, the IMF, the Inter-American Development Bank, and other multilateral institutions to use their influence at these institutions to reach an agreement on relieving Haitian debt to these entities and to suspend Haiti's debt service payments until those debts are canceled.

Additionally, U.S. representatives at these institutions would advocate that future aid provided to Haiti be grant-based to avoid placing the country immediately back in debt as they seek to rebuild. In the shadow of a tragedy this size, this is an important first step, but I think the body must consider how much more can be done.

So often American efforts to provide aid to impoverished nations come in the form of a check, which does provide a significant boost, but the goal here is to mitigate the impact of the disaster on the people. I hope this body can look at areas where American resources and know-how can be invested in Haitian society. In addition to feeding the people and providing shelter and medical care, we can leverage American resources so that we aren't simply sending a check.

Americans are the most generous people in the world. In the aftermath of this tragedy, the citizens of this country have raised tens of millions of dollars to help the Haitian people. We should also be looking to send our heavy machinery and engineering capabilities along with qualified American workers—many of whom have been out of work themselves—to assist the Haitian people rebuild their nation quicker and more effectively.

We will be holding a hearing next week in Financial Services to discuss many of these issues, and I look forward to working with my colleagues on ways that we can further leverage our Nation's great resources.

In conclusion, I want to thank Representatives WATERS and MEEKS for introducing this legislation. You have been strong advocates, and I really applaud you for the efforts. I thank you for allowing me to participate here tonight.

I strongly urge support of this bill.

I reserve the balance of my time.

Mr. MEEKS of New York. It is my honor to yield 1 minute to the distinguished Chair of the Financial Services Committee who has led us this far, the gentleman from Massachusetts, the Honorable BARNEY FRANK.

Mr. FRANK of Massachusetts. Madam Speaker, I hope people will take note that there is not a correlation between the importance of what we do and the attention that what we do gets. This is not controversial because it is a product of genuine cooperation.

I am delighted to be on the floor with my friend, the gentleman from Alabama (Mr. BACHUS). A few years ago, along with him and the gentleman from California and our former colleague, the gentleman from Iowa, Mr. Leach, we, frankly, beat the leaderships of both parties and the Clinton administration to get debt relief through. They've learned, so we don't have to fight so hard this time for a very important cause.

I am very pleased to be joining in this wholly cooperative way in a morally compelled response to the problems of the people of Haiti. And I join in thanking the gentlewoman from California again, the gentleman from New York, and my colleagues on the other side from California and Alabama for letting us bring this forward.

Various Members and their staffs have been congratulated, as they should be. It's not as easy to do the right thing as it sometimes seems; you want to make sure you get it done well.

I just want to single out Daniel McGlinchey on the staff of the Financial Services Committee, who has been working at this for a long time, in cooperation with the others. This is a day in which the House can be proud, even if, because we're not yelling at each other, the press won't notice.

Mr. GARY G. MILLER of California. I reserve the balance of my time.

Mr. MEEKS of New York. Madam Speaker, it is my honor to yield 2 minutes to the chairwoman of the Congressional Black Caucus, a longtime fighter for Haiti, the Honorable BARBARA LEE.

Ms. LEE of California. Thank you very much, Chairman MEEKS.

Let me just first say how much I want to support this bill today and thank Chairman MEEKS for his steady and consistent support for Haiti, and also Chairman FRANK.

Also, let me just say, as Chair of the Congressional Black Caucus, I have to extend our thanks to Congresswoman MAXINE WATERS for her work on this bipartisan resolution, especially also for her long-term leadership on the campaign for debt relief for Haiti and for all countries in the developing world. Congresswoman WATERS has been a friend, an ally of the Haitian people for many years, long before this devastating earthquake struck.

Also, to the ranking members, your support and your sense of justice for Haiti is deeply appreciated.

The Congressional Black Caucus has a long history of working with the Haitian and Haitian-American communities, and many of us have traveled to Haiti several times. During the current crisis, the Congressional Black Caucus has and will continue to work closely with the Obama administration, the Government of Haiti, and the nongovernmental organizations to provide whatever assistance we can on an ongoing basis to help with the recovery and reconstruction efforts.

Debt relief is not a matter of charity; it is really a matter of economic justice. Over half of Haiti's debt was borrowed under Haiti's dictatorships, some of which were brutally repressive. Thus, moneys borrowed by these regimes should not be borne by the Haitian people who had no say whatsoever on how these moneys were spent.

But more to the point, I think that it is obvious that Haiti is not in a position to service debt—nor should it be—while it is struggling to meet the basic needs of its people like food, water, health care, and shelter. It is looking to rebuild from the most devastating tragedy to strike the island nation in its history. I know that the leaders of the international financial institutions feel the same way, and they understand this bill and that Haiti should not have to repay its debt. The United States Government and other donor nations must work with these institutions to fashion a plan for it, and this bill offered by Congresswoman WATERS offers a legal framework and mandate to do just that.

Finally, I just want to say that I hope this bill passes on a bipartisan basis.

Mr. GARY G. MILLER of California. Madam Speaker, am I correct that we have 7 minutes remaining?

The SPEAKER pro tempore. The gentleman is correct.

Mr. GARY G. MILLER of California. Mr. MEEKS, I would be happy to yield 4 minutes of our time to you because I see you have numerous speakers, and I think you could probably utilize that time in additional speaking.

I yield myself 1 minute at this point in time.

As I have spoken to my good friends, Mr. GREEN, Mr. MEEKS and Ms. WATERS, about introducing legislation to

help employ American workers in Haiti, we are going to be giving—and other groups are giving—tremendous amounts of money to Haitians and to the Haitian Government to basically rebuild. We all believe that it is important, with the amount of American workers, especially construction industries, that we have that are unemployed, to utilize many of our dollars to send the expertise and skills we have in contractors and workers and laborers from the United States to work with the labor and the Haitian people to rebuild their country.

I want to commend my colleagues on the other side of the aisle for working with me on this. We are close to having legislation done. Ms. WATERS, I spoke to you today, and we will be getting that to all of you to review before I introduce it. Hopefully we can bring this up in committee within a couple of weeks to start implementing American manpower and resources to help the Haitian people, and also, at the same time, to benefit those Americans that are out of work.

I reserve the balance of my time.

Mr. MEEKS of New York. Madam Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman currently has 7½ minutes remaining.

Mr. GARY G. MILLER of California. I would be happy to yield 4 of our minutes to my good friend from New York (Mr. MEEKS).

The SPEAKER pro tempore. Without objection, the gentleman from New York will control 11½ minutes.

There was no objection.

Mr. MEEKS of New York. It is my pleasure now to yield 1½ minutes of that to the gentlelady from the great State of Florida, the Honorable CORRINE BROWN.

Ms. CORRINE BROWN of Florida. Madam Speaker, I stand in strong support of the Debt Relief for Earthquake Recovery in Haiti Act introduced by my dear friend and colleague, Representative MAXINE WATERS.

Like so many of my colleagues here in the Congress, and particularly in the CBC, we have been working to improve the lives of the people of Haiti for many, many years.

I was in Haiti last October with Chairman OBERSTAR and Congressman GREGORY MEEKS, and we met with President Preval and members of the Haitian Cabinet to discuss ways to improve the nation's infrastructure system, which is absolutely vital to Haiti's future economic development.

Haiti is an island filled with goodwilled, hardworking people, yet their lives are extraordinarily difficult because their country has been in great turmoil for decades, long before the terrible earthquake that hit Port-au-Prince.

Being from Florida, Haiti has always been very, very near and dear to my heart. In my congressional district of Florida, we worked with numerous area churches, businesses, and nonprofit organizations to make about 60 donations of tractor-trailers filled with supplies for the Haitian people.

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We worked with nonprofit organizations and with Food For The Poor, and it was transported by the Royal Caribbean Cruise Line—all at no cost to the people of Haiti. You know, because Haiti is not on the front pages of the paper, their needs are very important, and we need to continue to work to help the people of Haiti.

I want to thank all of my colleagues for doing it. This is a really wonderful first step.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEEKS of New York. I yield 1½ minutes to one who is called from the Caribbean, the gentlewoman from the great State of New York, the Honorable YVETTE CLARKE.

Ms. CLARKE. Madam Speaker, I rise in support of H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act.

I would like to acknowledge the tremendous leadership of the gentleman from New York (Mr. MEEKS) and the leadership of the gentlewoman from California (Ms. WATERS), who is the author of this legislation.

As Representative of the second largest Haitian population in the country, I commend the Obama administration's swift response to the Haitian crisis. Without the President's comprehensive relief campaign, which included food, water, medical, and military assistance, as well as the $100 million in aid, we would not be at the point we are, which is ready to discuss the next step. Thankfully, we are.

We must remember that the January earthquake did not create the troubling conditions in Haiti, although it certainly exacerbated them. Haiti is already the poorest nation in the Western Hemisphere. H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act, will achieve three distinct goals which will help to keep the focus on humanitarian assistance.

First, the Secretary of the Treasury would instruct the U.S. executive directors of the institutions which lent money to the Haiti Government to immediately cancel all debts owed to Haiti to their respective institutions.

Next, Haiti's debt service payments would be suspended.

Lastly, grants would be provided for additional assistance so that Haiti would not accumulate additional debts.

It is my hope that, as we continue to rebuild, our rebuilding effort will not begin until the relief effort has concluded, and it will be dependent on all allowing Haiti to focus solely on humanitarian aid. To do this, it is imperative that we cancel the debts of the Haitian Government.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEEKS of New York. I yield 1½ minutes the hardworking gentleman from the great State of Texas, the Honorable AL GREEN.

Mr. AL GREEN of Texas. I want to thank the team that worked on this effort. Of course, that would be the honorable Chair of the subcommittee, Mr. MEEKS. It would be the Honorable MAXINE WATERS. It would also be Mr. MILLER, the ranking member on the subcommittee and, of course, the ranking member of the full committee, Mr. BACHUS.

Madam Speaker, I must tell you that my comments have been revised because I cannot allow this moment to go by without speaking to the comments that were made by Mr. BACHUS.

He spoke to our hearts and he spoke truth. It's not easy to stand in the well of the House of Representatives and speak the kind of truth that we heard. A son of the South and a Representative from Alabama stood in the well of the House, and he spoke the truth about one of the greatest atrocities ever imposed upon humankind and about how one country, in an effort to extricate and liberate itself, had to pay for the very liberation that it accorded itself. It meant something to me to hear this son of the South speak this kind of truth in the well of the Congress of the United States of America.

So I commend you and I salute you.

Mr. MILLER, I thank you as well.

The two of you deserve to have it said that you truly spoke truth to power tonight. Thank you.

Mr. GARY G. MILLER of California. Madam Speaker, I yield to the ranking member of the committee, the gentleman from Alabama.

Mr. BACHUS. Madam Speaker, I would like unanimous consent for an additional minute on each side.

The SPEAKER pro tempore. Without objection, each side will control 1 additional minute.

There was no objection.

Mr. BACHUS. Madam Speaker, I now ask unanimous consent to yield our 1 minute to the majority.

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

There was no objection.

Mr. MEEKS of New York. I yield 1½ minutes to the gentlewoman from the great State of Texas, Ms. SHEILA JACKSON LEE.

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

Ms. JACKSON LEE of Texas. This is a very historic occasion.

I would like to thank Congresswoman WATERS for her continued and persistent leadership on debt relief for countries around the world.

I thank the chairman of the subcommittee, Mr. MEEKS of New York, for his persistence and guidance on passing this bill so quickly with Mr. BACHUS and Mr. MILLER. Thank you for your commitment and for your interesting and very good idea about putting Americans to work.

Madam Speaker, I rise today to support this legislation to acknowledge that we are talking about a country right now that has only 20 percent of the revenue that it needs to run its nation. They need seed. They need fertilizer. They are living some 80 percent below the poverty line, owing some $709 million in debts to multilateral financial institutions—$447 million to the Inter-American Development Bank—and also to countries such as Venezuela. This legislation will, in essence, help us clear the slate of all of those debts, and it will help us track what the United States has done.

I would like to take this time to thank all of the first responders, USAID and so many who stood tall when Haiti called. Today, in the White House, it was good to be able to acknowledge those first responders from around the world, from around the Nation, in addition to the United States military.

Helping them with this debt relief over all the land will allow the President to focus on building and on rebuilding—rebuilding Port-au-Prince, rebuilding the suburbs in the outlying areas—and to focus on creating jobs for the Haitian people and on bringing contractors there who will work with Haitians in a joint venture with agencies. So the relief of this debt, I believe, is an enormous step in making a difference in the lives of Haitians.

I want to thank you and ask support of this legislation.

Madam Speaker, I rise in support of H.R. 4573—the Debt Relief for Earthquake Recovery in Haiti Act of 2010. As, a co-sponsor of this bill, I strongly believe that it is a necessary step to ensure a successful recovery in Haiti.

Haiti's long term development is currently hampered by its debt burden. January's earthquake struck Haiti during a time of economic vulnerability. Before the earthquake, Haiti was, by far, the poorest country in the Western Hemisphere.

Before the earthquake, Haiti also has among the world's lowest levels of gross domestic product per capita. An estimated 80 percent of the population lived under the poverty line with 54 percent living in abject poverty, according to the CIA World Factbook. According to the United Nations Human Development Report, more than two-thirds of the labor force is believed to not have formal jobs, and just 62.1 percent of adults over age 15 are literate. Additionally, 18 percent of Haitians did not live to the age of 40.

Yet, despite the destruction wreaked by multiple tropical storms in 2008, Haiti's economy and infrastructure-building seemed to be turning a corner in recent years, aided by international support and debt relief programs.

In fact, according to the New York Times, "Haiti was one of only two Caribbean countries expected to grow in 2009. There were hopes of a tourism revival, reinforced by the announcement that a new Comfort Inn would open there this May. In a sign of its growing structural sophistication, Haiti even recently announced that it would begin collecting better national statistics, with the help of the International Monetary Fund, so that it could better assess and calibrate its economic policies." The earthquake on January derailed this progress.

As this legislation states, the Government of Haiti cannot afford to invest in reconstruction and development efforts while continuing to make payments on debts owed to multilateral financial institutions like the International Monetary Fund (IMF), the World Bank, and the Inter-American Development Bank and to other international creditors.

Prior to the earthquake, debt service payments to multilateral financial institutions and other international creditors already were a tremendous burden that interfered with the ability of the Government of Haiti to meet the needs of its people.

On June 30, 2009, the World Bank announced that Haiti qualified for and received $1.2 billion in debt relief from the IMF, the World Bank, and other multilateral financial institutions. In order to qualify for this debt relief, the Government of Haiti successfully developed and implemented a comprehensive Poverty Reduction Strategy Paper, under the direction of the IMF and the World Bank.

According to the U.S. Department of the Treasury, despite previous debt relief, Haiti still owes a total of $709 million in debts to multilateral financial institutions, including $447 million to the Inter-American Development Bank, $165 million to the IMF, $39 million to the World Bank, and $58 million to the International Fund for Agricultural Development.

According to the IMF, Haiti owed Venezuela $167 million and Taiwan $92 million at the end of September, 2008; furthermore, the amounts of these debts may have grown since that time. The cancellation of Haiti's debts to multilateral financial institutions and other international creditors will allow the Government of Haiti to use its meager resources for essential reconstruction and development efforts.

As important as this legislation is, it is only one part of a much larger American assistance response to the earthquake. America will continue to respond with humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Haiti as they grieve once again in the aftermath of a natural disaster. As Haiti's neighbor, I believe it is the United States' responsibility to help Haiti recover, and build the capacity to mitigate against future disasters.

To date the United States Government has contributed over $402 million in earthquake response funding for Haiti. It has also deployed approximately 17,000 military personnel in support of the relief effort. Subsequently, as part of the new Government of Haiti-led effort, the U.N. World Food Program will provide commodities, non-governmental organizations will manage distributions, and U.S. military will provide security escorts.

America and her allies have already initiated a comprehensive, interagency response to the earthquake. The State Department, Department of Defense, Department of Homeland Security, Coast Guard, USAID—all worked overnight to ensure critical resources were positioned to support the response and recovery effort, including efforts to find and assist American citizens in Haiti.

Once again I stand in solidarity with the people of Haiti and will do everything in my power to assist them with rebuilding their country and livelihoods. I am proud of our first responders and pledge that America's long term commitment to Haiti will live up to the standard that the first responders set.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEEKS of New York. It is my honor to yield 2 minutes to the chairman of the Subcommittee on Africa and Global Health, a longtime fighter for Haiti, the gentleman from New Jersey, the Honorable DONALD PAYNE.

Mr. PAYNE. Let me begin by commending Mr. MEEKS from New York and Ms. WATERS from California for this very important legislation, H.R. 4573, Debt Relief for Earthquake Recovery in Haiti.

I also would like to acknowledge Mr. BACHUS for his very impassioned speech. Yet I am not surprised.

Mr. BACHUS, you may recall, when we were fighting the brutal Government of Sudan, we tried to get capital market sanctions. You supported our legislation that brought Mr. Greenspan to the Senate to say, Defeat the Payne-Bachus legislation because it would disrupt the stock market. So I commend you again for the great work that you have done.

Madam Speaker, as we have mentioned, Haiti has had such a tremendous history. Since we know what is in the bill, I might also mention that it was during the Revolutionary War that Haitian soldiers fought in one of the key battles, the Battle of Savannah, where just recently a statue was completed in Savannah. I spoke at the dedication a year or so ago. It turned the tide of the war.

Haitian soldiers fought in a number of battles to help the original colonies of the United States become independent from Britain. So they shed blood for our independence. Many people didn't know that.

Then, as you know, with the defeat of Napoleon's army by Haiti, as was talked about, the reparations that had to be paid back caused France to be cash poor and land rich. It therefore forced them to sell the Louisiana Territory to the United States because it had lost the cash that Haiti had produced. Over 50 percent of all the commodities of tea and coffee and sugar in Europe came from Haiti. France lost that and therefore needed the cash from the Louisiana sale to have its treasury boosted. As a result, the Lewis and Clark expedition began in St. Louis, and the United States was able then to take the rest of this Nation. Once again, Haiti had a tremendous part of this.

Mr. GARY G. MILLER of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. MEEKS of New York. I yield 2 minutes to the Chair of the subcommittee for the Western Hemisphere, the gentleman from New York, the Honorable ELIOT ENGEL.

Mr. ENGEL. I thank my good friend and fellow New Yorker for yielding to me. I want to commend him for the work he has done.

I want to commend my friend and colleague, the gentlewoman from California (Ms. WATERS) for this bill.

Madam Speaker, like all of my colleagues, I rise in strong support of H.R. 4573, which pushes for the cancellation of debts owed by Haiti to multilateral financial institutions.

I am the chairman of the Western Hemisphere Subcommittee, and I also have a large Haitian population in my district in Spring Valley, New York.

I am honored to say that, last Friday, I traveled to Haiti. You can see the devastation in the newspapers; you can look at it on television, but until you are there in person, you cannot imagine how horrible it is.

The other things you see are thousands upon thousands upon thousands upon thousands of people in the streets with nothing to do and with no place to go—with no place to go to work and with no place to call home. There are rows of tents and shacks and of things put up for people to seek shelter. There are people just in the streets, and they are friendly towards the United States. We have a special obligation to help the people of Haiti.

We met President Preval in Port-au-Prince last Friday. Today, I had the honor and pleasure of meeting him again twice—once at the White House with President Obama and then, after that meeting, at a private meeting with Members of Congress. I will tell everyone what I told him and what all of my colleagues are saying:

We must help Haiti. We have a responsibility to help Haiti. It is clear that Haiti faces a very long road of recovery from the impact of the earthquake, and this bill will allow the Government of Haiti to focus its efforts and attention on the present and future recovery of the country and on the Haitian people.

We all know Haiti's early history and independence. It is tragically marked by the onerous debts it was forced to pay by major powers, depriving Haiti of many years of needed resources and development. We shouldn't allow Haiti's present debts to pose similar obstacles in the wake of this earthquake.

People say that Congress can't agree on anything and that there is no bipartisanship here. What we are seeing now is bipartisanship at its best. We are all working together to help the people of Haiti.

Mr. GARY G. MILLER of California. Madam Speaker, I yield myself the balance of my time.

My daughter, Elizabeth, lived with me here in Washington for about 4 years. She was one of the directors for a group called Witness for Peace, which is a human rights organization.

I recall very well a trip she led of a group to Haiti. She spent a week in Haiti with individuals from the United States, looking at the situation that the people were in and trying to come up with ways that we could help the people of that country.

My daughter passed away about 2 years ago, and I am proud to be part of this bill because she believed in this. She believed in the people. She believed that there was a lot of good that the American people could do for people in this part of the world. So I am just glad to chair this side of the hearing tonight. I would like to do it in honor of my daughter, if you don't mind.

I yield back the balance of my time.

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Mr. MEEKS of New York. Madam Speaker, I yield myself the balance of my time.

Let me just first thank the chairman of the committee, BARNEY FRANK, Ranking Member BACHUS, and again my ranking member on the International Monetary Policy and Trade Subcommittee, Mr. MILLER. We came together because of the hard work and dedication that the gentlelady from California put forward in writing this bill to make sure we did the right thing for the people of Haiti. This is one of those times where you are proud of being a Member of Congress, working together for the good of human beings.

Though oftentimes we say that Haiti is poor, when I think of Haiti, they are rich; rich in spirit, rich in human capital, rich in hope. These are a people suffering the most unimaginable tragedy, which still have the hope and desire of moving forward, who have overcome and survived all of the things that Mr. BACHUS and others have said today, when you think about it, from the very beginning of their independence.

Indeed, the people of Haiti are a rich people, and we are doing the right thing today and sending the right message to the people of Haiti, that we will stand by you, not just for the short haul, but for the long haul.

Madam Speaker, I am proud to be a Member of Congress and proud of my colleagues who have worked so hard to get this bill done, and I am proud that we are doing the right thing by the great people of Haiti.

Mr. HASTINGS of Florida. Madam Speaker, I rise today in strong support of H.R. 4573, the Debt Relief for Earthquake Recovery in Haiti Act.

It is almost 2 months to the date since the already struggling nation of Haiti was rocked by a 7.0 magnitude earthquake.

Approximately 3 million people were affected and 230,000 are estimated to have died. Those that survived are facing unimaginable conditions, with a crumbling infrastructure that has hindered the delivery of humanitarian aid.

Out of this destruction, however, the Haitian people have been given the incredible opportunity to right the wrongs of the past and rebuild their nation stronger than ever before.

Though I commend our government's generous contributions of humanitarian assistance and that from foreign nations, Haiti cannot be self-sufficient and its recovery cannot be sustainable if a substantial amount of its resources must go to paying debts that were amounted out of desperation or by repressive, irresponsible regimes.

Despite previous debt relief, Haiti still owes a total of $709 million in debts to multilateral financial institutions. Meanwhile, the IDB has estimated earthquake damages to total nearly $14 billion.

How can we in good conscience expect Haiti to send money to foreign governments and international financial institutions when there are people sleeping in the streets, children going hungry, and schools and hospitals reduced to rubble?

I have long fought for the people of Haiti, both on the island and in our own Nation. On this issue in particular, last Congress, I offered an amendment which passed the House of Representatives unanimously that put Congress on record encouraging the expedited cancellation of Haiti's international debt.

At a time of extreme instability and crisis, Congress and the United States government must do all within our power to help ensure a long-term sustainable recovery for Haiti.

I applaud Congresswoman WATERS for her long-standing commitment to debt relief for Haiti and for other deserving nations and urge my colleagues to support this bill.

Mr. CONYERS. Madam Speaker, I rise in support of H.R. 4573. This legislation would direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank to immediately cancel Haiti's debts and urge donors to disburse grants. While Haiti is rebuilding, we should allow them to turn a new leaf and not be burdened by overwhelming debt.

Last month I visited Haiti and witnessed firsthand the destruction caused by the massive earthquake of January 12, 2010. It is estimated by the Haitian government that well over 200,000 Haitians have been killed and 3 million have been affected by the natural disaster. It is imperative that this body help its neighbor in its time of need and make a significant long-term reconstruction commitment.

Haiti has had a long history of multilateral institutions distributing aid in the form of loans. At its peak, Haiti had a total external debt of $1.8 billion. In recent years the United States has advocated debt forgiveness and the international community recently responded last summer by forgiving $1.2 billion in debt to multilateral institutions.

I strongly support the legislation, which rightly argues that future aid to Haiti should be in the form of grants instead of loans. This must be kept in mind at the Haiti donor conference scheduled for later this month at the United Nations.

Madam Speaker, I am heartened by the public and private support given to the victims by millions of our generous fellow Americans. I also commend President Obama's unwavering commitment to alleviate the suffering.

Passing today's legislation would help free our struggling neighbor from the shackles of debt and offer a glimmer of hope during this time of need.

Mr. JOHNSON of Georgia. Madam Speaker, the earthquake on January 12, 2010, was the worst disaster to afflict Haiti in over two centuries. According to recent estimates, the earthquake has killed 230,000 people and displaced another 1.3 million.

Haiti is the poorest country in the Western Hemisphere, with a long history of exploitation at the hands of world powers. Now, with severe damage to roads, ports, and hospitals,

and a desperate need for clean water, food, shelter, and basic sanitation, Haiti faces reconstruction burdens that may exceed $14 billion. With such expenses in the future, Haiti is in no position to repay the debts it owes wealthy international creditors.

Madam Speaker, with that in mind I urge my colleagues to support H.R. 4573, legislation I cosponsored that would promote debt relief for our Haitian brothers and sisters.

The bill urges the Secretary of the Treasury to instruct the United States executive directors at the International Monetary Fund, IMF, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the "voice, vote, and influence of the United States" to cancel immediately and completely all debt owed by Haiti to such institutions; suspend Haiti's debt service payments to these institutions until the debts are canceled completely; and provide additional assistance from these institutions to Haiti through grants so that Haiti does not accumulate additional debt.

Despite significant debt relief last summer, Haiti owes a total of $828 million in debt to multilateral financial institutions, including $447 million to the Inter-American Development Bank, $284 million to the IMF, $39 million to the World Bank, and $58 million to the International Fund for Agricultural Development. Haiti also owes about $400 million to other individual countries.

Madam Speaker, it is abundantly clear that extraordinary circumstances render impossible Haiti's timely repayment of this debt. Furthermore, our humanity should compel us to extend a compassionate hand to our neighbors in need.

I urge my colleagues to support this bill.

Ms. ROS-LEHTINEN. Madam Speaker, I am proud to be an original cosponsor of H.R. 4573.

As my colleagues have explained, this bill calls on the U.S. Secretary of the Treasury to take certain measures to enable Haiti's debt relief and to provide additional assistance to Haiti from multilateral development institutions in the form of grants.

The United States cancelled all of Haiti's outstanding debt to the U.S. in September of last year.

Similarly, Haiti has already received hundreds of millions of dollars in debt relief from the World Bank and Inter-American Development Bank, IDB.

However, it still retains significant debt to various bilateral donors, the IMF, and the IDB.

By passing this measure, we can help to minimize the enormous fiscal pressures facing the Government of Haiti in the aftermath of its tragic earthquake so that its limited resources may be used for more immediate priorities.

Also, by encouraging the use of grants versus loans, Haiti will have the opportunity to take advantage of certain resources from these institutions without increasing its future financial burdens.

This bill will help prevent Haiti from getting in over its head at a time when every penny counts.

It also recognizes the important role that other bilateral donors play in the long-term recovery efforts of Haiti.

By calling on other bilateral, multilateral and private creditors to provide debt cancellation to Haiti, H.R. 4573 underscores the concept of shared responsibility.

An integrated approach based on a coordinated and transparent distribution of responsibilities will prove essential to a successful response to Haiti's catastrophic disaster.

I thank Congresswoman WATERS for introducing this important measure.

Mr. MEEKS of New York. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 4573, as amended.

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

The title was amended so as to read: "A bill to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.".

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–97)

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 the enclosed notice to the *Federal Register* for publication stating that the Iran emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2010.

The crisis between the United States and Iran resulting from actions and policies of the Government of Iran that led to the declaration of a national emergency on March 15, 1995, has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *March 10, 2010*.

SUPPORT NASA'S CONSTELLATION PROGRAM

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

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in strong opposition to the President's proposal to cancel the NASA Constellation Program, which covers the Orion Crew capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets. These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses.

It is under the Constellation Program that NASA is currently developing new launch vehicles and spacecraft capable of traveling to the Moon, Mars, and other destinations. Not only does canceling the Constellation Program jeopardize America's leadership role in human space exploration, but it will have detrimental effects on our economy.

The issue is it will take years for the commercial spaceflight industry to get up to speed to where the level of competence exists in NASA today. Our government has already invested literally years and billions of dollars in this program. We should build upon these investments and not abandon them.

Our country can support the commercial spaceflight industry, but not at the expense of our human spaceflight programs.

It is my hope, Madam Speaker, that this Congress will continue NASA's Constellation Program.

PROVIDING FOR NASA SPACE EXPLORATION

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today to ask my colleagues to join me in cosponsoring H. Con. Res. 1150, which establishes NASA and all of its assets as a national security interest.

We need to work with the President in moving forward on restoring the funds for the Constellation Program and to reemphasize and recommit ourselves to human space exploration. In the current budget of the NASA program, funds have been increased, but funds have been taken away from the Constellation Program. In essence, it has been canceled.

My request is that we have our task before us, and the answer is simple: to reprogram the funds that are in the NASA budget to ensure that this great asset of NASA, NASA Johnson, the NASA centers in Alabama and Mississippi and Florida and elsewhere, are maintained.

The international space station has been built over the last 10 years. It has been built with the genius, the intellect, and the research of the United States. That research and genius and that kind of data requires protection as a national security interest. The funding that needs to be restored will help create this opportunity and save jobs.

Let us save jobs and provide for NASA space exploration.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. BRIGHT) is recognized for 5 minutes.

(Mr. BRIGHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO THE LATE HONORABLE CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ORTIZ) is recognized for 5 minutes.

Mr. ORTIZ. Madam Speaker, today we are here to honor the life and work of my good friend Representative Charlie Wilson, whom I had the pleasure of serving with in the House of Representatives for 13 years. Charlie was a unique person, one of a kind, and he will be missed dearly by his family, friends, and colleagues in the House.

Charlie had a very special and unique side to him. He knew when to be tough, he knew when to laugh, he knew when to speak his thoughts, but, above all, he knew how to serve the people of this great country and his district.

At the age of 23, after graduating with a bachelor of science degree from the U.S. Naval Academy, Charlie joined the United States Navy, where he attained the rank of lieutenant. After serving as a surface fleet officer for 4 years, he was assigned to the Pentagon as part of an intelligence unit that studied the Soviet Union's nuclear forces.

At the age of 27, Charlie was elected to the Texas Legislature, and in 1961 he was sworn into office in the State's capital in Austin, Texas. For more than 12 years, Charlie was known as the tough dog in the State capitol, and he was also often called the ''liberal from Lufkin, Texas.'' During his time in the State legislature, he fought for Medicaid, tax exemptions for the elderly, the Equal Rights Amendment, and a minimum wage bill.

In 1972, while I was an elected county commissioner in Texas, Charlie was elected to the House of Representatives from the Second District of Texas near Houston. He served in Congress for 11 terms and did not seek reelection to the 105th Congress and resigned on October 8, 1996.

Charlie was known in the Halls of Congress as ''Good Time Charlie,'' but it was an appropriate name for him. He was very funny, joyful, and full of life—and very humorous. After he retired from Congress, he settled down, he got married, and he was at peace with himself and looked more comfortable and at ease. Charlie truly enjoyed life.

In 2006, we asked him to come and visit with us in Corpus Christi, and this was when his book came out, ''Charlie Wilson's War.'' He gave time to the people in the district and signed and autographed every book.

I remember one of the stories—and some of the stuff that I know about Charlie we probably wouldn't be able to say here in the House, but he enjoyed life. He brought a beautiful young lady from Russia to visit the United States, and they asked Charlie, ''Are you going to give her secrets?'' He said, ''The only thing I am going to give her are Victoria's Secrets.''

That was Charlie Wilson. He was a great guy.

There is much I can say about Charlie—he was one-of-a-kind. I served with him diligently in the House of Representatives. I will miss him dearly, as well as my colleagues from the Texas Delegation. We all loved and cared for Charlie dearly, and I know we will continue to work together in unison for the betterment of our state and country.

On February 10, 2010, this country lost a great person and my friend, Charlie Wilson. May he rest in peace.

I offer my condolences to Charlie's wife, Barbara Alberstadt. May God bring peace to her, his family, friends and loved ones. May Charlie be with the Lord.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AMERICAN INVOLVEMENT IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Madam Speaker, today during the debate about Afghanistan, I joined Mr. KUCINICH and several others in our concerns about Afghanistan, and I wanted to further read to the House. I had used a Marine Times article that has a photograph of a marine who is retired now and his son, Joshua, who was killed in Afghanistan. The article says ''Caution Killed My Son. Marine Families Blast Suicidal Tactics in Afghanistan.''

In addition to this article about his son and the tighter rules of engagement, ''families voice outrage over new restrictions in Afghanistan,'' they also have an article about four marines who were killed that asked the Army to give them cover. The Army didn't say ''no''; they just didn't even respond.

The rules of engagement are so different for our troops that I think at some point in time we in the Congress, particularly on the Armed Services Committee, I am going to ask for a hearing about the rules of engagement.

I want to explain and then read a couple of comments from the father which was in this article, Sergeant Bernard, retired Marine, whose son Joshua was killed. What had happened was the marines had been in a firefight. Then there was an Afghan that came to the marines and said, Listen, there are other Taliban enemy down the road, and if you follow me, I will show you where they are located.

□ 1945

This is where I want to pick up the story by the father's writing. He said, When the ambush began, the tipster could not be found, and the interpreter took cover, raising questions in Bernard's mind about whether they led the Marines into a trap. There's no question they did. I further quote Sergeant Bernard, who's retired now: ''Call me cynical if you want, but some rogue element led them there. The bottom line is both of those guys were gone. It's just another indication of how this counterinsurgency strategy can't work.''

I further want to read: ''In an October 13 letter to Collins, Mullen addressed Bernard's concerns by saying that 'the new tactical directive did not change the ROE in Afghanistan, but rather provided more clarification and guidelines regarding the use of force. We have refined our procedures in order to reduce civilian casualties, but at no time have the ROE been modified to place our troops at greater risk,' Mullen wrote. 'Our troops still operate under a set of ROE that allows them to protect themselves against enemy actions in balance with the Afghan populace.' ''

Sergeant Bernard, a retired Marine who served this Nation, said ''the letter is 'smoke and mirrors' and overlooks his consistent concern: A counterinsurgency strategy won't work as long as Afghanistan is filled with warring tribes that have no empathy for the U.S. and its way of life.''

I further want to read down in his response in the Marine Corps Times: ''I already talked to Collins' office and said, 'Don't let him spin this crap.' There's no indication that Afghanistan has changed anywhere. Our mission should be very, very simple: Chase and kill the enemy.''

Madam Speaker, that's exactly what they should be doing, instead of this other type of strategy.

Bernard said he is frustrated that the senator's office, one of his home State senators and a member of the Senate Armed Service Committee, has handled his complaints as that of a single constituent—and I'm not getting into

whether they did or didn't, but just reading what he said—rather, seeing for what he is: representative of the hundreds of people—hundreds of people—he says have contacted him about this whole rules of engagement. I want to quote, and this will be the close: ''You can't turn this into one lone idiot in the backwoods of Maine mourning his son,' he said. 'This is bigger than that.'''

So, Madam Speaker, I intend to ask the Armed Services Committee, which is chaired by a wonderful man from Missouri, and the ranking member from California, we need to have this debate on behalf of the families as well as the Marines and the Army. What are the rules of engagement? What can they do and cannot do? When I read these articles about the number that have died just because we could not give them cover in certain situations, if that's the way we're supposed to fight a war, then that's a poor way to fight the war.

Madam Speaker, with that, I'm going to close as I always do. I know the gentleman from Texas has a tribute to pay to a former Member who I happened to serve one term with and thought the world of him. My daddy knew him and thought Charlie Wilson was a great guy. Let me get that on the RECORD.

My close is this: I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God to please bless this country and bless the President, that he will do what is right for this country. And I ask God to please bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

TRIBUTE TO CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. I'm proud to follow my colleague from North Carolina. We share his support and his prayers for our men and women serving this country. That's why it's so important tonight to be here to honor the late Member of Congress, Charlie Wilson, from east Texas.

I first met Charlie Wilson in 1972, as a young State representative. He had just been elected to Congress. It was a fundraiser for him at the Intercontinental Airport, The Marriott, in Houston. I was 25-years-old and went out there, and the State senator who was just elected to Congress, and heard Charlie tell the folks stories. And this is 1972—long before Afghanistan, long before Charlie Wilson became known as ''good-time Charlie.'' In fact, in Texas, as a State senator he's known as ''Timber Charlie'' because he represented the timber trees of east Texas. But a great Member. He was elected in 1972, like I said, to the U.S. House of Representatives from the Second District. He was elected 11 times. He did not run for reelection in 1996. In fact, he resigned in October of 1996.

Charles Nesbitt Wilson was born in Trinity, Texas, where his father was an accountant for a lumber company, on June 1, 1933, in the depths of the Depression. He attended the Naval Academy in Annapolis and graduated in 1956. He served 4 years in the Navy, from 1956 to 1960, and came back to Texas, where he was elected to the State house and the State senate.

Charlie Wilson died on February 10, 2010, at Lufkin Memorial Hospital in Lufkin, Texas, where he had been taken after collapsing earlier in the day and suffered from a cardiopulmonary arrest. He was pronounced dead at 12:16 p.m. Central Time. Congressman Wilson received a graveside service with full military honors at the Arlington National Cemetery on February 23, 2010.

Now for some of the stories about Charlie Wilson as a friend. I'm glad my colleague from Texas, JOE BARTON, is here, and Congressman CHET EDWARDS and AL GREEN and SHEILA JACKSON LEE, because Charlie had some stories that we couldn't tell on the floor of the House. But I'm going to tell you some of the good ones.

He is survived by his wife, Barbara, the former Barbara Alberstadt, and his sister, Sharon Allison. Charlie told me many times, like he told other Members, that he credited his wife Barbara with saving his life because it got him off a lot of things that he shouldn't have been on to begin with. In having seen him many times after he left Congress, Charlie was still Charlie.

Charlie entered politics as a teenager. He began by running a campaign against his next-door neighbor, a city council member in Trinity, Texas. When Charlie was 13, his dog entered that neighbor's yard—a city council member—and he retaliated by mixing glass in the dog's food and causing fatal internal bleeding. Being a farmer's son, Charlie was able to get a driver's permit at age 13. And so he was going to pay that council member back. So he drove 96 people to the polls on the next election at age 13—it was mainly black citizens, African American citizens from the poor side of town—to make sure they knew what happened to his dog. That incumbent lost by 16 votes. So Charlie Wilson entered politics at 13 years of age by defeating a city council member in his neighborhood.

Charlie had so many things I could tell you; wrapping his arm around us and giving us that counsel. But I think he's best known outside of Texas for being the leader in Congress during the 1980s and known for supporting Operation Cyclone, the largest-ever Central Intelligence Agency covert operation, under President Reagan's administration, by supplying military equipment, including antiaircraft weapons such as Stinger antiaircraft missiles and paramilitary officers from their Special Activities Division to the Afghan Mujahedeen during the Soviet war in Afghanistan. From a few million dollars in the 1980s, his support for the resistance grew to $750 million a year by the end of the decade.

I remember Charlie Wilson telling us in 1996, when he was leaving, and earlier, that we made a mistake by abandoning Afghanistan. And literally after 9/11, he came and talked to the delegation and said we made a mistake, and we're paying the price for it right now because we left Afghanistan in turmoil and ended up with the Taliban. We don't need to make that mistake again. That's why tonight I'm proud to honor Charlie Wilson in his service to our country.

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.)

IN HONOR OF CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BARTON) is recognized for 5 minutes.

Mr. BARTON of Texas. I rise in support and honor of the late Congressman Charlie Wilson of the Second Congressional District of Texas. I didn't know Congressman Wilson in his salad days. I didn't get elected until 1984. By that time, he had calmed down, apparently quite a bit. But I can now state it, since the statute of limitations has expired, I voted for Congressman Wilson six times. I lived in east Texas, in Crockett, Texas, in Houston County, in the Second Congressional District, and we didn't have a Republican primary, and I don't recall that we had a Republican opponent against Congressman Wilson in the time that I lived in Crockett. And so my choice was to vote for him or not vote at all. I chose to vote for him.

I never went to one of his town hall meetings down at the courthouse on the square because I felt like he was doing a very good job for those constituents in east Texas, including myself. He was a strong defender of the military, very strong on what we call Texas values. He worked quite a bit on the Big Thicket in east Texas. He was an environmentalist ahead of his time.

When I got elected in 1984, I made it a point to get to know Congressman Wilson, or Charlie Wilson, because I had been his constituent and I knew of his reputation. I just felt like he would be a good guy to get to know. And he was. He was a really, really good person. When his mother died, I felt as a

courtesy that I should attend the funeral so that there would be some Texas Congressmen at his mother's funeral in Trinity, Texas. As it turned out, I was the only Congressman that attended. I went up to him. And we didn't really know each other that well, but I said, Charlie, I'm here if you need me to do anything. I didn't really know your mother very well, but I know she must have been a good woman if you were her son. And he never forgot that. From then on, anything I needed from Congressman Wilson, if he could do it, he did it. But he also asked you things.

I will never forget out on the steps of the Capitol one time he came up to me and he said, JOE I need a favor. I said, What is it, Charlie? He said, Well, I need a Republican sponsor for an amendment in the Appropriations Committee. I said, Okay. What is it? He said, I can't tell you. I said, Well, how much money is it? He said, I can't tell you. I said, Well, how many years is it? He said, I can't tell you. I said, Well what can you tell me? He said, If you do this for me, I will do almost anything you want in the Appropriations Committee for you. So I didn't know. To this day, I don't know what that amendment was. But after reading some of the history of that time and that era, my assumption is that I was the Republican sponsor of an amendment that got funding for the black box programs in Afghanistan for Stinger missiles. Now I don't know that, Madam Speaker, but that's kind of the way he operated.

Another story I can tell you is that I was standing here back behind the rail one afternoon and we had a series of votes going on, and Charlie came up to me and he said, What are you doing in a month or so? I said, I don't know. He said, Well, I'm going to take a little trip. I said, Where are you going? He said, We'll go anywhere you want to go. I said, Where do you want to go? He said, Well, I have to go to Afghanistan, and I have to go to Morocco. And if you'll come with me, after that we'll go anywhere you want to go. I said, Well, I'll think about it. Well, I asked my chief of staff and she said no. I asked my wife, and she said no. So then I had to tell Congressman Wilson that I couldn't go. That's the trip that he took the Miss World on where he ended up going to Afghanistan.

Another story that I can tell you is that a couple of us Congressmen were walking down the street one day, and we saw Congressman Wilson walking over to the Capitol, and he had this very strikingly beautiful young woman that he was walking with. Congressman DAN BURTON said, Charlie, that woman is as pretty as Miss Universe. And he says, It is Miss Universe. And it was.

He also loved cats—I mean the four-legged cats. They ran all over his office and all over the Rayburn building on the floor. As far as I know, House Administration never chastised him. When you walked into his office, right after Afghanistan, he had a live Stinger missile. He was very proud of that.

I see that my time is about to expire. So for all of his family members and constituents, there were a lot of Republicans that loved Charlie Wilson. He will be missed. He was a great patriot, a great son of Texas, and somebody that those who knew him, he was very, very loyal to. So God bless Charlie Wilson and his family.

□ 2000

The SPEAKER pro tempore (Mr. SCHRADER). 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.)

REMEMBERING REPRESENTATIVE CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. EDWARDS) is recognized for 5 minutes.

Mr. EDWARDS of Texas. Mr. Speaker, I rise tonight to pay respects to my former colleague and friend, Texas Congressman Charlie Wilson. Charlie Wilson was bigger than life, and he was as real as the Texas day is long. I considered it a privilege and a joy to know him as a colleague and as a friend. Most Americans will forever know Charlie Wilson from the movie ''Charlie Wilson's War.'' I have been asked by people who knew that I knew and served with Charlie whether he was really as colorful as he was portrayed to be in that movie. My answer is that that movie was the only time ever that Hollywood had to tone down reality in order to make it believable.

I have no idea whether Charlie ever read Shakespeare, but whether he did or not, the truth is, he personified Polonius' wise observation in Hamlet: ''This above all: To thine own self be true, And it must follow, as the night the day, Thou canst not then be false to any man.'' It makes me wonder if somehow Polonius didn't know Charlie Wilson.

Charlie Wilson was not false to any man, any person or any constituent, not ever. He was the real thing, and I think in this sometimes cynical world, that is what all of us blessed to know him as a friend found so very endearing about him. In fact, Mr. Speaker, a number of Charlie's former colleagues who had served with him, members of the Texas delegation, have asked that we include their remarks with respect to Charlie, his life and his spirit.

Also, Mr. Speaker, I would like to insert into the RECORD the remarks of Ralph Hall who also served many years with Charlie, and I would only just summarize one statement made by Ralph about his good friend Charlie. He said, He was a courageous and kind man with a strong sense of justice that compelled him to work for the good of others.

The SPEAKER pro tempore. The gentleman's request will be covered under general leave.

Mr. EDWARDS of Texas. Thank you.

While he was known as Good Time Charlie—and yes, he did enjoy life—the truth is that Charlie Wilson spent his entire adult life in the serious business of public service to our Nation. He graduated from the Naval Academy and then served our Nation as a lieutenant and as a naval intelligence officer. At the age of 27, he was elected to the Texas legislature where he was known as the liberal from Lufkin, supporting such progressive causes as the minimum wage, Medicaid, and the Equal Rights Amendment.

In 1972, he was elected to Congress where he became known as a champion of a strong national defense, a friend of average working families, and yes, someone who played a key role in bringing down the Communist Soviet Union. Who would have ever guessed, my friends and colleagues from Texas, that Charles Hazard of Trinity, Texas, many years ago, killing his 13-year-old neighbor's dog, would lead to the mighty Soviet Union falling someday. History is an interesting thing, and Charlie Wilson certainly will always be a part of it, as playing a key role in one of the most monumental achievements in our Nation's history.

Charlie Wilson did what every one of us, Republican or Democrat, would dream to do and would dream that it be said about us at the end of our public service careers: Charlie Wilson made a difference. He made a difference for his State of Texas, for his beloved constituents in east Texas. He made a difference for America, and, yes, he made a difference for the world.

To his widow, Barbara, and to his sister, my dear friend Sharon Allison in my hometown of Waco, Texas, I hope they know that our thoughts and prayers are with them. I thank you and your family for sharing with us and for sharing with the world this great treasure that God brought into this world. His spirit will be with us always. May God bless Charlie Wilson and the great land that he loved.

Mr. HALL of Texas. Mr. Speaker, I'd like to take a few minutes to remember a patriot, a great Texan, and a great friend, Charlie Wilson. I had the pleasure of serving with Charlie in the Texas State Senate and then in the House for another 17 years, and though we didn't see eye to eye on every issue, it was not often we disagreed.

Charlie was a courageous and kind man with a strong sense of justice that compelled him to work for the good of others. I think that, more than anything else, will be the enduring part of his legacy. He decided to commit his energy, and the efforts of this country, to helping the Afghani people against the Soviets, not just because it was the Cold War and it was us versus them, but because he saw the atrocities committed against the Afghani people and he knew that the United States could

not sit by and just allow it to happen. It was actions like that and his dedication to American values that ultimately helped President Reagan bring down the wall between East and West and bring democracy to so much more of the world.

Charlie was also known for his ability to party, and it is true that he knew how to have a good time. He was married earlier in his life before coming up here to Washington, and I remember once, he had been dating this Russian beauty, and there were loud talks and rumors in the tabloids that wedding bells were inevitable, and then one day I woke up and the headlines read that the matrimony was off. So I asked him what happened, and he said to me, "Ralph, you knew I wasn't going to marry that girl," and I said, "Charlie, how was I supposed to know that?" And he said, "You ever see a three legged fox get near a trap again?"

Well, he was a wise old fox indeed and managed, himself, to trap the love of his life, the beautiful Barbara Alberstadt, and she blessed the last 11 years of Charlie's life. We're all sad that he's gone, but I for one am proud to have served in this Congress with such an outstanding man, Charlie Wilson.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING REPRESENTATIVE CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, I do rise in tribute to Charlie Wilson. He was a constituent of mine. He was an inspiration to me. For those that don't know, he was born in Trinity, Texas, and had education at Sam Houston State University, but he also attended the U.S. Naval Academy. He loved this country. He was willing to lay down his life for this country.

Between 1956 and 1960, Charlie Wilson served in the United States Navy, obtained the rank of lieutenant, and the man knew about defending America. It was a part of his heart and soul and was something he carried with him throughout his life. His political career began in 1960 when he was elected to the Texas House of Representatives. And as my friend Mr. EDWARDS mentioned, the official version is that it began in 1960 when he was elected to the House of Representatives in Texas, but actually, it did begin when his neighbor poisoned his dog, and Charlie got so active as a young high school kid that he started taking people to the polls to make sure there were enough people to defeat the man that poisoned his dog. That was really his start in politics. But he saw what one person could do if they were determined enough and sincere enough and gave it their all.

But to give a little more of his history, he served in the Texas House of Representatives for 6 years and was then elected to the Texas Senate in 1960. Then in 1972, the Second Congressional District of Texas elected Charlie to the U.S. House of Representatives. And it wasn't until 1996 that he decided not to run again. The slogan that he used throughout his campaign—it really pretty well summarized the man, "Wilson gets it done," and Charlie did.

He is from what some people call the Bible Belt, and what I've heard from constituents many times is, Yes, we knew about Charlie's issues, but the thing about Charlie, he was always honest about them. And I will never forget when we were naming the VA clinic for the man who is the reason it's in Lufkin, Texas. The VA Secretary came and he spoke, and then I had the honor of introducing Charlie, and Charlie got up and he was really emotional. He told the crowd there—there was a huge crowd there that assembled in his honor there at the civic center—and he said very emotionally, I love you people. Sixteen times you overlooked my personal indiscretions and allowed me to represent you.

Now, there are not many politicians that would stand up and say, You overlooked my personal indiscretions 16 times and let me represent you, but Charlie did. That was Charlie, and he made no bones about who he was or what he was.

And in fact, when Tip O'Neill had put him on the Ethics Committee and a reporter said, Well, what are you doing on the Ethics Committee? He responded a famous quote: "Well, I love women, and I love whiskey, and we deserve to be represented on that committee too." He made no bones about it. His constituents loved him. He was always honest about things, and that goes so far, and everyone should take notice of that fact, that America loves people who are honest with them. He took care of his seniors. I heard that over and over. You know, Charlie Wilson took care of those who couldn't take care of themselves. And it was one of the reasons that people loved him in east Texas, and it's one of the things that inspires me, having seen what he did.

You know, here I was a Republican, he was a Democrat. He always made time if I had questions: What do you think about Afghanistan? Because nobody knew more about Afghanistan than Charlie. He always had sage advice, and I really appreciated that. And I would like to also quote Jim Turner that followed Charlie in Congress. Jim described him as a dedicated public servant who fought hard for the people of his district.

And I would just like to also pay tribute—and I know that Barbara, his widow, is still mourning his loss and will for a long time to come. Barbara Wilson made a difference in Charlie's life. Barbara sustained and prolonged Charlie's life. He loved her. He loved her family. They loved him. And she made a difference in his life, just as he made a difference in this country. Just as Charlie showed what one man can do when he puts his mind to it, this body ought to always be inspired by the memory of the great, late Charlie Wilson.

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.)

REMEMBERING REPRESENTATIVE CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. AL GREEN) is recognized for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I did not know Charlie Wilson, but I know friends of Charlie Wilson, and based upon what his friends say, he was truly a remarkable person. I admire people who march to the beat of a different drummer. I admire people who are original, who do things in a very good way, but they do the things that they do in their very own way.

It appears that Charlie Wilson was such a person. While he could easily have been a great Congressperson representing the people of his district and not traveling abroad, he took it upon himself to not only help the people of Afghanistan but to go there and be a part of it and to actually take others into Afghanistan as well to help people with a resistance movement. He marched to the beat of a different drummer. He did not allow the circumstances of what we call "the norm" to prevent him from doing unusual things in a most significant way.

I regret that I did not have the opportunity to meet him, because I believe that such a person has a positive impact on the lives around him; and as I listen to his friends speak so highly of what he was able to do here in the Congress of the United States of America, I only can say, Charlie, I didn't have an opportunity to meet you on this side, but I know that at some point, I'll have an opportunity to meet you, and I want you to share some of those many stories with me.

You have been a friend of this country, and this country loves you. God bless you, Charlie. I know that wherever you are, there's a good time being had.

OUR FUTURE IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Mr. Speaker, this afternoon we had a serious and earnest

debate about our future role in Afghanistan. I firmly believe that there are respectful differences of opinion on this war, and that support for a war is not a litmus test for one's support for America. However, I'm grateful that this House has overwhelmingly rejected running from America's vital interests and the people of Afghanistan.

Our debate today presented a stark choice to Members, quite literally, to stay or to go in Afghanistan. It is one in which there is no middle ground, no hedging, no fudging. In the most unequivocal terms I can muster, I resolutely oppose our retreat from Afghanistan.

Mr. Speaker, more times than I can count in the past few years, we have been reminded that the war in Afghanistan was the good war, that it was the war of necessity over the war of choice. I stand here today to remind my colleagues of their many statements in that regard. We did not seek this war. Our enemy sought us out. We did not march into Afghanistan for profit or pleasure or plunder. We went to ensure that Afghani soil is never again used to wage war or terrorize civilians.

We did not ask for this war; but now that it's come, we cannot loosen the amount of responsibility that we have taken up. To be certain, our goals in Afghanistan are difficult. Continuing to forge a partnership with the Afghanis will take military might, diplomatic finesse, and our hard-earned taxpayers to succeed.

□ 2015

However, these are costs that we must bear and should bear. The President and our military leadership understand the seriousness of our task. Time and again in speeches and testimony and interviews they have repeated that Afghanistan is the epicenter of Islamic extremism, and that defeating al Qaeda in central Asia is essential to securing peace both in the region and here at home.

Our partners in bringing peace to Afghanistan are the Afghan people themselves. It is their homes that have been destroyed and their children who have perished in 30 years of war. Yet these beaten and downtrodden people have stood next to our soldiers to fight for their future and their country because we told them that we will help them bring order to the chaos of their homeland.

Many of my colleagues have discussed the costs of war, and they are right to consider what we have paid in blood and treasure to fight this fight. However, they have failed to weigh what giving up would cost us. Practically speaking, to retreat today means the Afghan central government will fail. When it fails, the Taliban will return to reclaim what was theirs and again plunge the country into the despotic darkness of blind religious zealotry. The Taliban will welcome home radical Islamic jihadists back to their soil to again plan their acts of murder and destruction. They will also expand their fight to the tribal areas of Pakistan, which has the potential to destabilize a nuclear power, and inflame the simmering tension between Pakistan and India, another nuclear power.

While it is relatively easy to estimate what we have spent so far and what we will spend in the coming years in Afghanistan, it is impossible to know the value of the calamities that have been prevented because we remain. There is no value that can be put on the growth of a civil society, no cost that can be put on stabilizing Pakistan, and no price that can be put on the recent rapprochement of Pakistan and India. Failure in these developments will hurt our national security, yet a retreat will make them more likely.

I believe, as we all do, that Americans want peace above all else. None of us desires our friends and families to be deployed overseas, battling among the rocks and caves of the foreign countryside. However, peace will not come until our enemies end their drive for our destruction. Until that day, talk of leaving Afghanistan means only that our enemies will bring the fight back to us.

There can be no peace in Afghanistan without a cessation of hostilities. Whether we leave today, tomorrow, or at the end of this year, this war does not end simply because we choose not to be engaged in it. The Taliban will return. With their return, they will expand their efforts to destabilize our ally Pakistan, and again provide sanctuary for radical Islamic jihadists who will continue to try to murder Americans in the name of their faith.

Mr. Speaker, I hope and pray fervently for a day when our Armed Forces do come home. However, until our enemies lay down their arms and give up their fight to destroy our civilization, our military must remain out there on the wall, doing their duty to uphold America's democracy and our safety.

That we have spent so much time today discussing abandoning our allies deeply saddens me. Halfway around the world I know that our Afghan partners were watching what was said and trying to divine our intent by holding this debate. It is my firm hope that they see today's vote for what it is, the unqualified, overwhelming voice of the House of Representatives announcing that we will not abandon our friends in their deepest hour of need.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

(Mr. GONZALEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CUELLAR) is recognized for 5 minutes.

(Mr. CUELLAR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to celebrate the life and honor the accomplishments of Congressman Charlie Wilson who passed away on February 10, 2010.

Charlie Wilson was a remarkable Congressman, and in his time in the U.S. House of Representatives, he worked diligently for his constituents in East Texas. During his tenure in the House, he gained a seat on the House Appropriations Committee and through his position on the Subcommittee on Defense, he helped to fund the Afghan Mujahideen during the Soviet War in Afghanistan. Additionally, his support for progressive politics led him to be an advocate for the Equal Rights Amendment, a minimum wage bill, and Medicaid.

All of these actions have garnered Congressman Wilson a place in the history books, but it was his personality that earned him a place in the hearts of so many people across Texas. When everything was said and done, we all knew that his deepest concern was for the people of his district in East Texas, and as a fellow Texas Democrat, I am privileged to have served with him. His love for life will reverberate through the halls of Congress for years to come, and he will be truly missed by his fellow Texans, and especially me.

Mr. Speaker, Texas has lost a great leader and legislator with the passing of Congressman Wilson, and I ask my fellow colleagues to join me today in honoring his memory.

ECONOMIC RECOVERY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. CHU) is recognized for 60 minutes as the designee of the majority leader.

Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. BOCCIERI) is recognized for the remainder of the hour.

Mr. BOCCIERI. Thank you, Mr. Speaker. Sorry for the confusion this evening.

Tonight I am joined by several of my colleagues from around the country who want to talk to you about the economy and how we are working hard here in Congress to set the record straight, but also, more importantly, to put our people back to work.

If you remember when we took office, Mr. Speaker, we were suffering from one of the worst recessions since the Great Depression. In fact, many have called this the Great Recession. And ironically, of all commercials, there is a contemporary insurance commercial out on the airwaves today that says, ''How will we remember the time and our experience? Will we remember this time as the great recession or the recession that made us great?'' I think

tonight you are going to hear from my colleagues who say that we are going to be remembered for the recession that will once again make this country as great as it has been in the past by focusing on real things, real challenges, and offering up real solutions.

When we took office, Mr. Speaker, the economy was in freefall. We didn't know where we were going to land. Record job losses were across the airwaves, people were standing in lines waiting for unemployment checks, and we found out that it was the most significant job loss since the Great Depression.

Record job losses. We didn't know where the economy was going to fall. Two undeclared, unfunded wars. A banking system in chaos. Greed on Wall Street. It was a perfect prescription for a perfect storm, and one that has led us to where we now have enormous challenges in front of us. The job market was losing 750,000 jobs a month, and unemployment was climbing just as fast. The economy was contracting at a rate of over 6 percent, the worst in decades. Foreclosures were at record levels. Home prices had plummeted by 30 percent. The decline of home prices, stock values, pensions and other retirement plans had cost American households over $10 trillion in wealth.

In fact, since the Great Recession had started, Mr. Speaker, since 2007, Americans' wealth had plummeted by $17.5 trillion according to the Federal Reserve. Seventeen and a half trillion dollars of loss of wealth since the recession started in June of 2007. It didn't start to pick up until the American Recovery and Reinvestment Act.

Now, we have heard a lot of hype about the American Recovery and Reinvestment Act. We heard a lot about the fact that this was the largest investment of capital in our Nation's history. We have heard a lot about the fact that this was the largest tax reduction in our country's history. Faced with this economic meltdown that we were handed when we walked into the door here in the 111th Congress, it required swift action.

Mr. Speaker, I believe that Members of Congress will be judged by two measures: by action or inaction. And the Congress took swift action to act as a backstop against further job loss, to create some jobs along the way. That is what the stimulus was about. And every economic expert you speak to today says that this brought us back from the brink of a great depression.

So I want to tell those detractors today that it wasn't until we enacted the stimulus bill, the American Recovery and Reinvestment Act, that Americans' wealth started to grow again. And in fact we see pensions are starting to climb, we see the fact that Americans' IRAs and 401(k)s are back on the path towards prosperity, and in fact we have recognized a $5 trillion recovery since the American Recovery and Reinvestment Act, the stimulus.

We are starting to create jobs, albeit not at the pace that I would like to see. But we have to understand the ditch that we are trying to climb out of. And I want to say to you that while we see manufacturing increasing, while we see home sales increasing, we need to see more and more people get back to work. And that is what my colleagues are focusing on here today.

Around the world over the last century the typical financial crisis caused jobless rates to rise almost 5 years, according to the economist Carmen Reinhart. Over the timeline our rate would still be rising by early 2012. And as Ben Bernanke and Henry Paulson, who were both Republicans, said, that many others warned in 2008 if dramatic action was not taken to break back the recession, the United States could spiral into another Great Depression. These are experts. These are economists. These are people who have distinction and recognition all around the world. It is important that we recognize that we had to take swift action here.

In the fourth quarter of 2009, the economy grew by almost 6 percent. Six percent. Job losses for the fourth quarter in 2009 were one-seventh of what they were when we took office, Mr. Speaker. The nonpartisan Center for Budget and Policy Priorities said that the American Recovery and Reinvestment Act kept more than 6 million Americans out of poverty and reduced the severity of poverty for more than 33 million more.

Can you imagine what it would be like if we didn't enact a robust policy to extend unemployment benefits, to extend coverage for health care so folks could keep their health care during this time of great need? Could you imagine if we didn't help our people what kind of condition we would find the people that we represent?

Well, it is disappointing because the challenges that confront us, Mr. Speaker, aren't Democrat or Republican challenges. They are not conservative or liberal challenges. They are not even moderate challenges. They are American challenges. And it is so frustrating to me that we have got to find the courage to stand up and confront these together. That is why I am so disappointed in my colleagues who didn't lend their support to help America recover in her greatest time of need.

□ 2030

A few more facts before I ask some of my colleagues to be recognized here.

According to economists polled in a recent USA Today survey, unemployment would have hit 10.8 percent higher than December's 10 percent rate without the Recovery Act. The difference would have translated into another 1.2 million jobs lost. These problems were years in the making, and they are not going to be fixed overnight. In fact, I can argue it is a decade of failed economic policies that have led us here.

A lot of our colleagues on the other side like to talk about the national debt. You know, when President Clinton left office, our country was facing a $5.6 trillion surplus, a $5.6 trillion surplus, and when President Bush left office, we were facing almost a $13 trillion deficit. So it is very clear that after two tax cuts to the wealthiest among us, after two undeclared, unfunded wars and a prescription drug plan that left a huge doughnut hole for average working families and seniors, we have a deficit now that has put us on the brink. And that's why we had a quick reaction and that is why we passed the American Recovery Act.

Now I want to call on my colleague from California, because she is going to talk about how this has impacted one of the largest States in the country, and I yield to the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I am proud to be a member of the Democratic Congressional Jobs Working Group. Together, we are proposing solutions to our job crisis. In fact, one of those proposals is H.R. 4564, the Emergency Jobs Program and Assistance for Families Act. This bill extends an extremely successful employment program that we call Jobs NOW. It has created over 156,000 jobs over 29 States and is still developing more.

In Palmdale, California, Jobs NOW helped Jody, a single mother of two, find a job at a local coffeehouse working as a barista. The regular paycheck puts food on the table and is helping her get through a rough patch. Her boss is impressed with her work and plans to permanently hire her and the other three subsidized employees they brought in. It is this kind of success story that makes Jobs NOW such a model for job creation. Without it, the coffeehouse would not have been able to grow its business or take on new employees. Jody would not have had a chance to learn new skills and support her family.

I first learned of this innovative program in Los Angeles County. One of the supervisors, Don Knabe, created 11,000 jobs over the last year, using stimulus funds to create subsidized jobs.

How does it work? Eligible participants are placed into subsidized jobs in all sectors of the economy, from nonprofits to government agencies to private businesses, and are matched with jobs that complement their employment goals. The employer must provide supervision equal to 20 percent of the wage cost and ensure that the job does not displace an existing employee or replace someone who was to be promoted. This means the county is paying for 80 percent or more of payroll costs in Recovery Act funds.

Some examples of these jobs include park rangers, receptionists, teacher assistants, dental assistant trainees, customer service clerks, and child care workers. Workers get paid $10 per hour for up to 40 hours per week. Jobs NOW allows businesses to succeed and the employee to succeed.

I have spoken to countless people in my district about this program, and I keep hearing about how this program is a win/win. It works for both workers and businesses. Workers benefit beyond the paycheck by getting hands-on experience in a setting where they earn wages, develop new skills, and enhance existing skills. Businesses benefit by getting the help they need to grow or expand while temporarily reducing payroll costs. Companies may ultimately decide to hire these subsidized workers permanently as the economy improves. The jobs generated by this program can help businesses expand in these difficult times by reducing their economic risk and need for expensive loans.

California is leading the Nation in creating these subsidized jobs. For instance, V-Cube, a high-tech firm in Torrance, California, hired two subsidized employees with very little experience. Very quickly, these two employees showed they were motivated and quick to learn. Now one of the employees runs Web seminars and the other is a project coordinator. It is only through Jobs NOW that V-Cube and other businesses feel secure in taking on new workers in this economic environment.

You can see that across California, in this map here, many, many jobs were created. In Fresno, 1,000 jobs were created. In San Francisco, over 1,500 jobs were created. In Los Angeles, an astonishing 11,000 jobs were created by the country's Jobs NOW program in less than a year. The State predicts that 25,000 jobs will be created through the Jobs NOW program by the end of present funding.

However, we must act quickly or the job placements will stop when the program expires on September 30. Because subsidized employment programs often run for at least 6 months, many localities are planning to discontinue their jobs program between March and June of this year in anticipation of the emergency funds expiration date. Almost 60,000 jobs will disappear if the fund expires.

In California, L.A. County will stop placing participants in new jobs in June. San Bernardino County has to stop creating new jobs in April. Sacramento County will stop putting people in 6-month-long jobs in March. It will pay people for shorter periods until June 2010, and then stop the program altogether.

But the full amount of funding has yet to be claimed by the States. The Recovery Act authorized $5 billion for Jobs NOW employment subsidization programs, but actually less than $1.5 billion has been accessed by the States. And the program is still in the process of expanding. That's why I am proposing, along with the gentleman from Washington (Mr. MCDERMOTT), a bill that will allow more States to help residents get back on their feet and into a job.

In fact, all across the country there have been programs such as this. We can see that all across the country in the dark green spots there have been successful programs.

In Tennessee, the State focused on rural Perry County, which was hard hit by a plant closure. The unemployment rate had risen to 27 percent. Tennessee brought local workforce development and human service agencies and the business community together and developed a subsidized employment program for over 500 individuals.

In Mississippi, the State has developed the Steps Program, which uses Jobs NOW money to create private sector jobs that transition into permanent employment. The State begins by funding all of the wages of a new employee and steadily reduces its commitment until the business can support the employee on its own.

As you can see, 29 States across the country have implemented programs that created subsidized jobs, and even more want to jump on the bandwagon. That's why people on each side of the aisle are in strong support of this proposal. President Obama is a strong supporter. Besides its funding in the Recovery Act, he has proposed a $2.5 billion increase and a year-long extension for this upcoming year's budget.

But it is not just the President who thinks this is a good idea; there is deep bipartisan support. The American Enterprise Institute's Kevin Hassett recently wrote in Business Week that this program should be renewed and said, ''Given the state of the labor market, it is hard to imagine how any sensible person could oppose such a move.''

Jobs NOW allows States to be in the driver's seat for this program, and that is why the National Governors Association also supports this, urging Congress to pass an extension because of the outsized benefits to the States.

The human cost of the recession has been high. It is easy to think of unemployment in terms of numbers and statistics, but numbers cannot describe the anxiety and fear a person feels when they are unemployed. Numbers can't show the hope and pride a person feels when they find a job.

I was moved by the words of Ms. Taylor in Los Angeles about the Jobs NOW program and its effect on her life. Ms. Taylor is a mother of two children, one with autism. She has been living on her aunt's couch because she couldn't find work. Because of a job through Jobs NOW, she was able to get back on her feet and into her own apartment. She told California Social Services, ''You guys gave me a chance when the whole world seemed like they were saying 'No, not this time.' Without this program, I could not have paid my rent, and my babies and I would be on the streets.''

She is not the only one. There are millions of economically disadvantaged people on the front lines of this economy. They are struggling every day. The Jobs NOW emergency fund gives them a chance to find work and start moving towards a future. It helps businesses expand in these tough times.

I strongly urge the House leadership and my colleagues not to forget the thousands of people who need this help. We must pass H.R. 4564 for Jobs NOW.

Mr. BOCCIERI. I thank the gentlelady from California who made some very compelling arguments about why California needs to have this investment.

While we are joined by several of my colleagues tonight, let me just say a little bit about what we are doing to create jobs in Ohio.

In Ohio's 16th Congressional District, we have had some good news recently. Rolls Royce, an international company, has announced that they are going to move their fuel cell research from Singapore to Stark County, Ohio. They are going to expand their fuel cell research and development activities, investing $3 million in equipment, creating up to 60 jobs and retaining 32, while offering apprenticeship and training programs with the local college.

Barbasol Shaving Cream invested $7.2 million to buy land and a new plant in Ashland, Ohio; a 78,000-square-foot plant to start, 30 new employees, and grow up to about 75.

Scotts Miracle-Gro is opening a manufacturing plant in Orrville, where they are expected to create nearly a hundred jobs in the next several months.

Shearer's Foods, they make potato chips, and they are mighty good, I might add. They broke ground earlier this summer to build a new production facility in Massillon's Northeast Commercial Park. They will hire as many as a hundred employees in the first phase of development. These are the type of success stories that have been helped, if not augmented, by the efforts of the American Recovery and Reinvestment Act.

With that, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentleman from Ohio for his leadership in bringing us together to make sure that we can discuss the importance of creating jobs. As we discuss jobs, I think it is important that we put our job efforts in perspective, because a little over a year ago when this administration came into office, we were losing jobs at the rate of over 700,000 per month, every month; 700,000 jobs a month. And we reacted to it by passing the American Recovery and Reinvestment Act, and we have slowly made progress, losing fewer and fewer jobs every month. But that is obviously not sufficient. We have to do better than that. But we have to put this in perspective. We were losing all of those jobs, and we found ourselves not only in the ditch with the economy, but also in the ditch with the Federal budget. We had a huge deficit which limited our ability to respond to this challenge.

We are also shooting at a moving target. Just this week, the Virginia Legislature, my home State of Virginia, will pass a budget that will cut approximately $4 billion out of the budget. Virginia is about 2 percent of the population, $4 billion. California is cutting $20 billion out of their budget, a little over 10 percent of the population. If you extrapolate that nationally, that is about $200 billion that the States will be cutting out of their budgets this year on top of about $300 billion to $350 billion that they cut last year. So that is $500 billion that would have been cut out of budgets in the last 2 years. So the first $500 billion of job creation that we do will do nothing but just hire the people who have been laid off on the State level.

So as much we are doing on the Federal level, it is obvious that we are shooting at a moving target. States are laying off people as fast as they can, and our job is to make sure that we try to create jobs.

Part of the Federal investment will help States retain some of their critical employees, particularly the public safety first responders and teachers. The American Recovery and Reinvestment Act made significant reinvestments in funding States and helping with their health care and other critical needs so that they would not have to lay off as many as they were doing.

□ 2045

But obviously some of the major investments I think that are doing the most good are those that were made in infrastructure and transportation. We still have a 10 percent unemployment rate, so obviously a lot has to be done. And it's those investments in infrastructure and transportation that can be the most effective in creating jobs.

When responding to a recession, we use the shorthand of three Ts: We want the response to be timely, targeted, and temporary. Timely because sooner or later the recession is going to be over even if we don't do anything, so we want to make sure we take timely action. Targeted—you want to put the money where it's most needed, people that are out of work and people that will actually spend the money to help stimulate the economy. So it has to be targeted. And it is temporary. When we recover from the recession, we don't want to be stuck with ongoing programs and expenses that we will have to continue to fund.

Transportation and infrastructure projects fulfill the three Ts for a successful stimulus plan; they are timely, targeted and temporary. They're timely. We are aiming at programs that are shovel ready, ready to go, no environmental needed, nothing else needed, no architectural anything, ready to go. We are targeted at industries that are most in need. The construction industry in many States has unemployment rates of 25 percent or more. And it's temporary. When you fund a project, when the project is completed, you stop spending the money. When you finish building the school, you don't have to spend any more money. It's not like you would set up a program where you would have to continue paying salaries on and on and on.

The Recovery Act, for example, put money into transit systems. Throughout the Nation, transit systems are cutting back on employment. St. Louis, for example, eliminated 25 percent of its workforce and cut services by 17 percent. Chicago laid off 1,000 workers. And so investments in the transit systems are areas where we can make timely and targeted investments.

Across the Nation these are necessary projects. Across the Nation, 78 metropolitan areas have identified over $240 billion in needed transit investments that need to be done. These jobs not only put people back to work, they complete needed projects. Now, these investments are also very effective in creating jobs. For every $1 billion the Federal Government puts in infrastructure the economic activity is about $6 billion and about 35,000 jobs are created.

Now, we need these projects, and we found that a lot of them are ready to go now. The Public Transportation Association identified $15 billion worth of projects that are ready to go. As soon as we fund them they are ready to go. Highway associations across the country identified 7,000 ready-to-go highway projects and bridge projects, almost $50 billion ready to go. As soon as we come up with the money, they can go. And so not only are these projects needed, they can be timely and they can put people to work. We have found that when we fund a construction project, when it's ready to go, the contractors can hire the employees within a couple of weeks, and they're on the job right then. So we have timely projects that are ready to go. We have put money into it. Two-thirds of the projects that have been funded, the construction has already started.

We have more work to do. We still have a 10 percent unemployment rate because the States are still laying people off, so we still have to keep creating jobs. I am happy to report that today the gentleman from California (Mr. MILLER), the chairman of the Education and Labor Committee, has introduced a bill with significant new investments in infrastructure and transportation. These will make sure that we will have these workers on the job in very short order.

The Miller jobs bill will create jobs quickly and efficiently. As States continue to lay people off, we need to make sure that we are creating as many jobs as we possibly can on the Federal level. We should give the Miller jobs bill quick consideration so that jobs can be created when they are needed, and that's right now.

So I thank you. I would like to thank the gentleman from Ohio for bringing us together, for talking about jobs and encouraging us to continue doing what we need to do to create jobs and end the unemployment problems that we're having today.

Mr. BOCCIERI. Well, I thank the senior gentleman from Virginia.

I just want to be clear about your chart. It looks as if we stabilized the job losses in this country and started to grow them again after the Recovery Act was passed.

Mr. SCOTT of Virginia. The Recovery Act was passed right down here, and since then we have been making progress. But losing fewer jobs is not good enough. We need to continue this chart. In short order, we will be creating hundreds of thousands of jobs, putting people back to work. Those who have lost their jobs need to be rehired. We need to create about 100,000 jobs a month just to keep up with the population growth. So this chart is just the beginning. By the middle of this year we hope to be well into the plus, creating jobs, hiring people, and bringing people back from the unemployment lines.

Mr. BOCCIERI. Well, these are exciting numbers. We have got to get people back to work. And I concur with the gentleman from Virginia.

Let me revisit for just a moment exactly what the Recovery Act and the stimulus bill included.

Thirty-seven percent of the package was tax cuts. $288 billion was given to small businesses so that they could help grow and invest in our new economy. In my opinion, that is going to be our investment in energy. $288 billion was invested back so small businesses could start growing again and investing back.

Largest tax cut in America's history, largest tax cut for working middle class families. In fact, 95 percent of middle class families in our country got some tax relief through their employer. $144 billion, or 18 percent of the Recovery Act, was allocated to State and local fiscal relief. More than 90 percent of the State aid is going to help folks who are finding themselves on Medicaid rolls. Fighting to make sure that we didn't have double-digit increases in tuition across State universities and so that our local school districts could keep teachers hired and we could keep custodians in the building. This is very important, Mr. Speaker, that we understand that we help bring our economy back from the brink of a great recession.

As that contemporary commercial says today, How will we remember this time? How will we remember it? Will we remember it as the great recession or the recession that made us great? I think with these key investments into our people, into our workforce, and into our country, we are definitely making our country stronger.

I want to take a moment to recognize a distinguished gentleman that I have a lot of respect for. Not only do we share a common heritage, but we share a common belief that we should invest in our people, in our country, and in

our way of life. Congressman PASCRELL from New Jersey is a man who I have a lot of respect for, and I would like to yield him some time so that he can talk about exactly what we're doing to help put America back to work. Congressman PASCRELL, my friend, you have the floor.

Mr. PASCRELL. I thank the gentleman for yielding.

Mr. Speaker, if you look at the data, it is clear that since the start of the Obama administration and the passage of the Recovery Act—which you've heard depicted by the three former speakers—we are stemming the number of job losses per month; there is no doubt about that. But we need to do everything we can to actually start gaining jobs instead of just losing fewer. It would seem like the charts, it would seem by the facts that in the next several months we will see, finally, for the first time in several years a plus in terms of the creation of jobs.

The U.S. jobs deficit has reached millions. Our unemployment rate is 9.7 percent. That is an intolerable rate. The problem we are facing is how to address the shortfall in employment opportunities and articulate a new strategy that targets and engages our small businesses and American workers. Mr. Speaker, we simply need jobs.

Which brings me to what I think is the most obvious answer. It was obvious many years ago, it's obvious now: Our infrastructure. Our infrastructure is in disrepair. And it's not just our roads, and it's not just our bridges that are falling down. Earlier this year, the American Society of Civil Engineers gave the Nation's wastewater systems and water systems the lowest grade of any infrastructure category, a D-minus. I want to have our viewers in the House see this. This is a rotted water main pipe, much like the pipes in many of our districts and many of our communities. I like to call these the out-of-sight, out-of-mind pipes; you don't see them until you have a problem with your water main. But as we have learned over the last couple of years, just because our infrastructure needs are not visible doesn't mean that they are not deteriorating.

A quick look at the recent news headlines across the country illustrates the state of our water infrastructure, and I can only list a few because time does not permit: ''Franklin Water Main Break Closes Roads and Schools''; ''Boil your water,'' says Franklin, New Jersey''; ''Lancaster Water Main Breaks''; ''Sinkhole Swallows Car in California''; ''Water Main Break in Manhattan Causes Evacuations in Traffic, Subway Disruptions in New York City''; ''Water Main Break Cuts Off Water Service to the Medical Center in West Virginia.''

Here we have an illustration of the water main break on River Road in Bethesda, Maryland, watching people airlifted out of their cars. We're not making this stuff up; this is real. In metropolitan D.C. on Christmas Eve, 2008, it was quite a spectacle. One headline actually read, ''Water main break forces dramatic rescue of nine.'' The road literally exploded.

We cannot turn a blind eye to two realities: America needs jobs, and our infrastructure cannot put people to work fast enough. As a former mayor of Paterson, New Jersey, I understand the significance of local water and wastewater systems. A strong water infrastructure is essential to the community's public health and economic vitality.

The Environmental Protection Agency and the General Accounting Office estimate that community water systems will require $500 billion above their expected rate of investment in order to meet safe drinking water standards and sanitation needs just over the next 20 years.

As Congress struggles with historic deficits, I strongly believe that we must leverage private capital investment and look at options for public-private partnerships. That is what we are talking about this evening.

In order to encourage this possibility, I introduced the Sustainable Water Infrastructure Investment Act, H.R. 537, which will generate significant investment through the use of tax-exempt bonds for water infrastructure, and that is water and wastewater projects.

Congress already exempts airports, intercity rail, and solid waste disposal sites from those bond caps. My bill would remove water infrastructure projects from the cap as well.

By exempting water projects from the bond cap, we can get people working on the very projects to my right in 90 to 120 days. This isn't hot air; this is real relief. This is real jobs. Standard & Poor's estimates that $180 billion in new money infrastructure is available for investment. This capital cannot be deployed until a private activity bond cap exemption is crested.

□ 2100

This legislation aims to repair our crumbling water infrastructure while leveraging private capital to create jobs. Every dollar invested in public water and sewer infrastructure will add $8.97 to the national economy. This is a win-win situation. Economists estimate a $1 billion investment in water infrastructure will create 28,500 local jobs. You cannot in any manner, shape or form produce any other job plan that is going to do what this can do, because these are our needs. These need to be done because things are only going to get worse.

That pipe, which I showed you before, is not going to cleanse itself. It has led that pipe and many other pipes like it to this particular situation of people being airlifted, to rescue workers having to go to a particular community and, of course, to vehicles that have been raised in the air because of the explosion of our water mains.

This would be 28,500 jobs in 1 year. This is bipartisan legislation. Both sides of the aisle have signed onto this. It could put Americans in every State to work within 120 days of its enactment. It is time to focus on creating jobs and on building a strong infrastructure for future generations. Let's stop talking about what needs to get done, and let's actually get this done.

There are huge economic benefits that come with water and wastewater infrastructure projects. In fact, a recent study found that every $1 billion invested in water and wastewater infrastructure creates 27,000 new jobs with average annual earnings of more than $50,000. Each $1 billion invested generates approximately $82.4 million in State and local tax revenue at a time when States and localities need it most.

This chart shows how construction dollars ripple through local communities. Right here, an estimated 20,000 to 26,669 jobs can result from a national investment of $1 billion in water and wastewater infrastructure—everything from construction, to real estate, to retail, to legal services, to the management of companies and enterprises, to private households, and to maintenance and repair. This chart shows how these construction dollars ripple through our entire communities.

Let's face it: as of this unemployment situation that we are in today, 40 percent of those jobs will never return, and 40 percent of those jobs that have been lost—get this—are by people who have been out of work for more than 6 to 8 months. They will not return to those jobs. We need to invest with the private community in order to do things that must be done that communities cannot afford. We have found that every $1 billion invested in these projects creates jobs in 325 other industries, and they are listed.

I urge all of my colleagues on both sides of the aisle to take action to support this legislation and to push its passage for measures that will empower American workers and that will provide them with opportunities.

Eligible and essential public health and environmental projects approved for 2010 are waiting for funding. They are waiting for private and public investment, which we can leverage with a very small amount of money. The resulting jobs are important. In California, 285,000 jobs can be created and, in Illinois, 133,950 jobs. In New Jersey, $1.8 billion will mean 51,300 jobs on projects that are needed. In every State we go over, this is the case.

There are 60 different organizations which support this legislation—from engineers to waterworks associations, to equipment manufacturers—Caterpillar, Coca Cola, Design-Build Institute of America. There are 60 different organizations which support this bipartisan legislation that will create jobs and not hot air. We have had a lot of hot air in Washington. I think this legislation is what we need.

My good friend, Mr. BOCCIERI, I thank you for bringing us together tonight.

America needs jobs. This is our priority. I have presented an idea which, I hope, will be accepted. I hope that America can get back to work again. Our people need jobs—jobs that will be needed and that are needed so that we don't have to make work. Remember school? Make work. Keep the kids busy. These are things we need. We understand this, but we don't look at it because these waterworks, whether they are sewers, whether they are water or whether they are watersheds, are all mostly under the ground. It's not a romantic or a sexy thing to talk about, but I have presented to the House a way to put people to work. These jobs need to be done, and the private and public sectors must be brought together.

With that, I yield back. I thank you for allowing me to share in this important evening.

Mr. BOCCIERI. The gentleman from New Jersey has some very good ideas, which we have got to look at very seriously, about putting our country back to work and about long-term investments.

You know, I have often said that we have got to be the producers of wealth, not just the movers of wealth, and that we have got to build things here.

In 1950, over half the jobs in our country were in manufacturing. Today, one out of 10 of our jobs is in manufacturing. We are actually building. Some of that has been because of the fact that we have gained in productivity and because we have gained in efficiency. Yet we have still outsourced too many of our jobs. In States like New Jersey, Ohio, Pennsylvania, Michigan, and Illinois, we have seen some of those manufacturing jobs go overseas.

Our great trade imbalance that we have, the trade deficit that we have every year, is very troubling to me. We have a trade imbalance with China—$280 billion every year. We have a trade imbalance with oil-producing countries because they send $330 billion of oil over to the United States. Those two account for some of the largest imbalances our country has ever known in terms of our trade policy.

We know that 95 percent of the marketplace is outside the United States, and Ohio is leading the Nation. Some of our local municipalities have begun to start exporting some of their goods overseas, creating their own trade relationships. We need more help here from the American Government, from the Federal Government, so that States like Ohio, Virginia, New Jersey, and Pennsylvania can help make those needed investments into our local communities.

We have to be the producers of wealth. We have to build things again in this country. It's not only a matter of our economic security. It's a matter of our national security. That's why it is so key and strategic that the American Recovery and Reinvestment Act invests in our people, in our country and in our future, and that we also lay the groundwork for future prosperity by investing in energy.

Energy is a key component of our Nation's economy, but it is very troubling when we import 66 percent of our oil from overseas and 40 percent from the Middle East. We see that the largest user of energy in our country is our Nation's military. The Department of Defense is the largest user of energy in our country. So it is very key, not only to our economic interests but to our national security interests, that we move away from our dependence on foreign oil, that we invest and create jobs here that cannot be outsourced, and that we make sure that we put our people back to work. That's why it is so important that we make these needed investments.

According to Andrew Stettner, I have to say—he is a deputy director of the National Employment Law Center—14.9 million jobless Americans have been out of work for an average of 30 weeks, which is the highest level since the government began keeping those records in the 1950s. It is the highest record.

We have some on the other side who are suggesting that we shouldn't have extended unemployment benefits. I've even heard some who have had the audacity to say that we shouldn't be giving them government/taxpayer money because they don't want to work. Are you kidding me? We have millions of people out of work in this country who are now just being called back to work. In fact, some of my friends on the other side voted against an extension of unemployment benefits which would have helped 11,600 Ohioans who have found themselves struggling just to put bread on their tables for their families.

To me, we have got to invest in our people. If we can spend $1 trillion on war, we can spend money to invest in our people, in our country, and we can put Americans back to work.

I want to yield some time before we close today, Mr. Speaker, to a good friend of mine from Virginia, a gentleman who has the passion and vigor to take on the challenges of our great country, TOM PERRIELLO.

Congressman PERRIELLO, enlighten us for a few moments, sir.

Mr. PERRIELLO. Grazie to my paisan from Ohio. I appreciate that, and I appreciate your remarks on where we are with this economy, both with where we have come and with where we have to go.

I think both the present statistics in the history books will make clear that we have prevented a depression, which is no small feat; but I am not satisfied until we see robust economic growth that reemploys America. We should be willing to look back and say, Here is an opportunity, when we were going off a cliff into a depression, where we said, No, we will not allow that, not on our watch. We will make sure that that depression is prevented. Yet I'm not satisfied until we see the kind of job creation we need to see back on Main Street. We need to shift our focus from that speculation on Wall Street to that job creation on Main Street. These ideas are not Republican ideas or Democrat ideas. These are ideas about putting people back to work.

You know, in Ohio and I know in Virginia that we are right on the cusp of the summer construction season. We have an opportunity to start building again. Americans are ready to do it. Small businesses are ready to do it. Unfortunately, we are not going to see the housing starts pick up which many would like to see, but we know we can still build things. We can build our infrastructure, and we can retrofit our existing building stock. We have had a tool belt recession, and it is time to see growth in the tool belt sector.

These may not be the sexiest jobs to talk about in Washington or on Wall Street, but the fact is we must rebuild America's competitive advantage, and we must rebuild it one community at a time, one commonwealth at a time, one country, together, rebuilding our competitive advantage and putting people back to work. We have a chance to do that.

Now, most of the gentlemen on the other side of this building, down in the Senate, may be through this recession. The media elites may be through this recession, but working class America and middle class America are not through it. We have prevented the worst from happening, but we will not be satisfied until we see the kind of robust economic growth that will bring us back together. We will rebuild that competitive advantage, and we will need to do it in time for the summer construction season.

I appreciate all that you have done to keep that focus on jobs, jobs, jobs in Ohio, in Virginia, and around this country. We must be deadly focused on jobs, and we must do it with the urgency that does not miss the construction season ahead.

Mr. BOCCIERI. I agree with the gentleman from Virginia. We have seen almost a flip from a 6 percent job loss, when we began the 111th Congress in January of 2009, to nearly a 6 percent job growth in our gross domestic product. Yet we know that this is not about the GDP. This is about the j-o-b-s. We have got to put people back to work. That's why we are focusing on doing that.

There are some things that we have done for our small businesses, to help struggling small businesses stay open:

There is the net operating loss carryback. We have also extended tax credits for renewable energy production because, as my colleague and I know, the cheapest energy is the energy we never use. Small businesses can save a lot by writing that off. They can save by weathering their businesses and by weathering their homes. That's what is going to save money in the long term.

We are also going to give bonus appreciation, which extends to businesses

that are buying equipment, such as computers. It speeds up the appreciation through 2009. That is helping our small businesses write off those losses so that they can get folks back to work.

Mr. PERRIELLO. This is an opportunity. What we have made is the down payment on America's future. We know that jobs of the future are going to come in the energy sector and that they are going to come in research and development. We need the strong universities, and we need the strong infrastructure.

A year ago, we made a down payment, which is starting to pay off now in the kind of rebound that we are starting to see; but we cannot be satisfied, and we cannot take that foot off the gas. This is the time. Americans are ready to build.

Again, this should not be a partisan idea. We all have construction companies in our districts. We all have roads and bridges and water and sewer systems in our districts. We all have small businesses that help supply that construction sector. We must see that this can be a chance to come together and to understand the urgency of this moment.

We have made that down payment. Now it is time to start seeing that growth. We are going to do that, not by saying ''no'' to everything but by saying ''yes'' to America's future, by saying ''yes'' to America's competitive advantage. There are many in the top echelon of this country who have stopped believing that America can manufacture, that it can grow things, that it can be strong again.

□ 2115

Those include elites on the left and elites on the right. Well, they are wrong. America's working and middle class is still strong. If we invest in them, they will outcompete every country on Earth.

We can outcompete the rest the world, but only if we invest in education and workforce development, if we get a 21st century infrastructure, and we understand that two out of three new jobs in this country come from small businesses. Instead of bailing out the biggest businesses, it is time to reward and support the small businesses. They are the engine of innovation and growth. They are the civic leaders in our community.

That is what our agenda needs to be about. It is what we started on. It is what we must push forward, regardless of party line, and get America growing again.

Mr. BOCCIERI. Well, Mr. Speaker, he is exactly right. The gentleman from Virginia is exactly right that we have got to invest in our people, in our country, in our way of life. As that contemporary commercial says on the airwaves, Is this going to be remembered as the great recession or the recession that makes us great?

I believe that we can do this if we work together, if we invest in our people. Again, if we can spend $1 trillion on war, we can certainly spend money to make sure that we invest in our people and do the things that are going to set us on the track towards prosperity.

We are starting to begin to see the glimmers of light. We are starting to see the glimmers of hope that people once again are going to be on to a path of prosperity.

I want to thank the gentleman from Virginia, because he believes that our greatest days are still yet to come. We will be stronger, we will be more robust, and we will be smarter on how we handle these future downturns. This is the time that we cannot let go away from us. We have got to invest in our people, in our country, and that is why I am so proud of the gentleman from Virginia, who stands with me saying that we will again be the producers of wealth, not just the movers of wealth.

THE QUESTION OF HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Mr. Speaker, it is a pleasure to join you here once again as we get a chance to take a look at Special Orders, and also I am joined by some of my distinguished colleagues. We are going to be looking once again at a subject that has really absorbed the attention of Americans now for almost 9 months, the question of health care. It is still before us.

Today was a little bit of a unique day for me because the President came to my district in the St. Louis area, and he wanted to deliver speeches and tell everybody that they should vote for the health care bill.

He and I have a difference of opinion on the bill. I think his opinion is that if people just know more about this bill, they will like it. My opinion is the more we have looked at it, the more that people have taken a look at it publicly, the uglier they think it gets and the more they hate it. Fortunately, the poll data seems to be on my side, and the more you look at the bill, the more it seems it has problems with it.

We have, today, joining us some distinguished colleagues from all over the country. We have two doctors and an attorney, and just, I think, a businessman and an engineer. It almost sounds like the start of some sort of a joke. But this isn't a joke, unfortunately. This is a very serious subject, indeed.

So I am going to recognize Dr. BROUN from Georgia, a gentleman who has spent a lifetime practicing medicine and then got elected to Congress, and now he is trying to straighten things out. I am going to have him, followed by Dr. FLEMING as well.

So, Dr. BROUN, thank you for joining us tonight. Let's talks a little bit about this health care bill.

Mr. BROUN of Georgia. Well, thank you, Mr. AKIN. You have been a stalwart friend in this fight to try to stop the government overtaking of the health care system. I, as a medical doctor, have been fighting for my patients for their economic well-being for years. I just wanted to come tonight and bring up a few things.

The Wall Street Journal yesterday, there was an editorial written, coauthored by Scott Rasmussen, the famous pollster. The title of it is ''Why Obama Can't Move the Health Care Numbers.'' One of the lines in here right at the end is basically giving the bottom line. It says most voters believe the current plan will harm the economy—they are right about that—cost more than projected—absolutely—raise the cost of care—without any shadow of a doubt—and would lead to higher middle class taxes—and that is just undoubtedly a fact.

The American people get it. And one thing that the American people do get is that it is going to cost millions of Americans their jobs if this is put into place.

I thank you for bringing this forward tonight so we can talk about jobs and health care. I look forward to this discussion as we go along.

Mr. AKIN. I really appreciate your bringing that up. I am just thinking, picture yourself instead of being a doctor as being a salesman, and you are given an assignment that you are supposed to go out and sell something.

Say you are the President and your job is to go out and make this case. We have three huge entitlements that are destroying the solvency of our country. One of them is Medicare, one of them is Medicaid, both methodical things, and the government is running these things and they are destroying the economy because they are out of control, they are spending so much money. So your assignment is to go out and sell people that we ought to have the government take over the rest of the medical part. That is a little counterintuitive. You could be a good salesman, and it is hard to make that case. We have it messed up in this and this area, so give us the whole thing. It takes a little bit of courage to even try to do that.

Dr. FLEMING, please.

Mr. FLEMING. I want to thank the gentleman again, faithful virtually every week to have this leadership hour and talk about such weighty issues as health care.

But to follow up on your very point, and that is today, the big question is why all these increases in private insurance rates. Well, there are several reasons, but the main reason is that private insurance premiums help subsidize Medicare and Medicaid. Why? Medicare and Medicaid underpays the providers, the gap is getting larger, and so providers have to make it up in order to survive in business on the private insurance which has to escalate in relation to that.

So that is something you will not hear from Speaker PELOSI or the President. He wants to demonize the insurance companies. As a physician, I am no big friend of the insurance companies. But fair is fair. If we are going to fix this problem, we have got to start, in my opinion, by looking at cost savings. We are going to have to be real about and realistic about where the real costs are coming from.

Again, you are right. Half of medicine today is under government control, and that is the part that is bankrupting the system.

Mr. AKIN. That is interesting. What I think I am hearing you say is, as much as you want to knock the insurance companies, the fact that people have insurance and the insurance pays claims, in a way they are the ones that are helping to balance out the cost of health care, because Medicare and Medicaid are underpaying the actual cost of what it takes.

That gets to a point, and I would like to ask you, I am going to go to my good friend from Texas too, Congressman GOHMERT, but sometimes we get into the weeds a little bit too much. So let's say you get way up on an airplane and take a look at the health care question.

What someone told me is, he said, Look, look at health care in America as two parts. The front end is the medical service we provide to the people who are sick in America. They said that is the best health care anywhere in the world. If you are a millionaire sheikh from Bahrain, you want to come over here to get some of that health care. So we have the best health care service, in terms of providers.

What the problem is is how we pay for it that has gotten messed up, and I think that is a little bit to your question.

My good friend from Texas, Congressman GOHMERT.

Mr. GOHMERT. Well, looking at the chart you have there that has the quote on it about reconciliation, it brings us back to what is being discussed. The reporters all out here in the hall have been there for much of the night, and they are starting to go away because apparently they think there is not going to be any agreement. But what people need to understand is what is being pushed here called reconciliation. What a misnomer. Reconcile? That is not what happens.

The Senate has passed a bill, and they are not going to get 60 votes to do a new bill, so they are trying to push the House into passing exactly what the Senate did. But we have got fine, upstanding pro-lifers like BART STUPAK and a dozen others, and they say if you are going to have a bill that pries tax money out of the hands of people who believe with all their heart, as I do, that it is immoral to kill unborn children, and you are going to take their money and use it to do that, then we can't vote for this bill.

So what we hear being discussed is, Well, if you will just vote for the Senate bill that allows the government to take away taxpayer money and use it for abortions, then we may be able to get you an amendment to come back. It has to be signed into law, has to become law before you can amend it, but then we may be able to amend that to then put in the Stupak language that prevents tax dollars from being used for abortion.

But the thing that our colleagues have to understand is please don't get roped into that. The Speaker knows how the process works. But if it becomes law and the bill provides for the funding of abortion, you may or may not get the amendment passed. It may pass through the House, but then the Senate has to pass it, and there is no way anyone in the House can guarantee what the Senate will do. Then the people who everybody, well-intentioned, no intention to deceive, but anyway, the bottom line is they end up not getting what they are promised, not because of deception. It just doesn't happen.

Mr. AKIN. I would like to just run over to our good friend from Pennsylvania, Congressman THOMPSON, and I just wanted to get your perspective on what you are seeing. It has been almost 9 months, and people have been looking more and more into the details of the bill. The more they see it, the more they don't like it. Yet the majority seems to be determined, they have the pedal to the metal, they have the battleship at ramming speed, and they are going to just try and drive this thing through.

What is your impression of where we are?

Mr. THOMPSON of Pennsylvania. Well, first of all, I want to thank my good friend from Missouri for providing the leadership for this evening. It is just so important.

The American people, I have to tell you, I am very proud of the American people on this issue. During this past 15 months, I think they fulfilled the responsibility that our Founders intended. Our Founders have to be smiling right now, because the American people have woken up and are paying attention and engaging on this issue.

When it comes to health care, I think the large majority of Americans share the same perspective I do, and it is a perspective I developed as a health care professional. I started out as a therapist over 30 years ago, and for 28 years I was a health care manager, licensed as a nursing home administrator, worked in all areas of health care, in nonprofit community health care.

The four principles I have always led my professional life by have been the same four principles that have guided me in my role working for the people as a Member of Congress, and it is the same principles that I see the people agreeing with when it comes to health care. They want to improve our health care system, not throw it out, not create some government-run system.

My principles that I have always led my life by, and I think they are principles that are important in this debate, let's do what we can to make sure that we lower the cost of health care for all Americans. The bill that is coming at us at light speed from the Senate raises costs for most Americans. It doesn't address real cost reduction.

The second principle for me is increasing access, improving quality, and making sure that we strengthen that decisionmaking relationship between the physician and patient. We don't need the government or a bureaucrat making those decisions.

The bill that is coming at us, in particular I will just talk about one aspect. I started at that last principle of strengthening the decisionmaking relationship between the physician and the patient. This bill creates a health care czar, and this czar is going to have the ability to impose not just health care prices and controls, but that czar is going to dictate what kind of benefits we should get and not get. And just as my good friend from Texas was talking about, we will wind up paying for procedures, such as abortions, something that we would never use, that we certainly, based on my faith, would be very much in objection to.

So that type of imposition of a czar making decisions, inserting themselves between the patient and physician, is just absolutely wrong.

□ 2130

Mr. AKIN. I appreciate your perspective on that. I bet you that has got to, even after all these months, has got to really bother those of you who are doctors. I mean you invested I don't know how many years in med school. I flunked fetal pig. I would never have made it. Part of the reason was because you wanted to treat patients. And to have some insurance person sticking their nose in that relationship has got to really rub you the wrong way. But what happens if—at least if it's the insurance company, you can get rid of the insurance company. But what happens if it's the Federal Government? That would drive me crazy.

Congressman BROUN, please.

Mr. BROUN of Georgia. The Federal Government already sticks its nose in the doctor-patient relationship in Medicare-Medicaid. The insurance company executives do in managed care. But in my medical practice for the last 5 years prior to being elected to Congress, I saw Medicare patients, Medicaid patients, managed care patients, but they just paid me at the time of service. If they couldn't pay me, that was all right too. I've given away hundreds of thousands of dollars worth of my services over my medical career.

We hear from Democrats, the President particularly, that the doctors are all in favor of this Obama care bill. I've got a letter here from the Medical Association of Georgia that was just sent to me and other members of the Georgia delegation that says, We oppose the Senate-passed health care bill. They

list a number of things that they see as problems with the bill. Among these include undermining the patient-physician relationship and empowering the Federal Government with even greater authority. It's unsustainable from a financial standpoint. The Federal Government will have unprecedented authority to change the Medicare program through these new boards without Congress or the courts or anybody having any oversight to that. It's devoid of proven medical liability reform.

They're concerned about many things that aren't in this bill, two of which are: it takes away the right to make a private contract between two individuals, particularly doctor and a patient or any provider and patient. Another one is, there's nothing to stop the sustainable growth rate formula that is killing physicians.

It goes back to what you were just saying a few minutes ago, Mr. AKIN, where doctors are being underpaid. We have this SGR, sustainable growth rate formula, that needs to be thrown out. But we don't do anything about that. What that's going to do to the American public, and particularly Medicare patients need to understand, if this bill is passed, it's going to be exceedingly difficult for a senior to find a doctor who's going to accept their government insurance. It's already a problem, but it's going to be even much more of a problem and exceedingly difficult because the Federal Government is going to pay a lower rate, and doctors just can't afford to do that.

Mr. AKIN. So this is going to be a good deal. Everybody is going to have medical insurance, but you just won't have any doctor to go to see.

Dr. FLEMING.

Mr. FLEMING. Well, first of all, let me say something that I think is not as obvious, but if you think about it, it should be very clear. Coverage under health care does not mean access to health care. Look at Cuba. In Cuba, you have universal health care, you have universal access, and it's all free. The problem is there is no health care in Cuba. They have one colonoscope for the whole country. Antibiotics, medications. Nonexistent. So what good is 100 percent universal coverage?

Now how does that apply to us? Well, what we're really doing in effect with this bill is taking two big entitlements, which is Medicare-Medicaid. The States can't afford Medicaid. The Federal Government cannot afford Medicare. Medicare will run out of money in 8 years. On top of that, we're taking out half a trillion dollars for Medicare, not knowing how we're going to make up for it, and then we're going to take the money and tax people and create a whole new entitlement, stacking one entitlement after another.

Bottom line here is, there's two ways to save costs, to bend the cost curve down in health care. One is to have a giant system like that, and create bureaucrats who are going to control things and micromanage, and ultimately save money through long lines, a waiting list, and rationing. The other, the one I prefer, is a free market where we attack the doctor patient-relationship and we empower the patient, make him into a consumer, where he has clarity and transparency, where he has health savings accounts, for instance, and he can go and decide and have patient choice as to what the cost, what the providers are going to be, and where he can get his best value for the money.

Mr. AKIN. You know, I just today was talking to my constituents back in the State of Missouri and we were having this forum. I spoke in pretty strong terms. I told my constituents that this bill, first of all, would destroy the quality of health care in America. The second thing it was going to do was it was going to destroy the Federal budget. And that if I were to put this bill on a scale of all the legislation I've seen since I've been in Congress—and I'm getting a little older; this is my tenth year—that this bill is more than twice as bad as the next worst bill that I've ever seen. So this bill is altogether in another category.

I spoke before a group this last weekend, and I looked out and there were a lot of other legislators I'd served with in the State of Missouri. I said, We've all served in the majority, we've served in the minority. But I said, The last year and a half, we've served in the wilderness. I said, The difference of the wilderness is that I walk up as though I were walking up to the edge of the Grand Canyon and contemplated what happens if you go over that abyss.

It appears to me tonight, gentlemen, and tell me if I'm not overstating this, that we are standing on an abyss. And that if we step off the edge by passing this bill, America will not be the same country she's ever been in the past, and we will not be able to recover from that.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. AKIN. I do yield.

Mr. BROUN of Georgia. Absolutely. You're correct about that. In fact, we're at a tipping point where this country is either going to be totally socialistic—government controls everything in everybody's life from Washington, D.C. And that's what this health care bill is designed and geared to do. Or, we are going to walk away from that and start fighting for freedom and cutting down the size of the Federal Government and let people live their own lives without all the government intrusion. That's exactly where we are.

I wanted to bring up another issue to throw this out then: That people should understand that this bill that we are supposedly going to vote upon—I guess we will, the Senate bill, H.R. 3590—the CBO, the Congressional Budget Office, says that it will increase premiums for everybody who's buying private insurance today by $2,100 per family. So not only is it going to destroy the Federal budget, it's going to destroy the State's budget, but it's going to destroy everybody's family budget. It's going to be horrendously expensive, and it's also going to destroy jobs. There are going to be over 5 million people that are going to lose their jobs if this bill ever becomes law.

Mr. AKIN. You know, when we're running at whatever it is—and these numbers, I don't really believe them, because these numbers are worse—but 10 percent unemployment, and you dump 5 million more jobs lost on a bill that is already going to cost trillions of dollars that we don't have, this thing, it just seems like somebody has to have some sort of blind faith to have their foot down on the pedal of the battleship and just try to drive the battleship through the dock.

In my district, this is a working day today. We rented a facility at the St. Charles Convention Center. It had seating for 800 people. Now where are you going to find 800 people that care about politics in the middle of a Wednesday? Wednesday morning at 10 o'clock in St. Louis. When the beginning of the town hall started, we had over a thousand. By the time it had gotten going a little bit, we had 2,200 people. You couldn't even get any more people in the room. And their sentiment was along the lines of what we sense here. They said, We don't like this bill. We really don't like this bill. They were begging, What can we do to stop this thing? So my sense is that we're not the only people that are thinking like this in this country.

My good friend from Texas, Congressman GOHMERT.

Mr. GOHMERT. Well, I think there's actually great wisdom in what President Obama said that's on the chart right behind you, and that is, Reconciliation is therefore the wrong place for policy changes. In short, the reconciliation process appears to have lost its proper meaning. A vehicle designed for deficit reduction and fiscal responsibility has been hijacked to facilitate reckless deficits and unsustainable debt. The President called that exactly right.

I need to ask my friend, I can't see the date there. Was that last week that he said that? When was that?

Mr. AKIN. You know, that's the ironic thing about this quote and the reason why we put it on this chart. The President has been saying a lot of things. I think the most truthful thing he said was that, I'm going to bring you change. I think he's been fair in doing that. Not much else that I've heard that doesn't seem to have some contradiction.

But this quote here, Reconciliation is therefore the wrong place for policy changes, such as the government taking over one-sixth of the economy. In short, this process seems to have lost its proper meaning. A vehicle designed for deficit reduction. That's what it was supposed to be for—deficit reduction, fiscal responsibility. It's been hijacked.

I'm glad you asked that question because the date here says December, 2005. So I don't think he really wants us to remember what he said in 2005, because if you were to take this today, this would mean that they aren't going to pass this bill.

Mr. GOHMERT. That's right.

Mr. AKIN. So it kind of depends whether its your bill or my bill, I guess.

Mr. GOHMERT. And as we understand now, in 2005, Senator Obama was moving forward, campaigning, moving toward a Presidential run. But I tell you, it just blessed my heart to hear President Obama say in the summit at the Blair House, when he said to Senator MCCAIN, We're not campaigning any more. I said, Hallelujah. The President's going to stop campaigning. I tell you, that was such good news to me because that means the President's going to quit campaigning and just try to govern. If he were to going to campaign, he would probably have gone off to who knows where—Missouri or somewhere today—and given another speech. The fact that we're not campaigning anymore means he's back here trying to figure out how we can reform health care without cramming it down the throats of 60 to 70 percent of Americans that don't want this bad medicine that's about to be rammed down their throat.

Mr. AKIN. I appreciate your perspective and particularly calling attention to the fact that this reconciliation is hijacking the entire legislative process. He is willing to do this, to pass this particular piece of legislation.

My good friend from Pennsylvania, somebody said that if you've got a busted faucet or sink in your kitchen, a smart thing to do is to fix the faucet or the sink, not to remodel the whole kitchen. Does it appear to you that the difference between the two political parties on this issue is that the Democrats have really decided they're going to remodel the kitchen, whether you want it or not, and the Republicans, we have a lot of different health care bills as Republicans, but ours are all fix the sink or fix the drain. We're taking a look at what we have, seeing what needs to be fixed to make it better, and we're selectively doing that, whereas it seems the Democrats have the concept they're just going to re-create everything. Take one-sixth of the economy, have the government run it.

Does that seem like it fits for you?

Mr. THOMPSON. I think that comes close. Actually, I believe that the health care issue is more like a leaky faucet. And what my good friends on the Democratic side of the aisle are choosing to do is to burn the house down versus just—

Mr. AKIN. So remodeling the kitchen—

Mr. THOMPSON. They're burning the entire house down and taking it from a system that has been a model for the world, actually. I give you one example. One of the issues we talk about—and we agree we need to improve access to quality health care. I would have been much happier if this whole debate, when we started it—in fact, I came to Congress thinking that we would have that debate—how do we improve access to quality health care. No. What are we debating? Health insurance. Not even the right topic.

I want to put it in the perspective of probably an example that I think touches all the colleagues here on the floor. I'm from a very rural district. I have probably almost 24 different rural hospitals in my congressional district. Those hospitals, in addition to the economic engines, they're incredibly important to those communities. They're the source of positions. They're really good jobs. They purchase resources. They're good neighbors. They purchase resources in the community. So they're good for the community. But beyond that, having those in those rural communities provides access to quality health care.

You never want to see a hospital close. I don't believe that. But if you close one in the city, probably within about a six-block radius you're going to find another hospital that's going to be able to provide you access to life-saving care.

□ 2145

You close a hospital in my congressional district, and what you wind up with is a commute that makes the difference between life and death. We're talking hours to get the same type of, or any type of, access to health care. So here's the rub when it comes to this bill that's being proposed, $500 billion cuts to Medicare. And my good friend already talked about the fact that Medicare only pays maybe 80 to 90 cents for a dollar's worth of care that a hospital or a physician provides. So Medicare is already underfunded.

We've talked about how that is one of the contributing factors to why commercial health insurance is so expensive. Commercial health insurance nationally pays 135 percent of costs. The Federal Government only pays 80 to 90 percent of costs. So what are we going to do? What's the solution to that obvious problem? Let's cut more Medicare. Let's throw in $500 billion in cuts.

Mr. AKIN. There you go. That's another counterintuitive thing. This whole bill seems to be counterintuitive, doesn't it?

Let me ask a question. We have two of you who are medical doctors here, one who's a judge, one's a former medical professional. I'm an engineer by training, and now we're Congressmen. And one of the things that we have to do and we should pay attention to is our constituents. We get calls from people saying, Hey, I've got a problem with this, Congressman. You need to help me. And they ask us to do some weird stuff sometimes. Like, I remember the first time they asked me to get them a job. And I'm thinking, Hey, I'm not a job agency. I'm a Congressman. But we're asked to do a lot of different things, and we try to help out.

Now, my question to you is, let's say we jump off the abyss, and now we've got this mess, and we have people back home calling us saying, My mom, my mom is sick. She got cancer. She got it bad, and she's going to need help right away. So I went to get some health care for my mom. They said I have got to wait 6 months. What I'm asking you is this question: How, as Congressmen, are we going to get through this mess to try to help our constituents? And even worse, how are our constituents ever going to get from here over to get their medical care? Does that concern you? Congressman GOHMERT, do you want to take a shot at that? This doesn't look friendly to me.

Mr. GOHMERT. Well, it's because it's not friendly. I was privileged back in 1973 for the summer to be an exchange student in the Soviet Union. I saw socialized medicine firsthand, and that's where this is going. It's socialized medicine where the government controls it. I don't want the insurance companies between me and my doctor, and that means I also don't want any of that just massive amount of government between me and my doctor, but that's where this takes us.

And you wonder, Why would a group risk losing the majority in Congress to pass a bill like this when they know what's at stake politically? And the answer is, it puts in place so much government that once it's in place, it won't matter which party is in the majority. It's kind of like the Department of Education or other things that are not enumerated powers in the Constitution. Once it's there, you can't do anything about it. The school districts lose billions of dollars over the years that have been usurped by just a bureaucracy in Washington. It's going to happen with health care.

And just quickly, let me tell you, what inspired me to get with professionals, health care professionals, economists to come up with a solution was, when I saw that if you added together the amount of money we spend on Medicare and Medicaid and divide that by the total number of households in all of the United States, it's an average of over $10,000 from every household in America to fund Medicare and Medicaid.

When I saw that, I was thinking, My goodness, all that government, all that we're paying for, we're better off if we said to every household that has people on Medicare or Medicaid or even SCHIP, here's $3,500 cash from the Federal Government in a health savings account you control with a debit card, and we will buy you private insurance that's catastrophic care to cover everything above that. You don't have to buy any more supplemental coverage or wraparound coverage.

And I know that scares AARP because they made a lot of money off of that supplemental insurance. But this will help seniors. You give them a

choice. You want to keep having Medicare, you want to keep having Medicaid, or do you want us to give you cash you control and get the insurance company and the government out between you and your doctor? And I think people, when you give them that voluntary choice, they will make the choices that will save us from bankruptcy that Medicare is driving us to. I yield back.

Mr. AKIN. Now wait a minute. You have got me all confused, Congressman GOHMERT because my understanding is, Republicans—from what the President has said—don't have any ideas. We don't have any bills. Of course he also said that he read our bills, so that was a little confusing too. But what you just outlined was basically getting up at 50,000 feet, looking at the problem and saying, We really don't need the government to get into all this detail. We simply take the amount of money that the government's spending right now. You break it into pieces, just designate the number of families in our country, and you've already got something that's going to work.

Mr. GOHMERT. That's actually a lot cheaper than what we're doing now. It would save money. But let me just say this: I know a lot of people kowtow to CBO. Let me tell you that in this Congress—and the director has called me and said, Oh, we are very objective. And I know they do the best they can to being objective. But I'm telling you, since he got woodshedded at the White House, let me tell you, there have been I believe it's been 56 health care bills that have been scored by CBO.

We have about 70 bills from Republican Study Committee members to reform health care. Seventy bills, they are bills. And you know how many we have gotten scored on the Republican side? Six, six bills. I have been begging and writing all kinds of ways. I have had ranking member of the committee of jurisdiction, JOE BARTON, request my bill be scored. I've had DAVE CAMP when they said, Well, you don't have the Joint Commission ranking member. Well, then, DAVE CAMP requested. I can't get it scored. And I realize by making a big deal about CBO not scoring Republican plans, that they may say, Oh, GOHMERT, we'll take your bill, and we'll score it, and you're not going to like the way it comes out. I realize that's a risk. But I'm telling you, it has been so abusive that CBO has done virtually nothing.

About a tenth of the Republican bills that they have scored are Democratic bills. And if they want to bring some equity to this and some objectiveness, it is time CBO started scoring Republican bills and not just Democratic bills. I had to get that out.

Mr. AKIN. Well, I appreciate that, Congressman GOHMERT. You know, those of us who know Congressman GOHMERT—and I know my colleagues do—know that he has a gift of persistence. And I recall one of his more persistent moments. It was right here on this floor when there was a bill that I would say is probably the second worst bill I have seen. It's only half as bad as this bill, and it was a bill that was amended with 300 pages of amendments at 3 o'clock in the morning. I think it was the late part of spring of this last year.

I remember Mr. GOHMERT had the same sense of persistence, and he got this idea that maybe if we're going to vote on a bill that it ought to be here in the Chamber because there is a rule that the bill we're debating and voting on is supposed to be in the Chamber. I remember just asking, is it north, south, east or west? It was like a kid looking for a button that's hidden in a room somewhere. And he's back and forth and back and forth. Finally they said, The bill is right up there in that desk. He went up and looked for it. And guess what? It wasn't there.

So I don't know, people like to hide things on you, Congressman. I don't know what to tell you, but it would be interesting if we knew what the financial score on some ideas, such as what you had, that are innovative. And it's the fact that Republicans, of course, don't have any ideas except that the President did read them and all. So that makes it kind of interesting.

I notice we're joined by some other good friends of mine. Congressman SCALISE from Louisiana is here, and I just wanted to let you have a chance. We're going to talk a little bit about this really amazing medical bill that's being pushed forward.

Mr. SCALISE. Well, I want to thank my colleague from Missouri for hosting this and my other colleagues who are expressing leadership and really trying to make this last stand because we are at the last stand for health care, as the President continues to try to ram down the throats of the American people this government takeover. And here we are on the House floor as Speaker PELOSI is trying in the next week, possibly, to have a vote here on the House floor on a bill that the American people have said in every way possible that they don't want.

You had the elections, of course, in Virginia and New Jersey; and then you had the election in Massachusetts, of all places, where SCOTT BROWN said, I'll be the 41st vote against health care, and he won. And even after that, this tone-deaf liberal leadership here in Congress is saying that they're going to continue to try to ram down this government takeover. What you're pointing out and my colleagues are pointing out are some incredibly important facts that I think the American people themselves have been seeing as they've been reading the bill, and this latest version is over 2,400 pages long.

But there's a couple of points in there, and I want to touch on one of them, and I know you have touched on a few others. Clearly there is over $500 billion in new taxes in this bill. There is over $500 billion in cuts to Medicare in this bill, things that would devastate medical care in this country as people know and enjoy it. We want to reform health care. We want to fix real problems to lower costs, to address preconditions. They don't want to do that. They want a government takeover.

But there are some other things in this bill that also show some of their real intentions. And the issue of abortion funding, taxpayer funding of abortion has been one of those at the core of, you know, who do you believe and what are the myths. And of course you've got Speaker PELOSI out there saying, Oh, don't worry. Abortion funding won't be in this bill.

There are two pieces of information I want to point out, and I think a lot of people have started to see all of this, but it really clarifies what's going on. This first letter I want to read a few sentences from is from the United States Conference of Catholic Bishops. Catholic bishops, they don't have a vested interest in whether the Republican approach or the Democratic approach is moving forward. But they have two real concerns. One is, they don't want abortion funding, and they want a conscience clause protection. So I'm going to read a few quick sentences.

First on human life: ''Disappointingly, the Senate-passed bill in particular does not meet our moral criteria on life and conscience. Specifically, it violates the longstanding Federal policy against the use of Federal funds for elective abortions and health plans that include such abortions.'' It goes on to say: ''We believe legislation that fails to comply with this policy and precedent is not true health care reform and should be opposed until this fundamental problem is remedied.'' This is the United States Conference of Catholic Bishops.

And then one other I'm going to read for you is National Right to Life, a very respected organization, a bipartisan organization. National Right to Life also addresses the Senate language as it relates to taxpayer funding of abortion: ''Any House Member who votes for the Senate health bill is casting a career-defining pro-abortion vote.'' This is National Right to Life. And the final sentence I will read: ''The Senate health bill is a 2,407-page labyrinth strewn with the legislative equivalents of improvised explosive devices—disguised provisions that will result in Federal pro-abortion mandates and Federal subsidies for abortion.'' That's National Right to Life.

So as the American people are contemplating all of this, they're going to have to ask themselves, who do they believe as this information and misinformation is out there? Do they believe Speaker PELOSI who says, Don't worry, taxpayer funding of abortion is not in this 2,400-page bill? Or do they believe the United States Conference of Catholic Bishops and National Right to Life who both clearly state that the Senate bill does contain taxpayer funding of

abortion? Yet one of just many big points of opposition we have to this government takeover of health care.

Mr. AKIN. I certainly appreciate the gentleman making that point. And it is usually presented as a pro-life position that we don't want the government funding abortions. It almost struck me as kind of two different things almost. One, Do you think it's a good idea to abort little children? But the second question is a conscience question, Do you think it's a good idea to force people to pay taxes and then use those taxes for something that they believe is the destruction of a human life?

You know, one of the things that has really encouraged me—you just talked about that election in Massachusetts. You know, in America there's always been a few people that say they're agnostic or an atheist. And what really encouraged me about that election is that nobody can claim they're an atheist or agnostic anymore in America because only God could have elected a Republican in the State of Massachusetts. I mean, it couldn't have been done by anybody else. So I'm glad at least we won't have too many of those kicking around.

□ 2200

I am joined here also by the gentlewoman from Minnesota (Mrs. BACHMANN), and you have been a voice for conservative values and so strong on this bill, and I am so thankful we have the A-Team out here this evening as we are coming down to the finish line, and that is the bill will be finished. I appreciate your giving us a northern perspective as well as some other perspectives as well.

Mrs. BACHMANN. Thank you so much. Congressman AKIN, you were also involved with the Declaration of Health Care Independence. I believe every Member here was involved with putting that document together. This weekend I was with Congressman GOHMERT, and one of his constituents walked up to me and handed me another thousand signatures that she gathered to sign the Declaration of Health Care Independence. Just in her sphere in east Texas, she got a thousand people to sign. I thought one voice that hasn't been heard real loud in the health care debate is that of the American people. She gave me not only a thousand signatures, she also took comments from the people. I wanted, if I could, just to read one page as my contribution tonight, because I think it is important here in the most important democratic body in the history of the world, the United States House of Representatives, the American people should have their voice heard tonight because they haven't had it.

So with your permission, let me read a few of those comments.

Mr. AKIN. That sounds like it would be very interesting, because we just had 2,200 people come to our town hall meeting today. We should have had our Declaration of Health Care Independence there because you would have had another 2,200 people.

Please share their comments.

Mrs. BACHMANN. This is from Cheri Hamilton, who said, Stop trying to destroy this country. The health care system can be fixed without a takeover. Listen to the American people. Stop this socialist agenda.

Ted Mesjak: ObamaCare is a can of socialized medicine worms.

Duane Anderson: My wish for signing this petition is that it adds more fuel to fight the government takeover of my health care. The despair is that the government so far has not listened to my views or the views of others who share the same viewpoint.

Kathleen Somers: I do not want the current health care reform bill. It will put this country into further debt, and Obama and his administration need to work with Republicans.

Herbert Rudolph: As a senior citizen, I am absolutely sick and tired of the Federal Government interfering in my personal life.

Kerry Ferguson: It is our President and his congressional bullies began respecting the will of the American people. Please keep up the good fight for intelligent health care reform. We must get this right.

Mike Tarbert: Stop these idiots and have them change their meds.

Beverly Harper: This bill is a travesty.

Mary Baptista: I do not want the inefficiency of the DMV and the compassion of the IRS to be part of my health care. Less government and more freedom to choose.

They have a good sense of humor in east Texas.

Lorrie Breed: Let the States handle this. Governors can do this if the Feds will get out of the way.

Shirley Wahl: I expect that the Congress will vote what the American citizens want, and set aside their preferences in favor of their constituents.

Nancy York: Hear, hear.

And this goes on for a thousand different comments from people across the country.

And today I heard that a lot of the Blue Dogs, the so-called conservatives here in Congress, are starting to weaken. Their spines are starting to go. We all know this is going to break the bank, this bill, and yet it is these dear, sweet people from all across America who have been begging and fighting their own government to get their government to listen to what they want. And no less than CNN has reported that three out of four Americans don't want this current health care bill.

Time magazine last week reported, not exactly a right-wing news source, that the Obama administration is laying the foundation that within 10 years, we will have to pay double taxes before this health care bill passes.

So the American people have been desperately trying to get into this debate and get the American Congress to hear them, and the President. I think it is important, Mr. AKIN, that the American people know that we have tried to let their voices be heard here in the House. We are hearing them and we are trying to speak back to the American people. We hear you. We are fighting. Don't give up. We are not giving up.

I still believe it is not inevitable. If the people call, if the people go to their Member's office, we can still defeat this. I really appreciate you leading this Special Order tonight.

Mr. AKIN. I appreciate you, Congresswoman.

When we were at this last summer, the President said, I want a vote before we go on summer break. And you were pleading the charge last summer, saying, No, we are going to hold the line. Even though we are 80 votes short in the House, we are going to talk. We are going to take this battle to the American public. We are going to win the war of ideas.

What we have seen is we got past the summer. We got into the fall. After we got through the fall, it looked like if we could just get into 2010, it will be election year, maybe people will listen then. We saw at Christmastime, we saw the situation where the 60 Democrats got together and they passed it and it looked like we were really in trouble.

And what struck me, you and those on the floor tonight, and my friends and comrades, a band of brothers and sisters, have been discovering in our hearts what our minds knew for a long time, and that is when a group of people stand and do everything in their power to do what is right, they can call on the power of God to help them, just as our forefathers did, and expect to see unusual results.

When I saw Massachusetts with a Republican Senator, I had to start laughing. I thought, Boy, does God have a sense of humor. And we saw, while we didn't have any power at all, all we could do, as you are doing, just tell the hearts of the American people. Let people understand, you are not the only one out there who is feeling like you are crazy. You are not the only one who is starting to see that government is not the answer; government is the problem. The American public is making their voices heard, and they will make them heard in the elections coming up.

Thank you for joining us.

Congressman THOMPSON.

Mr. THOMPSON of Pennsylvania. Mr. AKIN, I want to come back to the chart you have there. It is a perfect capture of bureaucracy. Bureaucracy, one of the things that we talked about. We are all committed to lowering the health care costs for every single American. That is a principle that we all should be doing the right things towards. And there are solutions out there that we have worked on and introduced. The Putting Patients First Act is just one of them that would bring the cost of health care down for everyone.

But I want to talk about the consequences of that chart, of this Senate bill which is being shoved like a freight train through Congress and on the American people. Over a hundred different mandates, well over a hundred different new bureaucracies are being created in health care. I will just come back to one that was created, and the practical impact of that, under President Clinton: the Health Insurance Portability and Accountability Act, HIPAA.

Everyone wants privacy when it comes to health care. It is a very intimate subject. That is why we don't want a bureaucrat involved in our health care. The portability part, I have to say, if that worked back in the 1990s, we would all be better if we could take our insurance with us where we went. But it didn't; it failed. But what it did do is put a layer of bureaucracy in our health care system that has just piled tons and tons of layers and money, money that is required to be spent to implement and execute that bureaucracy.

And you know where that money comes from? It comes from direct care. That is money that goes into—and when they talk about waste in health care, government mandates are a tremendous waste. That is how I got involved in public policy, actually, out of frustration, because I saw what the Medicare regulations, many of them, were doing to add cost and decrease access to cost-effective health care.

Mr. AKIN. So what you are talking about isn't exactly a surprise to us. You've been there, and what you are saying is health care is just what you expect. When the government does it, it is inefficient and it is a tremendous waste. And so to try and say, Now we have got Medicare and Medicaid that have gone bankrupt, and so give us the rest of health care to take over, there is a problem with that line of reasoning somehow.

Mr. THOMPSON of Pennsylvania. Absolutely. And what we are talking about today goes well beyond Medicare. I thought Medicare and Medicaid were complex. This new proposal, this Senate bill that is being pushed at us, HIPAA, the impact of costs on health care just from HIPAA were significant. If you multiply that times a hundred new Federal mandates on health care, and you multiply that by 150 new bureaucracies within the health care system, the ultimate cost of what this will cost our country, our citizens, and our health is just devastating.

□ 2210

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. AKIN. I'm going to yield to my good friend, Congressman BROUN, but I can't help but think that we need somebody who's a songwriter. Do you remember there was a guy in Boston that won a political race by writing that song, ''Charlie the MTA?'' It was a sad song about poor old Charlie because he's bound to ride forever because he doesn't have the last nickel for the fare that some politician was pushing, an increase in the rate of the train. But we could have poor Charlie trying to get through this mess, lost forever in this system trying to get his cold medicine, or whatever it is; he's going to get lost forever in that mess.

Congressman BROUN from down in Georgia.

Mr. BROUN of Georgia. Mr. AKIN, you made a very astute observation just a moment ago, and our good friend, G.T. THOMPSON, was just talking about something that I want to come back to, back to your comment that government is the problem.

Practicing medicine, I've seen the cost of health care go up for everybody in this country because of government regulations. And let me just tell you about a couple of things; one is HIPAA that G.T. was just talking about. HIPAA was totally unneeded, totally unwarranted. It's a law passed by Congress. It's a regulatory burden that's been placed on the health care system. It has cost billions of dollars and has not paid for the first aspirin to treat the headaches it has created.

Another bill that was passed, HENRY WAXMAN, Ted Kennedy, PETE STARK, and others, passed a bill a couple of years ago called CLIA, the Clinical Laboratory Improvement Act. I was practicing medicine in a small, rural community down in southwest Georgia. Prior to HIPAA, I had a fully automated lab in my office, quality controlled so that I knew that the results I got out of my lab were absolutely correct so I could give good, quality care to my patients. Congress passed CLIA, which shut my lab and every doctor's lab down in this country.

Prior to CLIA, if a patient came in to see me with a red sore throat, running a fever, coughing, runny nose, headache, I would do a CBC, a complete blood count, to see if they had a bacterial infection which needs antibiotics to treat it or a viral infection, which does not need antibiotics. They don't need to spend the money, they don't to be exposed to the antibiotics. I could do that test in 5 minutes. It cost 12 bucks. That's what I charged, $12. HIPAA shut me down so I couldn't do that anymore, and I had to send patients over to the hospital to get the same test or else I just had to arbitrarily give them antibiotics so that they had the huge cost of going to buy those antibiotics. But if they went to the hospital, it took two to three hours and cost $75. For one test, it went from one $12, 5 minutes to $75, two to three hours for one test, for one regulatory burden. Now, you can multiply that over the whole course of the health care system in the United States and you will see that it drove up, markedly, the cost of everybody's insurance in this country.

Government is the problem. And getting the regulatory burden off of the health care system, getting the tax burden off of small businesses, we can literally lower the cost of health care and make it affordable for those that don't have the ability to buy it today. So government is the problem, and adding more government to it is going to drive the cost up.

Mr. AKIN. I think a lot of Americans have come to the same conclusion, government is the problem, and they want a whole lot less of it down here threatening them from D.C.

My good friend from Texas, Congressman GOHMERT.

Mr. GOHMERT. What you're talking about is exactly what Thomas Jefferson talked about when he said the natural course of things is for liberty to yield and government to gain. And I thought Steve Moore from the Wall Street Journal made a great point this morning, in talking with him, when he said, people inherently know in America that if you add 30 million people to the same health care coverage you're not going to save money. If you were to save money by adding 30 million people to our health insurance or Medicare, then, as he said, we might as well say, you know what? We'll insure everybody in China, and that will get us out of the deficit. It's not true; it doesn't work. We've got to be practical and stop government from taking over where liberty is yielding.

Mr. AKIN. Now I've got a question: Do you think that the guy that came up with the idea that if we add people that are uninsured to the health care situation it's going to save money maybe was the same guy that said the economy will get better if you spend a whole lot more money? I thought maybe they were twins or something like that.

Dr. FLEMING, just got a minute.

Mr. FLEMING. We're in the closing moments. I just want to touch on the process. We've heard about the Corn Husker kickback, the Louisiana Purchase, the Gatorade Carve-out for the Medicare Advantage in Florida.

Mr. AKIN. All special deals, yeah.

Mr. FLEMING. All special deals. And today we find out that yesterday or the day before our Speaker, Speaker PELOSI, made this comment, she said, We're going to have to pass this bill in order to find out what's in it. Now, we're talking about one-sixth of the entire economy here, and our Speaker has the audacity to say that we need to pass this crazy 3,000-page bill just to find out what's in it? And with that she's referring to reconciliation.

Mr. AKIN. That's an amazing quote, isn't it? We have to pass the 3,000-page bill just to find out what's in it.

Mr. FLEMING. Well, we learned with the stimulus bill that you didn't have to read it to pass it, so I guess maybe it just correlated with that.

Mr. AKIN. Well, there does seem to be some parallelism here, but it seems like it's close to insane almost.

We've got just a minute or so left, and MICHELE, I wanted to give you the last minute or two here.

Thanks, everybody.

Mrs. BACHMANN. Thanks, I appreciate it.

I want to go back to a little sign that LOUIE GOHMERT held up at the State of the Union speech, or something, the joint session, that said, ''What plan?'' Remember the President, at the 7-hour infomercial that was supposedly a summit on health care, he had a 12-page proposal. There was no legislative plan, there were no words on paper, and we didn't know how much it cost.

We Republicans are still in the dark, and I don't know if the American people know that. There is still no bill out there that we've been able to see. All these backroom deals that my good friend, JOHN FLEMING, is talking about, they're being cut on a bill not one of us has ever had a chance to read. Nobody has read the bill that these deals are being cut on. Every bit of this, every word in this bill is all behind closed doors, and these backroom deals. And no one is going to know about what all these deals are until it goes through.

But just to give the American people a chance, let me read a couple more. Judith Kaminsky: ''To force unwanted, expensive, unconstitutional health care laws on the United States is not only a blow to capitalism, but a dismembering of our way of life and our rule of law. It's criminal to push so hard for something as unhelpful, unsafe, unpopular, and uneconomical as the current administration's want list. There are better ways to achieve a desirable outcome for the changes that might be necessary.''

Mr. AKIN. Let's elect her to Congress. That's a good idea.

I think we're about out of time here. I just want to thank the A team for coming out tonight, just a great discussion.

PRESIDENT'S BUDGET ON NASA

The SPEAKER pro tempore (Ms. CHU). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. OLSON) is recognized for 60 minutes.

Mr. OLSON. Madam Speaker, tonight, my colleagues and I would like to share with you and the American people our deep concern with the effects of the President's budget on NASA.

By overwhelming concern with the decision to cancel the Constellation program, there are several reasons why this is bad for America, about which my colleagues and I will go into more detail over the next hour.

□ 2220

Madam Speaker, Constellation was and is the right path forward to maintain America's leadership in space.

Just this past week, the Constellation program successfully completed its preliminary design review. This is a milestone towards future development. This is a major programmatic milestone that should be noted and applauded by all of us in addition to the successful test launch of the Are's I–X rocket back in September.

Madam Speaker, I am going to talk tonight about a couple of issues: national priority; national security and how important NASA and human spaceflight is for that; inspiration for our youth; and our educational purposes, particularly in the discipline of STEM—science, technology, engineering, math—and the technological benefits that every American, every person in the world, has gotten from NASA and human spaceflight.

America's global dominance in space exploration has always been for so much more than just the race to be first. It has signaled a commitment from our Nation to forge a path. Previously unimaginable scientific and technological discoveries are born both from necessity and from risk-taking. They are born out of unexpected consequences. It has been said many times before that it is not just the destination but the journey.

The journey on which our space exploration program has taken the United States has given rise to our global leadership on many, many fronts. Our Nation's global dominance in human spaceflight has coincided with our status as the world's only superpower, which is not by accident. The national commitment to be the best in national security and in space exploration goes hand in hand. That is precisely why there is always such strong bipartisan support for NASA and for human spaceflight.

Abandoning the enterprise of space exploration is a striking decision because it violates something that makes us human—the desire to know new things through personal experience. As Americans, our heritage is about exploration. Our nature is to seek out the unknown and to explore. The administration's decision to kill the Constellation is an affront to that heritage.

America cannot escape the irrefutable fact that to fly regularly into space is the most difficult technological challenge that we know is possible under complicated and expensive scenarios. Even when done successfully, it is difficult and dangerous. In the half century we have been putting human beings into space, we have lost three brave crews. The support that is needed requires an overarching vision that requires political courage. As he stood on the football field at my alma mater, Rice University, President Kennedy had that political courage when he made the commitment to go to the Moon by the end of the decade.

A person either believes that expanding the range of human action is a noble undertaking, worthy of the cost and the risk, or a person does not. I fundamentally believe that this goal represents the heart of American entrepreneurialism. It is what sets our Nation apart from the rest of the world. It is why Russia, China, and India are making the investments necessary to catch up or to even surpass us.

Is human exploration worth the cost? If Americans question this, then we should ask why other nations are desperately ramping up their human space exploration.

What do China, India, Japan, and Russia know that we don't know? They clearly know what America has known for years, which is that the direct investment alone is worth the cost and that the indirect benefits have provided economic drivers and scientific discoveries that have far exceeded expectations.

Think about what human spaceflight has done for America. There is the Hubble space telescope, one of the greatest pieces of technological advancements in our society. Unfortunately, when it was launched, it was launched in a flawed vehicle. It had a flawed refractory mirror on it. It was basically a $2 billion piece of junk that we put into orbit.

Yet, because we had a human spaceflight capability and because we had men and women who were willing to take the risk to go into space, they went up and repaired the Hubble telescope four times. They brought it back, and made it one of the most incredible pieces of technology in our society. They brought back images from across the solar system and the universe. It wouldn't have happened without human spaceflight.

We risk losing this with the President's budget. The President's decision of NASA's role in human spaceflight is not only a step back for America; it is a calculated decision that says we aren't up to the challenge.

Yes, our Nation is in a fiscal situation that should force us to examine our spending priorities. We may disagree on how our limited resources should be spent, but there are fundamental national priorities that are worth the investment. Abandoning human space exploration isn't the tough decision that America needs.

We need leadership that clearly states we will not cede our leadership in human spaceflight to any other nation on Earth. We should not hand over space to the Russians, to the Chinese, or to India. If we stay on the path the President's budget lays out, the United States faces the very real and very humiliating prospect of paying billions of dollars to Russia for years to hitch rides to the international space station, which has been largely built by American taxpayer funds.

We used to pay the Russians just over $20 million to take one of our astronauts to the space station. They have learned capitalism very well; and now, this year, it is going to cost us $50 million, which is more than double the price that it was last year. That contract only extends through 2013. So, in all likelihood, we are going to have to renew another contract with them in the future. They have got a monopoly. They are going to charge us whatever

they want, and we are going to have to pay it if we want access to the space station, which, again, the American taxpayers have largely funded.

This is unacceptable. We need to stay the course with the Constellation to make sure that we minimize that gap and to make sure we get our astronauts delivering our people to the space station and beyond—to the Moon and beyond.

Even more unsettling is knowing, when we finally have the ability to get there on our own, we may find the Chinese are already there and working it. Their goal is to be to the Moon by 2023. The United States' goal: question mark. We don't know when we're going to be back to the Moon, if at any time in the near future. Americans have rightly grown accustomed to serving as the global leader in human space exploration. Sadly, we will be in for a huge shock when reality sets in that we no longer hold that title.

NASA has long been a cradle for innovation. Without human spaceflight, where is the incentive for future scientists and engineers to take up these careers?

Human spaceflight is so much more than the basis for an inspirational movie. It is the heart of American ingenuity; and in our pioneering nature as Americans, we say, Place our Nation at the forefront of technology and science. Madam Speaker, we must make the commitment that America will always stay number one.

I urge my colleagues to look closely at what our Nation has achieved through our leadership on human space exploration and to think about what is at stake if we walk away.

I have some of my colleagues here tonight whom I would like to recognize. One is my good colleague from Louisiana, Congressman CAO.

Thanks for coming tonight, ANH. I look forward to your comments.

Mr. CAO. Thank you very much, PETE.

I know that the NASA program is extremely important to your district, and I know that it is very integral in providing good jobs to your people in your district. It is also the same with mine. I have a NASA facility plant in New Orleans East, a facility that is called Michoud.

Earlier this year, President Obama released his 2011 budget. To my surprise and to the surprise of many other Members—I'm pretty sure you're included—the President recommended canceling NASA's Constellation human spaceflight program. During a time when our space shuttle program is phasing out, I am very concerned that this decision will leave our Nation with no means of transporting our astronauts to and from the international space station. It could set the U.S. space program back decades.

Nearly 50 years ago, President John F. Kennedy showed remarkable vision when he directed NASA to launch the Apollo program to the Moon. America remains the only country in the world to have landed a person on the Moon and to have brought him back to Earth safely. We have achieved what people once thought to be impossible because we pushed ourselves and because we challenged our understanding of science and the universe. To this day, we still enjoy the countless benefits reaped from the first spaceflight.

Technologically, NASA is regularly commercialized, and it can be found in countless products, like in improved medical devices, in household smoke detectors, in barcode scanners, and in every computer.

□ 2230

So we see that the technology from spaceflight is incorporated into our everyday lives.

It has also allowed us to improve weather forecasting, which is extremely important in Louisiana, given the threats of hurricanes and tornadoes and what have you in the region. If you were to listen to the former NASA Administrator, Dr. Mike Griffin, he wrote, ''I believe that this budget request advocates a strategy that is, frankly, disastrous for the U.S. human spaceflight program.''

Harrison Schmitt, former U.S. Senator and Apollo 17 astronaut, said, ''It is simply bad for the country.''

With the loss of our manufacturing base, many jobs have been moved to other countries. The manufacturing of the space vehicle is among the very few areas where we still enjoy a technical advantage, and I think it is extremely unwise to give it up.

Like you said, the Chinese are pushing to bring a person to the Moon. The Russians are continuing their space program, and I am pretty sure that they are catching up with us in the technical field to put a person on the Moon and beyond. And we, as one of the most powerful countries in the world, the most advanced country in the world, we are scaling back on our space program, one of the few areas where we still have a technical advantage beyond other countries.

The Michoud facility in my own district was slated to build components of the Orion crew module and the Ares 1 and Ares 5 cargo rockets. Michoud faces the prospect of losing thousands of high-skilled jobs. In a time in which we are trying to preserve jobs, trying to create jobs, this cut will destroy jobs. With the Michoud facility facing a reduced workforce of 1,000 employees, that is 1,000 good-paying jobs that we can preserve and we can retain.

We have this world-class manufacturing facility in New Orleans which has been used to build the Saturn rockets for the Apollo program and the main fuel tanks for the space shuttle, among many other notable achievements, and we will lose all of the experience and all of the manufacturing jobs, along with $9 billion of taxpayer money that could have been spent on the Constellation Program.

Some have made the argument that the future of manned spaceflight is best outsourced to the private sector, as indicated in the budget proposal. But I think, though, commercial spaceflight is a promising and exciting endeavor, and we need to keep those programs in our country, in our districts, to provide those good-paying jobs to our people. If we are trying to preserve jobs in the United States, I think it is unwise to outsource those good-paying jobs to other countries. Institutional knowledge of over 40 years of human spaceflight would be lost under the current budget proposal.

Just to close, I just want to quote a statement given by Charlie Duke, an Apollo 16 astronaut. He said, ''We cannot afford to lose our leadership in space. The Constellation Program must be continued.''

You know what, PETE? I cannot agree with him more. I am pretty sure you can also agree with me on that assertion. Thank you very much for your hard work and dedication to this project.

Mr. OLSON. Thank you for those very kind comments, and I couldn't agree with you more. One of the problems I have with this decision is how it was sprung upon all of us.

I am the ranking member on the subcommittee that has jurisdiction over NASA, and I found out, like probably all of you, everybody here in the Chamber, by reading the newspaper. No one ever gave me a heads-up that this was coming. Nobody ever gave our ranking member a heads-up this was coming. I don't think even the chairman of the committee had any knowledge that this was coming. It seemed to be a small little cabal in the White House that made this decision that has a tremendous impact on our society.

You mentioned the loss of jobs. There are going to be thousands and thousands and thousands of good-paying, high-tech jobs, the kind of jobs we want here in America, that are going to go away. As you alluded to, once those people walk out, they are gone.

Mr. CAO. And I do recognize that we are facing a budget problem, a budget crisis in this country, and we have to cut costs, but I believe that we have to do it in a responsible manner. Cutting one of the few areas in which we have an advantage over every other country in the world seems to me to be a very unwise decision.

Mr. OLSON. Again, there is no reason why we should ever, ever, give up our leadership in human spaceflight. We have worked for it from the onset, over 50 years ago now, almost 50 years ago since NASA was formed.

Again, you referred to President Kennedy's speech. The ultimate called shot; we are going to be on the Moon by the end of this decade. And we were behind the Soviets, as you remember, at that time. We hadn't done anything. Yet because of American ingenuity, American persistence, and American innovation, on July 20, 1969, Neil Armstrong backed down that ladder, put

that foot on the lunar surface, and uttered the famous words that every American knows, ''one small step for man; one giant leap for mankind.''

I agree with you, we cannot give that up. I think if you could talk to Astronaut Schmitt, Apollo 17, that was the last Moon mission, and if you could have talked to him when he got back home and said, Well, you know, sir, we are not going to be back for at least 40 years, he would have taken money and said, No, we are going to go back. We are going to be there over and over. We are going to be at Mars by 40 years from now.

Unfortunately, we are looking at cutting the program and continuing our domination of low-Earth orbit, which the Augustine Commission that the administration cites as sort of the bible for their action also here basically said, the front page of their summary, we are done with low-Earth orbit. There are no more challenges for our Nation in low-Earth orbit. We have got to fund a fantastic space station up there that is delivering science and discoveries to us every day, but we are not challenging ourselves from an exploration perspective going beyond low-Earth orbit.

We have to do that, and the Augustine Commission recognized that, and killing the Constellation just completely curtails that. There is no plan to get beyond low-Earth orbit. And, quite frankly, that is not what our country wants. That is not what we need. As you alluded to, we are number one, we have been number one throughout history, and we should never give that up.

Thank you for your comments.

Very briefly, I would like to talk about sort of the education perspective, some of the issues involved with promoting our youth and getting them involved again in the STEM disciplines, the science, technology, engineering, and mathematics.

When we think about the new competitive global economy, we know that China and India don't hesitate to encourage their top students to pursue science and math careers. They know that it is this expertise that will dictate their countries' futures. Unfortunately, these are the careers which America is losing ground on, calling into question our own future.

The problems with U.S. test scores and recruiting teachers in science, math, and engineering fields are well publicized. U.S. students lag well behind their Asian and Indian counterparts, and we risk losing the level of excellence in science, research, and innovation that is necessary to meet the needs of our future.

Harvard University and many others recruit top students from China to be educated here in America. Why? Because Chinese students are laser-focused on a top education, and their test scores reflect that. Unfortunately, after those students receive a top-tier degree at an American school, they go back home and return to their country and we will not benefit from that knowledge that they got here in America. And here at home we have some American students graduating from high school needing remedial math courses to begin college level math.

□ 2240

We have a shortage of teachers to inspire young minds and we have deemphasized the pursuit of solving difficult problems and seem to choose the path of least resistance. While the solutions to those problems may require a great national epiphany, we do see small but important steps taking place every day across America. The Johnson Space Center in the district I'm fortunate to represent in Houston hosts several programs in which employees volunteer their time to mentor students in math, science, and engineering.

Just recently, just this past Monday, I was pleased to be present when Hannah Gorse, a student at Pearland High School in the district I represent, won a slot at the prestigious NASA High School Aerospace Scholars Program. Hannah is a junior there at Pearland High School. She told me that all she wants to do when she grows up is become an astronaut or an aerospace engineer and work in human spaceflight exploration. As part of this program, she designs things. I was stunned. She designed a CEV—a crew exploration vehicle. A lunar rover, for those of you who have been following the space program. She's designed parts to a shuttle; she designed components for the international space station, all as part of this program.

Madam Speaker, Hannah is the kind of student we want to get the math or science degree and channel her intellect toward great achievements in human spaceflight. We cannot take that inspiration and opportunity away from our students. And we do exactly that by killing the Constellation Program.

The NASA High School Aerospace Scholars Program allows students to write essays, solve math problems, design upgrades for the international space station, like Hannah did, among other projects. It's coordinated, as I said, through the Johnson Space Center, and serves as a valuable tool for students like Hannah to encourage them to pursue the career degrees in math and science. These innovative initiatives encourage and inspire students to be the pathfinders we want when we show the way forward. These young leaders will scale greater heights in their critical careers that will help develop new technologies in science, engineering, and health care.

There's another opportunity for our Nation through the government to have a role in this solution, but to do so we must fully commit to our Nation's human spaceflight program. The Constellation Program is that program. A robust national program like Constellation maintains our global leadership in human space exploration and inspires generations of young minds like Hannah Gorse to create the next level of American superiority. As we speak, China and India are demonstrating their commitment to human space exploration, and they have the students graduating with the degrees to get the job done. Again, the Chinese plan to be back to the Moon between 2025 and 2030. The United States has no plans to go back to the Moon at this time.

Space exploration has always been a primary motivator for students to pursue careers in math, science, and engineering. Children stare up at the stars or watch grainy footage of the first man on the Moon or watch a shuttle blast off at nighttime, and a future scientist, astronaut, or engineer is born. As it stands now, the administration's budget is putting the U.S., the global leader in human spaceflight exploration, firmly into fourth place. Without a manned space program, again, we will be forced to pay Russia over $50 million per astronaut to give access to the international space station.

The United States has been a beacon of cutting-edge technology when it comes to pioneering the path in science and space exploration. We were the first to set foot on the Moon because we made a national commitment to being first and being the best. That's what America does. We must continue that investment so our next generation reaps the benefits of excellence in science, math, engineering. Human space exploration is part of that national plan. There's still time to correct our national decline in both education and space exploration. They go hand-in-hand.

Madam Speaker, a strong human space exploration program is a key motivator for America's students to pursue careers, again, in science, math, and engineering that we desperately need to compete globally. It requires a national commitment, both public and private. That is America at its best—and that's what we want to keep. We do that by maintaining the Constellation Program.

If my colleague from Utah would like to speak to some of these issues, I yield the floor to him.

Mr. BISHOP of Utah. I thank my good friend from Texas for yielding me some time on this significant issue. I have read some of the comments that have been made in the past, saying, You're a conservative. NASA is saying in this new budget that they want to commercialize and privatize the program. Why aren't you supporting that? I have to admit, I think it comes down to an issue of semantics. When I think of privatization, I make three assumptions: It will cost the taxpayer less money, there will be a smaller government force in use, and there will be a better product.

I think, as the gentleman from Texas would agree with me, this plan that NASA has put forward doesn't do any

of those. Indeed, it costs more for a NASA budget. It increases the cost that the taxpayer will be spending on NASA. There are no Federal jobs that will be eliminated, only private-sector jobs, to the tune of about 30,000 jobs nationwide of scientists, engineers, mathematicians, those kinds of jobs that we don't really want to lose and we're trying to encourage young students to go into, and there is not a better product.

As the gentleman from Texas said, it was ironic that the other day the Constellation Program passed their predesign review, which means after expensive engineering and technical checks, they passed everything. There is nothing technologically wrong with Constellation. It is ready to go forward. Ironically enough, on that very same day, one of the alternatives that the NASA administration would like us to fund was having a test on their engine, and it was a total failure. Ironically, NASA didn't publicize either of those events—the engine failure or the complete success in the predesign and review of Constellation.

So let me just spend a moment and talk about these commercial startup enterprises that NASA administrators are telling us they want to transfer all American taxpayer moneys into going into this direction. These are programs like Rocketplane Kistler, which after a 14-month review or alliance with NASA, was terminated because it failed to meet any of its goals. Or, SpaceX, which over 8 years working with NASA and being funded by taxpayer money, has had a 40 percent success rate. The Falcon 9 was supposed to be ready for flight in 2009. It's not there yet. It is now scheduled for sometime in 2010, but that was the engine failure that I talked about that happened this very week. They are behind. They have already received $158 million of tax money, but obligations of NASA run in the multibillions of dollars.

Orbital, another of those companies, is 7 months late on all of their assignments, which means if you actually look in the proposed budget, there is $312 million assigned to a category called: Additional incentives for commercial cargo providers. If you want to take the spin off of it, it's a bailout for these companies who are not meeting their deadlines, who are not providing the product.

After $600 million to these kind of companies, NASA can clearly say they have no hardware to show for it. They have no services that have been delivered with it. There are no intellectual property rights. And this is what certain administrators within NASA call the ''bold new direction for this country.'' It is ludicrous.

When the *Columbia* accident occurred—and was a tragic event all of us mourned—there was an intense study to find out what went wrong and how to prevent it. And they came up with two goals: that if there is an entity that's going to be successful, they have to first have a clear goal of what their mission is. And second, they have to have an ultimate emphasis on safety.

Let me talk about safety for just a moment, because the Bowman report, as much as we may not like it, clearly said the Federal Government's supervision in this area produces a safer project. But in that report as well there was a mandatory report given by the Aerospace Safety Advisory Panel after that *Columbia* accident. In the report in 2008, in which the current chairman—General Bolden was a member—as well as this year's report, at no time were they supportive of making entrepreneurial commercial options the primary means of U.S. human spaceflight.

□ 2250

So what were they supportive of? Well, Constellation. Time magazine this year—actually I'm sorry, the end of last year—came up with their 50 Great Inventions of the Year. And what was the invention they rated number one? Ares, the Ares rocket which is part of the Constellation program. That's what they did.

In the official report to NASA, it says, The simplicity of the Ares design makes the mature Ares 1 clearly superior to all other vehicles no matter what choice of qualification method. Even accounting for error bars on method and model inputs, Ares 1 is superior to all other options with more than a 90 percent confidence.

In short, results suggest that the Ares 1 launch vehicle is clearly the safest launch vehicle option and the only one that can meet the goal post-*Columbia* of having a launch vehicle that was 100 times safer than the space shuttle which it was designed to replace. What they are doing, simply, is Constellation is meeting the goals.

Now, once again, the goals are somewhat nebulous. If you don't have a goal, almost anything you appropriate can meet your goal. And I am suggesting that the NASA administrators right now do not have a clear goal.

Deputy Administrator Garver gave a speech today over in Maryland in which she said that the President's budget should be approved by Congress because it will enable NASA to align with the priorities of the Nation. And those priorities, these key national priorities that I am referring to are: economic development, ending poverty, hunger and creating jobs; international leadership in geopolitics, or world peace; education; and environment.

Now, I hate to say anything, but in 1958 when NASA was started, their goal was to—and I will quote, Provide for research into problems of flight within and outside Earth's atmosphere and to ensure that the United States conducts activities in space devoted to peaceful purposes for the benefit of humankind. Nearly 50 years later, NASA proudly pledges to redefine what is possible for the benefit of all humankind by using NASA's unique competencies in scientific and engineering systems to fulfill the agency's purpose, to pioneer the future in space exploration, scientific discovery and aeronautics research.

Mr. OLSON. If my colleague would yield for a quick question. So economic development, international global leadership and education?

Mr. BISHOP of Utah. And environment. I think at some time, Ms. Garver needs to explain what she meant, as this is the priority of NASA now when, in reality, this should have been the priority of NASA. And once again, if you have those goals, I think it makes sense to take away the program that everyone who knows what they are talking about says is clearly the best innovation we have and the only way of supplanting the space shuttle with safe vehicle mechanisms for the future and for manned space flight. But once again, if your goals are to eliminate anything that deals with the traditional role of NASA, then perhaps those goals aren't significant whatsoever.

I have one last area, and if the gentleman from Texas has time, I would like to go into that or I could wait if you would like to.

Mr. OLSON. Yes, sir.

Mr. BISHOP of Utah. Let me try one last thing. We talk a lot about the industrial base. It's a term that maybe not a lot of people understand. As I define the industrial base, I simply want to say that the kinds of people, the kinds of jobs that put a man on a rocket and shoot him to the Moon are the same kinds of people and the same kinds of jobs that build our missile defense against those who wish to attack this country. That is our industrial base.

Last year, this country engaged in some significant—and I think unwise—decreases in our military missile defense system, and it had the effect of putting our industrial base in disarray.

However, if now NASA goes through with this, I think, unwise and naive approach of canceling Constellation, it is going to destroy that industrial base, which means not only will you not have the ability of putting a man in space very quickly with a program that works. If, indeed, our projections of the threat of countries like North Korea and Iran are underestimated, we will have no capacity to ramp up for a missile defense future.

Now, what that simply means is—and the Pentagon has recognized this—last year, three different reports came to us. In April of last year, the Defense Department report to Congress on the solid rocket motor industrial base said, If there was a delay in Constellation, it would have a negative impact on our defense system. Next month after that, there was another report. This time the solid rocket motor capabilities report to Congress in June which had a different conclusion. This report said, If there was a delay in Constellation, there would be a significant negative impact on the military capabilities of this country.

Later, the Assistant Secretary for Defense for Acquisitions sent us a letter in which he simply said that the technological base in the world is not a birthright which means several years ago the Air Force dropped all of its military missile plants to build these projects. We are relying on the private sector, and it's into the birthright. It's about certain kinds of jobs, very rare kinds of skills that are not easily replicated in the commercial world. And if we allow them to erode, it would be difficult to rebuild.

Mr. OLSON. Would my colleague yield for a question?

Mr. BISHOP of Utah. Please.

Mr. OLSON. What kind of consultation went on with DOD, with NASA and this decision? I heard press reports that said there was little, if none. DOD, just like you and I, woke up and read the paper and saw what had happened had not had any opportunity to let the powers that be, the administration know that you are putting our national security at risk by cutting the Constellation program. I wonder if my colleague has heard anything along those lines.

Mr. BISHOP of Utah. If you would yield, I will try to come up with that because, indeed, the deputy administrator of NASA said that she did have consultations. But one she said she consulted is the very same person who said that if it's allowed to erode, it would be difficult to rebuild.

I'm on the Armed Services Committee, and we had the opportunity to question Secretary Gates when he came in. I asked if there was any consultation. He said no. I asked the same thing of the Air Force chief, if they had had any consultation. His response was over this entire issue—and I added the Minuteman III issue as well—We recognize not just the Minuteman challenge going forth but a broader industrial base issue which we're going to have to wrestle with this year. So we do not right now have a long-term solution to that in hand, which means that the Defense Department was caught unaware.

There was no communication between NASA and Defense. If, indeed, there was, then clearly NASA was not listening to what was being told to them because we have had a year of comment from the Defense Department and from the Pentagon, saying that this is a significant issue, that if, indeed, North Korea and Iran have a greater capacity than we think, and you've destroy the industrial base, we do not have the capacity to react to it and defend this country.

Now, what we are simply doing in this program is not just dismantling our manned space mission. We're not just losing the ability to go up to the Moon and beyond. We are also destroying our defense capability at the same time, and that is a consequence of this rash and naive proposal that has to be fully explored, and this Congress needs to address because it is the future of this country.

This NASA opinion, in my estimation, is nothing more than managing America's decline in the world, and that is not the role we should be doing. That is not the purpose of this country. That's not the purpose of this Congress. This Congress needs to make the clear statement that NASA is going on the wrong approach. It has to have a proper goal for its mission. It has to properly fund its goal for its mission. This, the Constellation, is the solution to the space shuttle and beyond.

Mr. OLSON. Yes, sir, I couldn't agree more with my colleague from Utah. And just to reinforce some of your things for my people back home, one of the things I heard being at the Johnson Space Center this past Monday, numerous people came up to me and said, What's our plan? I mean, what's our mission? This is an organization that has been focused on a mission for 40 years. And right now, they have no idea what they're working towards. Some nebulous stuff about global warming research, climate change research, developing the private sector doesn't do anything to inspire them.

Again, these are the best, most qualified engineers, propulsion people, defense, as well, in the world. And we are giving them no mission and possibly letting them walk out the door. Once they walk, they're gone.

□ 2300

Mr. BISHOP of Utah. It is not wise for us to take our 30,000 best scientists and engineers and give them pink slips.

One thing you said as well, when John Kennedy gave us the challenge to go to the Moon, those people who started to study engineering, science, and math, it skyrocketed because there was a challenge. There was a mission there.

NASA is talking about all kinds of programs to encourage kids to get excited about space with their summer school programs. They instituted a new computer simulation game so students could pretend to go up to the space shuttle. I am contending to you, it is cruel to excite these kids about this future when you give them no realistic way of exercising that dream because we have stopped the mechanism of doing it.

Once again, as we should have learned out of *Columbia*, we have to put safety first. This program is not. And secondly, we have to have a clear goal. If we don't do those two things, we are courting another disaster. This plan of certain NASA administrators is courting another national disaster.

Mr. OLSON. My colleague, getting into the safety issue, which is a big issue, has NASA published any safety regulations or requirements for the commercial spaceflight operators? I have had many come in my office and say they are working towards that, and I have gotten information from other people who say, no, NASA has not published anything yet. Have you heard anything?

Mr. BISHOP of Utah. To my understanding, that has not taken place because those other commercial endeavors are not far enough along in their testing and their success pattern to be to that stage. Once again, it goes back to why we should keep Constellation. It was designed to have that factor of safety. That was the purpose for its design. That is its simplicity. For example, there has to be a way of escaping. That is the Orion capsule, where people will be kept. It has to have an escape process. None of the other commercial ventures have any kind of plan or design for that component yet, and it is a long, long way away.

Mr. OLSON. Yes, sir. And there was an issue with that as well. The administration put out, as I understand it, the test was supposed to be in your district. It was supposed to happen in April, and there was a notice to cease and desist, and we contacted the administration, a bipartisan letter, saying I'm sorry, Constellation is the law of the land. You don't have the ability to cut and choose programs that you don't think are going to be valuable or project into the future, because the President only has a voice in this. Congress is the final authority.

I thank my colleague for coming here late because you speak the truth. It is a battle that we can win. The American people get this. Thank you again for your time tonight.

Finally, I would like to finish up with talking about some of the technology issues associated with Constellation and its cancellation.

The administration's budget plan again cancels NASA's Constellation to develop vehicles that will ensure America has access to space and capabilities to go beyond low-Earth orbit. But what they have done, they have eliminated Constellation which does that in favor of undefined ''game-changing technology efforts'' without clearly defined goals and metrics.

This is exactly what my constituents back home are saying: What is our goal? What is our mission?

In my experience, whenever someone, whether it is a company or government agency, proposes that some new radical breakthrough is just around the corner and will provide the solutions to all of our problems, I want to immediately grab my wallet, button my back pocket, and hunker down. Spaceflight is governed by the laws of chemistry and physics, and there are very few game-changing technologies.

I want to say that I am an avid supporter of NASA, and I think technology development is an important part of what we have gotten from NASA. New technology is one of the many benefits we get from human spaceflight, but that technology development must be the result of a mission-driven pursuit with clearly defined goals and objectives. Like my colleague mentioned, the difficulty of the mission is what forces the development of technology. The proponents

are always ardent and sincere in their desire to make a difference, but history shows that it is not an effective way to manage programs.

I want to explain how the misguided quest for game-changing technologies and flexible paths similar to what is currently proposed have led to wasteful and ultimately futile spending efforts over the past 18 years.

This is a chart of NASA's human spaceflight development programs from 1992 to 2010. The red areas are cancelled programs; blue, completed programs; ongoing, yellow. As you can see, we only have two ongoing programs out there right now, and they are the commercial private programs. We have got the international space station still rolling strong, probably going to go beyond 2015 to 2020. We have completed a superlightweight tank, completed the X–43A, but then ran into the X–43B and cancelled that program. And then the only other thing we have was the DARPA program, which failed. This is one of the challenges of NASA. We have gone through all of these programs and changes with different administrations, and we are looking to do that right now, another change, a huge change in our human spaceflight path by shifting gears to the program of record, the Constellation Program, and going to some unknown, unproven technology from the private sector.

I support the private sector. I think they have a role in certainly some cargo resupply of the space station, but they need to prove that they have the capabilities, and they are not close. As my colleague from Utah alluded to earlier, they had a firing of an engine, and I believe some of the fire came out towards the side. Everybody here knows that rockets, it needs to come out the bottom and generate propulsion up. Coming out the side is not something that you want to see. That is what we are dealing with right now. That is what the administration has chosen to hang our future in human spaceflight on. I think it is an incredibly poor decision.

Congress, we have seen a number of game-changing proposals over the years. Again, this graph shows all of the different programs that have been ''game changers,'' and the blue ones are the only ones that actually came to fruition.

What this represents are billions of dollars being spent without anything to show for it. Again, the Constellation is on track. We have had a very successful test launch of the Ares I-X. We passed our PDR this week. This program is the program of record. It deserves to go forward. It is in America's best interest, and we need to stay the course, put Constellation, bring it up and put U.S. astronauts in space again, get rid of that gap with the space shuttle being retired, get our astronauts up there again, going to the space station and going to the Moon and going beyond.

It is up to Congress to remember the lessons of the past and ensure that the administration's ill-conceived proposals are thoroughly reviewed. We should not agree to open-ended, unproven, unconstrained technological demonstrations. Anything we agree to must be clearly defined. NASA must show us how and why it is included, and it should be part of an as yet to be defined broader goal for human spaceflight exploration.

Would my colleague like to add anything?

Mr. BISHOP of Utah. I would just like to echo what you have said in all of these particular areas. It is important that we move forward. I think it is common sense that we do not cede space to the Russians and the Chinese. The United States has been a leader in this area. It has been very productive for us. We ought to ensure that our goal is to be number one and to continue to be a leader.

Having our astronauts standing on the edge of space trying to catch a Russian taxi where the meter will say $51 million as soon as they sit down is not the way America becomes a leader in this particular world. We have the ability to do the right thing. It is planned. We need to follow through with the original plan and not change courses right now to an experiment that is unproven and has a history of failure.

I appreciate the gentleman for allowing me to join him tonight. This is an important issue for all of us, and it is important for America's future.

Mr. OLSON. You raise some great points. Again, $51 million to put our astronauts on facilities to get up to the international space station. As I understand it, that contract has been signed through 2013, and it is highly unlikely given the current situation, and certainly a cancellation or with the attempted cancellation of the Constellation Program, that we will have the capability to get our astronauts up to the station by 2013. It will probably be 2015 or somewhere in that window.

The Russians were a communist country when I was born. They have moved over to capitalism. They have figured it out. They have it down. It was $20 million last year. Now that we are in the throes of this, getting rid of the Constellation and having this gap, it is up to $50 million, and who is to say what it is going to be after 2013 when the contract expires.

□ 2310

So we've got ourselves in a big pickle, and we need to stick with the program of record.

Madam Speaker, I would like to thank my colleagues who have joined me here tonight, and I saw my colleague from Houston, my fellow Texan come here.

It's just stunning that this decision has been made, and again, the manner in which it was made. No one at the NASA centers—not the director of the Johnson Space Center, he was not consulted—had any input into this decision.

Across the center, again, Congress, no one that I'm aware of, had any inclination of what was going to happen until he got up and read the paper and saw that the Constellation Program had been canceled. And again, if it's allowed to stand—and we're going to do everything we can here in this Congress to ensure that it doesn't stand—but if it's allowed to stand, it condemns the United States to being an average country in terms of human spaceflight, giving up the leadership that we've had for almost 50 years now. It will ensure that we will lose hundreds of thousands of jobs here in America, good paying high-tech jobs, the kind of jobs we are trying to generate particularly in this economy. And it will take away the inspiration—you can't put a dollar value on this, but the ability to inspire America's youth to get into science, technology, engineering, and math degrees.

The Constellation Program is the right program for our human spaceflight efforts at this time in our history. We can't cancel it. We need to go forward and do everything we can to minimize that gap.

To my colleague from Texas, from the 18th Congressional District of Texas (Ms. JACKSON LEE), thank you for coming out tonight, Congresswoman.

Ms. JACKSON LEE of Texas. Thank you very much, Congressman OLSON, and to the colleagues that have joined you tonight and who recognize the importance of this hour, albeit how late it might be, to really emphasize the uniqueness of America's space program and the uniqueness of, if you will, the human space exploration.

As I was listening to the debate, I was very much convinced that we do have an opportunity to save this valuable asset. I think we know that the NASA budget actually, as I understand it, has seen an increase in 2011. And I think all of us would admit—and thank the President—that's a good thing that the budget itself has increased, but we know that the program that deals with exploration to the Moon and Mars have suffered a blow.

So I would say that we have an easy fix, a reprogramming of the moneys to allow for a program that has now had a sufficient start to be able to redesign itself, to be able to focus on what's important about human space exploration. But the main thing is to save it, because when we save it, we not only save jobs of today—Johnson, Huntsville, Mississippi, Florida, and places around the Nation—but we save the jobs for 2020, 2030, 2040, and beyond.

I think it's important for our colleagues to know that we built the space station. I was on the Science Committee. That space station is barely a decade old—it is a decade-plus. We put it together piece by piece. And when our friends, the Russians, were delayed, they had bad economic times, we moved on.

The space station is the size of a football field. And the necessity of human space exploration is to be able to tend to that space station which has the possibilities of massive research that creates jobs.

Let me thank my friends on the floor. And Congressman OLSON, let me thank you for your leadership—we have joined you in this bipartisan effort—for signing onto the legislation, H. Res. 1150, which establishes or, if you will, determines that NASA is a national security asset, and it is. Because involved in NASA is much of our military science, climatic science, and technology not yet discussed or discovered.

And so I would rise today to support the moving forward on the Constellation Program, but also the working with this administration. I think we all know that we have a leader at NASA who knows Houston, for example, but also knows the human space exploration program. General Bolden was an astronaut and a marine. That's good news for us. And the reason why it is good news is because that is a voice that can be part of this discussion.

I don't take the initial budget by the President as a statement that human space exploration is not good. And I think it is important tonight to take a stand for our continued effort and energy in working to bring about the right kind of response between the Congress and the administration, a budget that is right there in the President's budget, one that can be reprogrammed, reformed, enhanced, if you will, to emphasize the importance of saving the space exploration, this Constellation Program.

Now, let me say this, Constellation is Moon and Mars. And there are scientists who probably have different perspectives, but I don't think anyone can have a different perspective on the pushing of the human capacity and what it brings about in terms of our own enhancement, both in terms of the knowledge that we gain—and I remember when we were trying to gain votes, Congressman OLSON, that we would say things which were really true—the kind of research on the space station had to do with heart disease, cancer, HIV/AIDS. And discoveries today are being utilized. Those discoveries are saving lives, but they also create jobs, medical jobs.

So I, one, want to continue to raise the question. I want to put in the RECORD that the potential of jobs lost at Johnson Space Center could be anywhere from 4,000 to 7,000 high-tech jobs. And each day jobs are being created more and more. And then of course the idea of the national security information—classified, climatic, as I've said, the weather research that's being done—and the need I think most of all—let me not say most of all because we stand on our own merit here in the United States, we are inventors, we are world leaders, but there are other countries that have looked to our leadership, Russia, India, China, all competing to be part of space exploration.

Let me close and yield back to you by saying this: I want to see business involvement in this industry, but I believe it is important for NASA to, in essence, be part of the government and for the jobs we save all over this Nation on behalf of the American people.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of NASA programs across the country and to express my concerns about the Administration's proposal to cancel NASA's Constellation Program, which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets.

These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses respectively. It is under the Constellation program, that NASA is currently developing new launch vehicles and spacecraft capable of travel to the moon, Mars and other destinations. Not only does cancelling the Constellation Program jeopardize America's leadership role in human space exploration, but it will have detrimental effects on our economy and national security.

Take, for example, the Johnson Space Center in Houston, Texas. The Johnson Space Center has the lead to manage the Constellation Program and several of its major elements, including the Orion Crew Exploration Vehicle and the Altair Lunar Lander. Without Constellation, the Johnson Space Center could lose anywhere from 4,000 to 7,000 high-tech jobs. If the JSC loses 4,000 direct jobs, an additional 2,315 indirect jobs would be lost, totaling 6,315; loss of income and expenditures locally would be over $567 million. If the JSC loses 7,000 direct jobs, an additional 4,052 indirect jobs would be lost, totaling 11,052; loss of income and expenditures locally would total almost $1 billion.

When speaking of the decision to cancel the Constellation Program, Administrator Bolden stated that "NASA intends to work with the Congress to make this transition smooth and effective, working responsibly on behalf of the Taxpayers." To the contrary, I believe that the best use of taxpayers' money is to continue the investment in NASA to build America's scientific future. That future will create jobs. Finally, I would like to reiterate that the present Administration's plan for the Constellation Program would cause drastic job loss across America and would place America in a behind the edge position as it relates to competitiveness in scientific research.

NASA and the space industry are critical to Houston's economic success in both the short and long term. According to the Bay Area Houston Economic Partnership, NASA accounts for nearly 16,800 direct federal jobs and serves as the engine for another 3,100 civilian jobs that together supply more than $2.5 billion in payroll into Houston's regional economy. As you are aware, the Johnson Space Center is the primary location for training Astronauts for spaceflights and this move; yet, the proposed budget will effectively cancel America's human spaceflight program.

In his statement announcing NASA's budget, Administrator Bolden stressed that changes in the FY 2011 budget would be "good for NASA, great for the American workforce, and essential for our nation's future prosperity." While I seek the same objectives, I strongly disagree with the closing of this project and I believe it will hurt America's scientific progress.

Additionally, the aerospace industry would lose as many as 20,000–30,000 jobs nationally in either of these scenarios.

Given our current economic downturn, we cannot take the possibility of these job losses lightly and the Johnson Space Center is just one example of what the cancellation of this program would do to other NASA centers nationally.

It will take years for the commercial spaceflight industry to get up to speed to reach the level of competence that exists at NASA today. Our government has already invested literally years and billions of dollars into this program. We should build upon these investments and not abandon them. Our country can support the commercial spaceflight industry, but not at the expense of our human spaceflight program, which for years has inspired future generations and driven technology that enhances our quality of life.

This technology is crucial to our national security. NASA conducts aeronautics research to address aviation safety, air traffic control, noise and, emissions reductions and fuel efficiency. NASA's contribution to our knowledge of air and water supports improved decision making for natural resource management and emergency response, thus enabling us to better respond to future homeland security threats.

Knowledge of Earth's water cycle is a critical first step in protecting our water supply; water flows over the Earth's surface in oceans, lakes, and streams, and is particularly vulnerable to attack.

NASA sensors provide a wealth of information about the water cycle; and contributes to improving our ability to monitor water resources and water quality from space; we must also protect the quality and safety of the air we breathe; airborne contaminants can pose danger to human health; and chemical, nuclear, radiological, and biological attacks are plausible threats against which we can protect.

Thus, join me in my efforts to restore funding for the Constellation to the FY 2011 budget for the following reasons:

(1) Elimination of the Constellation program, will present Homeland security implications for Cyberspace, critical infrastructure, and Intelligence community of the United States;

(2) Elimination of the Constellation program will compromise the effectiveness of the International Space Station as it relates to the strategic importance of space station research, and intelligence;

(3) Continuation of NASA's Constellation program is crucial to improving national security, climate, and research in science and medicine.

It is my hope, Madam Speaker, that this Congress will continue to support NASA's Constellation Program and to support balanced energy policies that promote economic growth and will help us meet our clean energy goals.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2010.

DEAR COLLEAGUE: I hope you will consider joining me as a co-sponsor for the resolution I will introduce expressing the sense of Congress that the National Aeronautics and Space Administration (NASA) is a national

security interest and asset, and that the elimination of funding for the NASA Constellation program in the President's proposed FY 2011 budget presents national security concerns.

The President's proposed FY2011 budget eliminates funding for the Constellation Program which includes the Orion Crew Capsule, the Altair Lunar Lander, and the Ares I and Ares V rockets. These programs, which together comprise our human spaceflight program, were authorized in both 2005 and 2008 by Republican and Democratic Congresses respectively. It is under the Constellation program, that NASA is currently developing new launch vehicles and spacecraft capable of travel to the moon, Mars and other destinations. Not only does cancelling the Constellation Program jeopardize America's leadership role in human space exploration, but it will have detrimental effects on national security.

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(3) Continuation of NASA's Constellation program is crucial to improving national security, climate, and research in science and medicine.

(4) The United States should maintain its funding of the Constellation program and should begin funding commercial space in five years and not sooner.

To join as a co-sponsor, please call my office for Mona K. Floyd of my staff or email (*Mona.FloydPmail.house.gov*).

Very truly yours,

SHEILA JACKSON LEE,
Member of Congress.

Mr. OLSON. Very briefly, I would like to thank my colleague from Texas for all her support of the Johnson Space Center. True hero back home. And I couldn't agree with you more about every American has benefited from the human spaceflight.

I thank all my colleagues for coming here tonight.

CHARLIE WILSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Earlier this evening, Madam Speaker, colleagues came to the floor of the House to salute our late colleague, the Honorable Congressman Charles Wilson, who made the people of the world happy because of his enthusiasm and leadership.

Congressman Wilson was born June 1, 1933, in the small town of Trinity, Texas. He attended public schools there and graduated from Trinity High School in 1951.

While attending Sam Houston State University in Huntsville, Texas, Wilson was appointed to the United States Naval Academy. He received his B.S. degree, graduating eighth from the bottom of his class in 1956.

□ 2320

However, that was not a testimony to how Charlie Wilson would serve this Nation.

He served in the Navy, attaining the rank of lieutenant. He graduated as a gunnery officer. He was assigned to a destroyer to search for Soviet submarines. He then took a top secret post at the Pentagon as part of an intelligence unit that evaluated the Soviet Union's nuclear forces.

Wilson came into politics by volunteering for John F. Kennedy's Presidential campaign in 1960. After a 30-day leave from the Navy, he entered his name into the race for Texas Representative from his home district. While back on duty, his mother, sister and their friends went door-to-door, campaigning. It worked. At age 27, he was sworn into office. For the next dozen years, Wilson was known as ''the liberal from Lufkin.''

In 1972, he came to the United States Congress. He was a power. He was a man who enjoyed the friendship of many of our colleagues. He was a staunch supporter of the elderly, of women, and of equal rights. He was unique in his time.

He came to this Congress in a segregated time, coming from Houston, Texas, and the surrounding areas; but he knew my colleagues Congressman Mickey Leland and Congresswoman Barbara Jordan.

I know that he had a relationship that showed no discrimination, no bias. I know he loved this country. He wanted to do well by our allies; and, yes, he was the star of ''Charlie's War.'' He was the one who led quietly an opposition to the Russians' takeover of Afghanistan. That story will always be his—brave, quiet, but successful. As the story is told, he didn't do a lot of talking about it, but he got the job done.

We will miss Congressman Charlie Wilson. I am so honored and privileged to have had the opportunity to serve with him for 2 years when I first came to the United States Congress. He was a joy to serve with. He was a defined Member of this body, who respected this body but who had a great time. We will miss him as he has lost his life just recently.

We say to his lovely wife who shared times with him for 11 years, Thank you for sharing Charlie Wilson. Thank you for giving him the joy of his life, and thank you so very much for recognizing what a special treasure he was to the American people and to the great State of Texas.

Madam Speaker, my words, I hope, will be a mere comfort to his family and friends.

To my colleagues in the Texas delegation, yes, we have a fallen hero; but we have a friend we will be able to remember for a lifetime.

God bless you, Charlie Wilson. May you rest in peace.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise to recognize the contributions Congressman Charles Wilson made to the people of Houston, Texas, and the nation. He served the people of Houston, Texas with vigor. Congressman Wilson was born June 1, 1933 in the small town of Trinity, Texas. He attended public schools there and graduated from Trinity High School in 1951.

While attending Sam Houston State University in Huntsville, Texas, Wilson was appointed to the United States Naval Academy. Wilson received a B.S. degree.

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For the next dozen years, Wilson made a name for himself as the ''liberal from Lufkin.'' In 1972, Wilson was elected to the U.S. House of Representatives from the Second District of Texas, taking office the following January.

Though he did not speak much on the House floor, he spoke through his actions. He was a staunch supporter of the elderly, women, and equal rights. Charlie Wilson supported abortion rights and the Equal Rights Amendment. Wilson also battled for regulation of utilities, Medicaid, tax exemptions for the elderly and a minimum wage bill.

Madam Speaker, I am pleased to recognize the contributions of Charlie Wilson as a representative of the people of Houston and this nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today and March 9 on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ORTIZ) to revise and extend their remarks and include extraneous material:)

Mr. BRIGHT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. ORTIZ, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Mr. EDWARDS of Texas, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. CUELLAR, for 5 minutes, today.

Mr. AL GREEN of Texas, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. JONES) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 17.

Mr. JONES, for 5 minutes, March 17.

Mr. MORAN of Kansas, for 5 minutes, March 17.

Mr. BARTON of Texas, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, March 11.

Mr. CONAWAY, for 5 minutes, today.

Mr. GOHMERT, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, March 11 and 12.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

ADJOURNMENT

Ms. JACKSON LEE of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Thursday, March 11, 2010, at 10 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 4783, as introduced, a bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4783, A BILL TO ACCELERATE THE INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR THE RELIEF OF VICTIMS OF THE EARTHQUAKE IN CHILE, AND TO EXTEND THE PERIOD FROM WHICH SUCH CONTRIBUTIONS FOR THE RELIEF OF VICTIMS OF THE EARTHQUAKE IN HAITI MAY BE ACCELERATED AS INTRODUCED ON MARCH 9, 2010

[Millions of dollars, by fiscal year]

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Net Impact on the On-Budget Deficit													
Total On-Budget Changes	25	−24	0	0	0	0	0	0	0	0	0	1	1
Less:													
Designated as Emergency Requirements [1]	25	−24	0	0	0	0	0	0	0	0	0	1	1
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

[1] Section 3 of the bill would designate all sections of the Act as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010.

Notes: Positive numbers for "Net Impact on the On-Budget Deficit" denote an increase in the deficit; negative numbers denote a decrease in the deficit.

Sources: Congressional Budget Office and Joint Committee on Taxation.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6477. A letter from the Management and Program Analyst, Department of Agriculture, transmitting the Department's final rule — Sale and Disposal of National Forest System Timber; Special Forest Products and Forest Botanical Products (RIN: 0596-AB81) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1,2,3-Propanetriol, Homopolymer Diisooctadecanoate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0213; FRL-8813-8] received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Trichoderma asperellum strain ICC 012; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0750; FRL-8800-9] received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6480. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Limitation on Procurements on Behalf of DoD (DFARS Case 2008-D005) (RIN: 0750-) received February 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6481. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Additional Requirements Applicable to Multiyear Contracts (DFARS Case 2008-D023) recevied February 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

6482. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Enforcement Network; Expansion of Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity (RIN: 1506-BA04) received February 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6483. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs; and Other Related Issues [Docket No.: OTS-2010-0020] (RIN: 1550-AD36) received February 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6484. A letter from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Community Reinvestment Act Regulations (RIN: 3064-AD54) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6485. A letter from the Secretary, Department of Education, transmitting the Department's final rule — School Improvement Grants; American Recovery and Reinvestments Act of 2009 (ARRA); Title I of the Elemenary and Secondary Education Act of 1965, as Amended (ESEA) [Docket ID: ED-2009-OESE-0010] (RIN: 1810-AB06) received January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6486. A letter from the Director, Office of Policy, Reports and Disclosure, Department of Labor, transmitting the Department's final rule — Trust Annual Reports (RIN: 1215-AB75) received February 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6487. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Grants for Research Projects [Docket No.: NIH-2007-0929] (RIN: 0925-AA42) received February 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6488. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — National Practitioner Data Bank for Adverse Information on Physicians and Other Health

Care Practitioners; Reporting on Adverse and Negative Actions (RIN: 0906-AA57) received January 28, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6489. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standard; Air Brake Systems [Docket No.: NHTSA-2009-0038] (RIN: 2127-AK44) received January 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 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 [EPA-HQ-OAR-2008-0924; FRL-9119-3] (RIN: 2060-AP40) received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Operating Permits Program; State of Iowa [EPA-R07-OAR-2009-0860; FRL-9120-2] received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Ohio New Source Review Rules [EPA-R05-OAR-2004-OH-0004; FRL-9107-4] received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6493. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; NO_X Budget Trading Program [EPA-R05-OAR-2009-0964; FRL-9116-8] received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6494. A letter from the Assistant Bureau Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule — Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition, Amendment of Parts 15, 74 and 90 of the Commission's Rules Regarding Low Power Auxiliary Stations, Including Wireless Microphones [WT Docket No.: 08-166, WT Docket No. 08-167, ET Docket No. 10-24] received February 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6495. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No.: RM10-14-000] received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6496. A letter from the Legal Advisor, International Bureau, Federal communications Commission, transmitting the Commission's final rule — Elimination of Part 23 of the Commission's Rules [IB Docket No. 05-216] received January 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6497. A letter from the Acting Deputy Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

6498. A letter from the Acting Deputy Director, Defense Security Cooperaton Agency, transmitting Transmittal No. 10-12, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6499. A letter from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting addendum to a certification, Transmittal Number: DDTC 10-002; to the Committee on Foreign Affairs.

6500. A letter from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting addendum to a certification, Transmittal No.: DDTC 10-011; to the Committee on Foreign Affairs.

6501. A letter from the Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — General Services Administration Aquisition Regulation; Rewrite of Part 512, Acquisition of Commercial Items [GSAR Amendment 2010-01; GSAR Case 2008-G504 (Change 43); Docket GSAR-2010-0001; Sequence 1] (RIN: 3090-AI61) received February 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6502. A letter from the Deputy Archivist of the United States, National Archives & Records Administration, transmitting the Administation's Final rule—Photography in Public Exhibit Space [FDMS Docket NARA-09-003] (RIN: 3095-AB60) Recevied January 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6503. 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; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested [Docket No.: 060418103-6181-02] (RIN: 0648-XT98) received February 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6504. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Drug and Alcohol Testing Program; Correction [Docket No.: FAA-2008-0937; Amendment No. 120-0A, 135-117A] (RIN: 2120-AJ37) received January 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6505. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category; Correction [EPA-HQ-OW-2008-0465; FRL-9118-7] (RIN: 2040-AE91) received February 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6506. A letter from the Director, National Legislative Commission, American Legion, transmitting the financial statement and independent audit of The American Legion, proceedings of the 91th annual National Convention of the American Legion, held in Louisville, Kentucky from August 21-27, 2009 and a report on the Organization's activities for the year preceding the Convention, pursuant to 36 U.S.C. 49; (H. Doc. No. 111-93); to the Committee on Veterans' Affairs and ordered to be printed.

6507. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier I Industry Director's Directive on the Planning and Examination of Repairs vs. Capitalization Change in Accounting Method (CAM) #1 received February 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. STARK (for himself, Mr. MORAN of Virginia, and Ms. WATSON):

H.R. 4800. A bill to amend the Immigration and Nationality Act to eliminate the 1-year deadline for application for asylum in the United States; to the Committee on the Judiciary.

By Mr. BERMAN (for himself, Mr. FORTENBERRY, Mr. LIPINSKI, Mr. BAIRD, and Mr. HOLT):

H.R. 4801. A bill to establish the Global Science Program for Security, Competitiveness, and Diplomacy, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Science and Technology, 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. MOORE of Kansas (for himself, Mr. CAMPBELL, and Ms. KOSMAS):

H.R. 4802. A bill to modernize the Liability Risk Retention Act of 1986 and expand coverage to include commercial property insurance, and for other purposes; to the Committee on Financial Services.

By Mr. BARTON of Texas (for himself, Mr. GENE GREEN of Texas, Mr. BURGESS, and Mr. STUPAK):

H.R. 4803. A bill to ensure health care consumer and provider access to certain health benefits plan information and to amend title XIX of the Social Security Act to provide transparency in hospital price and quality information; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KOSMAS (for herself, Mr. POSEY, Ms. JACKSON LEE of Texas, Ms. WASSERMAN SCHULTZ, Mr. LATOURETTE, Ms. CORRINE BROWN of Florida, Mr. GRAYSON, Ms. CASTOR of Florida, Mr. MELANCON, Mr. PUTNAM, Mr. KLEIN of Florida, Mr. MICA, Mr. COSTA, Ms. PINGREE of Maine, and Mr. TEAGUE):

H.R. 4804. A bill to reauthorize the National Aeronautics and Space Administration Human Space Flight Activities, and for other purposes; to the Committee on Science and Technology.

By Ms. MATSUI (for herself and Mr. EHLERS):

H.R. 4805. A bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Mr. LEWIS of Georgia, Ms.

BERKLEY, Mr. ROTHMAN of New Jersey, Ms. BALDWIN, Ms. CHU, and Mr. HASTINGS of Florida):

H.R. 4806. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved; to the Committee on Ways and Means.

By Mr. KIRK (for himself, Mr. KLEIN of Florida, Ms. ROS-LEHTINEN, Ms. BERKLEY, Mr. BLUNT, Mr. ISRAEL, Mr. LANCE, Mr. ROE of Tennessee, Ms. LORETTA SANCHEZ of California, Mr. SHERMAN, and Mr. SCHOCK):

H.R. 4807. A bill to amend the Iran Sanctions Act of 1996 to require the President to investigate possible violations of that Act within a specified period, and for other purposes; to the Committee on Foreign Affairs.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. LANGEVIN, Ms. BALDWIN, Mrs. CAPPS, Mr. CARNAHAN, Mr. DENT, Mr. GENE GREEN of Texas, Mr. KIRK, and Mr. PERLMUTTER):

H.R. 4808. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY:

H.R. 4809. A bill to provide greater technical resources to FCC Commissioners; to the Committee on Energy and Commerce.

By Mr. FILNER (for himself, Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Mr. SNYDER, Mr. ROE of Tennessee, Mr. MICHAUD, Ms. HERSETH SANDLIN, Mr. HALL of New York, Mrs. HALVORSON, Mr. PERRIELLO, Mr. TEAGUE, Mr. RODRIGUEZ, Mr. MCNERNEY, Mr. WALZ, and Mr. ADLER of New Jersey):

H.R. 4810. A bill to amend title 38, United States Code, to make certain improvements in the services provided for homeless veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. CAPITO (for herself, Mr. BACHUS, Mrs. BIGGERT, Mr. GARRETT of New Jersey, Mr. NEUGEBAUER, Mr. LANCE, Mr. HENSARLING, and Mr. GARY G. MILLER of California):

H.R. 4811. A bill to protect the American taxpayers by improving the safety and soundness of the FHA mortgage insurance programs of the Department of Housing and Urban Development; to the Committee on Financial Services.

By Mr. GEORGE MILLER of California (for himself, Mr. LARSON of Connecticut, Mr. HARE, Mr. ELLISON, Ms. SUTTON, Mr. PIERLUISI, Mr. SABLAN, Ms. CLARKE, Mr. HASTINGS of Florida, Mr. LEVIN, Mr. RANGEL, Mr. GARAMENDI, Mr. HOLT, Mr. GRIJALVA, Ms. ESHOO, Mr. KILDEE, Ms. MCCOLLUM, Mr. LOEBSACK, Mr. POLIS of Colorado, Mr. DINGELL, and Mr. TIERNEY):

H.R. 4812. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 4813. A bill to provide for insurance reform (including health insurance reform), amend title XVIII of the Social Security Act to reform Medicare Advantage and reduce disparities in the Medicare Program, regulate the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE (for himself, Mr. SHADEGG, and Mr. FRANKS of Arizona):

H.R. 4814. A bill to prohibit the further extension or establishment of national monuments in Arizona except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. GRAVES (for himself, Mr. BOSWELL, Mr. EHLERS, and Mr. PETRI):

H.R. 4815. A bill to amend title 49, United States Code, to allow through-the-fence access to general aviation airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HINCHEY:

H.R. 4816. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the deposit in the general fund of the Treasury of fees that are collected from manufacturers of drugs and devices under chapter VII of such Act, to terminate the authority of the Food and Drug Administration to negotiate with the manufacturers on particular uses of the fees, to establish a Center for Postmarket Drug Safety and Effectiveness, to establish additional authorities to ensure the safe and effective use of drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TEAGUE (for himself, Mr. LUJÁN, and Mr. HEINRICH):

H.R. 4817. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects; to the Committee on Natural Resources.

By Ms. RICHARDSON (for herself, Ms. BORDALLO, and Ms. JACKSON LEE of Texas):

H.R. 4818. A bill to amend the Small Business Act to improve the program under section 8(a), and for other purposes; to the Committee on Small Business.

By Ms. RICHARDSON:

H.R. 4819. A bill to amend the Older Americans Act of 1965 to expand the Senior Community Service Employment Program; to the Committee on Education and Labor.

By Mr. ENGEL (for himself, Mr. POE of Texas, Mr. GENE GREEN of Texas, Mr. SMITH of Washington, Mr. PAYNE, Ms. LEE of California, Ms. BALDWIN, Mr. DOYLE, Ms. MATSUI, Mr. NADLER of New York, Mrs. MALONEY, Ms. SCHAKOWSKY, and Mr. CROWLEY):

H. Res. 1155. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut:

H. Res. 1156. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to. considered and agreed to.

By Mr. HASTINGS of Florida (for himself, Mr. AL GREEN of Texas, Ms. RICHARDSON, Ms. NORTON, Mr. TURNER, Ms. CORRINE BROWN of Florida, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Ms. FUDGE, Mr. BISHOP of Georgia, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CONYERS, Mr. GARAMENDI, Ms. MOORE of Wisconsin, Ms. MCCOLLUM, Ms. CHU, Ms. SUTTON, Mr. CONNOLLY of Virginia, Mr. CUMMINGS, Ms. LEE of California, Mr. VAN HOLLEN, Ms. CLARKE, Mr. SCOTT of Virginia, Mr. HINOJOSA, Ms. KILPATRICK of Michigan, Mr. MEEKS of New York, Mr. CARSON of Indiana, Mr. COHEN, Mr. PAYNE, Mr. KLEIN of Florida, Mr. ELLISON, Mr. RUPPERSBERGER, Ms. WASSERMAN SCHULTZ, and Mr. GRAYSON):

H. Res. 1157. A resolution congratulating the National Urban League on its 100th year of service to the United States; to the Committee on Education and Labor.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H. Res. 1158. A resolution recognizing Certified Nurses Day; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York:

H. Res. 1159. A resolution supporting efforts to address the crisis faced by Haitian orphans following the earthquake of January 12, 2010; to the Committee on Foreign Affairs.

By Mr. MEEKS of New York (for himself, Mr. GUTIERREZ, Mr. TOWNS, Ms. LEE of California, Mr. FATTAH, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. BUTTERFIELD, Ms. NORTON, Mr. AL GREEN of Texas, Ms. CLARKE, Mr. PAYNE, Mr. HONDA, Mr. KINGSTON, Mrs. CHRISTENSEN, Ms. KILPATRICK of Michigan, Mr. CUMMINGS, Ms. FUDGE, Ms. WATSON, Mr. CLAY, Mr. FRANK of Massachusetts, Mr. FALEOMAVAEGA, Ms. WATERS, Mr. LEWIS of Georgia, Ms. WOOLSEY, Mr. BACHUS, Ms. ROS-LEHTINEN, and Mr. ENGEL):

H. Res. 1160. A resolution calling for the establishment of a Haiti Marshall Plan Committee to coordinate aid and development initiatives from multilateral development banks, international financial institutions, United States bilateral aid programs, and major international charities and nongovernmental organizations in response to the earthquake that struck Haiti on January 12, 2010, and encouraging them to work in a coordinated manner and to do even more to support Haiti as it recovers and rebuilds following the greatest natural disaster to hit this nation in over 200 years; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, 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. MOORE of Wisconsin (for herself, Mr. MANZULLO, Mr. PETRI, Mr. KIND, Mr. RYAN of Wisconsin, Mr. KAGEN, Ms. BALDWIN, and Mr. AUSTRIA):

H. Res. 1161. A resolution honoring the Centennial Celebration of Women at Marquette University, the first Catholic university in the world to offer co-education as part of its regular undergraduate program; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

237. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 125 memorializing the Congress to appropriate the $475 million called for in President Obama's FY 2010 budget for a Great Lakes Restoration Initiative; to the Committee on Appropriations.

238. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 175 urging the Congress of the United States to enact and put into effect the Humphrey-Hawkins Full Employment Act; to the Committee on Education and Labor.

239. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 186 urging the Congress and the Army Corps of Engineers to take immediate actions to prevent the Asian carp from entering the Great Lakes; to the Committee on Transportation and Infrastructure.

240. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 33 urging the Congress and the Army Corps of Engineers to take steps to prevent the Asian carp from entering the Great Lakes; jointly to the Committees on the Judiciary and Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Mr. FORBES.
H.R. 197: Ms. GIFFORDS.
H.R. 208: Mr. BILIRAKIS.
H.R. 273: Mr. NUNES.
H.R. 275: Mr. HELLER.
H.R. 336: Mr. GARAMENDI.
H.R. 442: Mr. ELLSWORTH, Mr. SHULER, Mrs. MYRICK, Mr. TAYLOR, Mr. ISSA, and Mr. MELANCON.
H.R. 537: Ms. LINDA T. SÁNCHEZ of California, and Mr. LEWIS of Georgia.
H.R. 618: Mr. RUSH.
H.R. 624: Ms. MCCOLLUM.
H.R. 658: Mr. ANDREWS.
H.R. 690: Mr. MCNERNEY.
H.R. 734: Ms. Velázquez, Mr. ROGERS of Alabama, Mr. OLVER, Mr. PASCRELL, Mr. ANDREWS, Mr. WILSON of South Carolina, Mr. TURNER, Mr. POSEY, Mr. HODES, Mr. LUETKEMEYER, Mr. PATRICK J. MURPHY of Pennsylvania, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 775: Mr. SHULER, Mr. SABLAN, Mr. DOYLE, Mr. SIMPSON, and Mr. PETERS.
H.R. 795: Ms. BERKLEY.
H.R. 877: Mr. SENSENBRENNER.
H.R. 919: Mr. ISRAEL.
H.R. 932: Mr. RAHALL.
H.R. 1067: Ms. LORETTA SANCHEZ of California and Ms. DELAURO.
H.R. 1074: Mr. MELANCON, Mr. SHULER, and Mr. TAYLOR.
H.R. 1177: Mr. ACKERMAN, Mrs. CAPPS, Mr. COSTELLO, Ms. DELAURO, Mr. SHIMKUS, Mr. HOYER, Mr. OBERSTAR, and Ms. PELOSI.
H.R. 1210: Mr. ROSS.
H.R. 1240: Mr. PLATTS and Mr. KAGEN.
H.R. 1258: Mr. ADLER of New Jersey, Mr. BURTON of Indiana, and Mr. POLIS.
H.R. 1324: Mr. LATOURETTE.
H.R. 1362: Mr. AUSTRIA, Mr. BLUNT, Mr. MARKEY of Massachusetts, Mr. MICHAUD, and Mr. MARSHALL.
H.R. 1581: Mr. MOORE of Kansas.
H.R. 1587: Mr. LATHAM.
H.R. 1616: Ms. WASSERMAN SCHULTZ and Mr. FILNER.
H.R. 1740: Ms. ROYBAL-ALLARD.
H.R. 1806: Mr. MILLER of North Carolina.
H.R. 1831: Mr. GARAMENDI.
H.R. 1879: Mr. BUYER and Mr. SULLIVAN.
H.R. 1895: Mr. SIRES.
H.R. 1964: Mr. WATT and Mr. CUMMINGS.
H.R. 1995: Mr. KISSELL.
H.R. 2000: Mr. GORDON of Tennessee.
H.R. 2024: Mr. MICHAUD.
H.R. 2067: Ms. DELAURO.
H.R. 2089: Ms. KILROY.
H.R. 2105: Mr. ARCURI and Mr. BILBRAY.
H.R. 2273: Ms. NORTON.
H.R. 2296: Mr. TAYLOR.
H.R. 2373: Mr. GRIFFITH.
H.R. 2377: Mr. SIRES and Mr. SHERMAN.
H.R. 2378: Mr. GERLACH.
H.R. 2381: Ms. FUDGE.
H.R. 2472: Mr. KING of Iowa.
H.R. 2492: Mr. LEWIS of Georgia.
H.R. 2811: Mr. PASCRELL.
H.R. 2849: Mr. COSTA, Ms. ROYBAL-ALLARD, Mrs. DAVIS of California, Ms. LORETTA SANCHEZ of California, Ms. TSONGAS, and Mr. WAXMAN.
H.R. 2879: Mr. KISSELL.
H.R. 3077: Mr. HASTINGS of Florida.
H.R. 3212: Mr. NEAL of Massachusetts and Mr. TOWNS.
H.R. 3365: Ms. BERKLEY.
H.R. 3445: Mr. HELLER.
H.R. 3464: Mr. SOUDER, Mr. SPRATT, Mr. BRIGHT, and Mr. PUTNAM.
H.R. 3516: Mr. MCCOTTER.
H.R. 3560: Mr. LARSEN of Washington.
H.R. 3579: Mr. HEINRICH and Mr. TEAGUE.
H.R. 3580: Mr. COFFMAN of Colorado.
H.R. 3592: Mr. DEFAZIO.
H.R. 3668: Ms. BALDWIN, Mr. RYAN of Ohio, Ms. LEE of California, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PAYNE, Mr. BRALEY of Iowa, Mr. ALTMIRE, Mr. RUSH, Mr. ROONEY, Mr. DENT, Mr. MORAN of Kansas, Mr. SESSIONS, Mr. ANDREWS, Mr. CHILDERS, Mr. KING of New York, Mr. HILL, Ms. ZOE LOFGREN of California, Mr. FILNER, Mr. MARSHALL, Mr. LEWIS of Georgia, Mr. BERMAN, Mr. HIMES, Mr. REICHERT, Mr. HALL of Texas, and Mr. LOBIONDO.
H.R. 3719: Mr. YOUNG of Alaska, Mrs. MILLER of Michigan, and Mr. DAVIS of Kentucky.
H.R. 3734: Mr. DOYLE.
H.R. 3757: Mr. PERRIELLO.
H.R. 3764: Mr. FILNER.
H.R. 3787: Mr. KING of Iowa.
H.R. 3964: Mr. CHAFFETZ.
H.R. 4000: Mr. BISHOP of New York.
H.R. 4060: Mr. MCKEON.
H.R. 4129: Mr. JACKSON of Illinois.
H.R. 4133: Mr. COURTNEY and Mrs. CAPITO.
H.R. 4241: Mr. TANNER.
H.R. 4311: Mr. BOUCHER.
H.R. 4325: Mr. WEINER.
H.R. 4356: Ms. BORDALLO, Mr. FRANK of Massachusetts, Mr. PASCRELL, Mr. JOHNSON of Georgia, and Mr. WAXMAN.
H.R. 4360: Mr. MORAN of Kansas, Mr. WAMP, Mr. DAVIS of Kentucky, Mr. BISHOP of Utah, Mr. MCGOVERN, Mrs. LUMMIS, Mr. GRIFFITH, Mr. CHAFFETZ, Mr. MICHAUD, Mr. TERRY, Mr. CAO, and Mr. ROGERS of Kentucky.
H.R. 4402: Ms. FUDGE, Mr. MICHAUD, Ms. ZOE LOFGREN of California, Mr. LYNCH, Mr. GRIJALVA, and Mr. PALLONE.
H.R. 4404: Mr. CLEAVER.
H.R. 4405: Mr. CAPUANO.
H.R. 4429: Mr. FLEMING.
H.R. 4480: Ms. KAPTUR, Mr. THOMPSON of Mississippi, Mr. LUJÁN, Ms. NORTON, and Mr. MCINTYRE.
H.R. 4496: Mr. HINCHEY.
H.R. 4502: Mr. POLIS of Colorado.
H.R. 4509: Mr. MARIO DIAZ-BALART of Florida.
H.R. 4527: Mr. CAPUANO, Mr. GRAYSON, and Mr. HIMES.
H.R. 4529: Ms. FOXX.
H.R. 4556: Ms. JENKINS.
H.R. 4564: Mr. COSTA, Mr. MCNERNEY, and Ms. LORETTA SANCHEZ of California.
H.R. 4592: Mr. BUYER.
H.R. 4599: Mr. SESTAK.
H.R. 4616: Mr. HASTINGS of Florida, Mr. GRIJALVA, and Mr. WEINER.
H.R. 4621: Mr. LOEBSACK.
H.R. 4632: Mr. SESTAK.
H.R. 4635: Ms. NORTON, Mr. DAVIS of Illinois, and Mr. GRAYSON.
H.R. 4637: Mr. ACKERMAN.
H.R. 4650: Mr. GRAYSON and Mr. DEFAZIO.
H.R. 4667: Mr. BUYER.
H.R. 4678: Ms. CHU.
H.R. 4700: Mr. GRIJALVA, Mr. VAN HOLLEN, and Ms. NORTON.
H.R. 4709: Ms. GIFFORDS.
H.R. 4720: Mr. SCHAUER, Mr. THOMPSON of Pennsylvania, and Mr. WITTMAN.
H.R. 4722: Mr. GRIJALVA, Ms. SCHWARTZ, Mr. GEORGE MILLER of California, Mr. STARK, and Ms. WOOLSEY.
H.R. 4752: Mr. COSTELLO, Mr. GENE GREEN of Texas, Mr. TONKO, Mr. CLEAVER, Ms. CASTOR of Florida, and Ms. HERSETH SANDLIN.
H.R. 4755: Ms. KILPATRICK of Michigan, Mr. KILDEE, and Mr. GUTIERREZ.
H.R. 4757: Mr. COURTNEY and Mr. KILDEE.
H.R. 4783: Ms. BERKLEY.
H.J. Res. 79: Mr. NEUGEBAUER, Mr. UPTON, Mrs. MCMORRIS RODGERS, Mr. WITTMAN, Mr. SENSENBRENNER, Mr. WILSON of South Carolina, Mr. TIAHRT, Mr. OLSON, Mr. BARRETT of South Carolina, Mr. HERGER, Mr. SULLIVAN, Mr. LANCE, Mr. BROUN of Georgia, Mrs. MYRICK, and Mr. SOUDER.
H.J. Res. 80: Mr. FILNER, Mr. PETERSON, Mr. POE of Texas, and Mr. GARAMENDI.
H. Con. Res. 49: Mr. DINGELL and Mr. TIM MURPHY of Pennsylvania.
H. Con. Res. 98: Mr. GARAMENDI.
H. Con. Res. 242: Mr. STARK, Mr. HINCHEY, Mr. GUTIERREZ, Mr. KENNEDY, Mr. MOORE of Kansas, and Mr. ROSS.
H. Con. Res. 246: Mr. RANGEL and Mrs. CHRISTENSEN.
H. Con. Res. 248: Ms. EDWARDS of Maryland and Mr. KAGEN.
H. Res. 173: Ms. JENKINS, Ms. SHEA-PORTER, Mr. GUTHRIE, and Mr. FRANK of Massachusetts.
H. Res. 213: Ms. CLARKE, Mr. PIERLUISI, Mr. GARAMENDI, Mr. SABLAN, Mr. SALAZAR, and Mr. GENE GREEN of Texas.
H. Res. 311: Mr. ALEXANDER and Mr. OLVER.
H. Res. 704: Mr. KENNEDY, Mr. DICKS, Mrs. MILLER of Michigan, Mr. HARE, Mr. HODES, Mr. JONES, Mr. CUMMINGS, and Mr. MCDERMOTT.
H. Res. 767: Mr. SESTAK.
H. Res. 874: Mr. OLSON.
H. Res. 886: Mr. SOUDER and Mr. BARTLETT.
H. Res. 899: Ms. GIFFORDS, Mr. BRALEY of Iowa, Ms. JACKSON LEE of Texas, Ms. HIRONO, Mr. LOEBSACK, Mr. COURTNEY, Mr. KILDEE, Mr. SCOTT of Georgia, Mr. THOMPSON of Mississippi, Ms. CLARKE, Ms. WATSON, and Mr. CONNOLLY of Virginia.
H. Res. 947: Mr. BACA, Mr. MEEK of Florida, Mr. GARAMENDI, and Mrs. CHRISTENSEN.
H. Res. 989: Mr. POLIS and Mr. QUIGLEY.
H. Res. 996: Mr. STARK and Mr. CASSIDY.
H. Res. 1075: Mr. LAMBORN, Mr. KIND, and Mr. LATTA.
H. Res. 1078: Mr. CARTER, Mr. LAMBORN, Mr. FORBES, Ms. GIFFORDS, Mr. LOBIONDO, Mr. KINGSTON, Mr. JONES, Mrs. BLACKBURN, Mr. BROWN of South Carolina, and Mr. POE of Texas.
H. Res. 1099: Mr. ORTIZ, Mr. LARSON of Connecticut, Mr. PAULSEN, Mr. ANDREWS, Mr. WITTMAN, Mr. MCGOVERN, and Mr. OWENS.
H. Res. 1116: Mr. WITTMAN, Mr. THORNBERRY, and Ms. SCHAKOWSKY.
H. Res. 1145: Mr. MITCHELL, Mrs. KIRKPATRICK of Arizona, Mr. YOUNG of Alaska, Mr. SARBANES, Mr. HODES, Mr. PASCRELL, Mr. SMITH of Washington, Mr. GORDON of Tennessee, Mr. MCDERMOTT, Ms. LINDA T. SÁNCHEZ of California, Mr. BUTTERFIELD, Ms. BORDALLO, Mr. BOSWELL, Mr. MURPHY of New York, Mr. WU, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BRADY of Pennsylvania, Mr. FRANKS of Arizona, Mr. ARCURI, Mr. LIPINSKI, Mr. COOPER, Mr. NYE, Mr. FARR, Mr. BERRY, Mr. BISHOP of Georgia, Mr. TAYLOR, Mr. HOLT, Mr. CASTLE, Mr. MINNICK, Mr. SCHOCK, Mr. REHBERG, and Mr. INGLIS.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, MARCH 10, 2010 No. 34

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most Merciful God, who is the fountain of all grace, the source of all goodness, and in whose keeping are the destinies of nations, endue the minds of our lawmakers with wisdom. Set their feet with a steadfast purpose to fulfill Your will, day by day, by faithful labor and selfless service. In spite of disappointments and disillusionment, lead them to pursue peace and to aim for holiness. May they walk on the high level of noble purpose, with sympathies as wide as human needs. Lord, inspire them to put You first in their lives and to make an unreserved commitment that enables them to rivet their attention on You.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will turn to a period of morning business until 2 p.m. this afternoon. Senators during this time will be allowed to speak for up to 10 minutes each. The majority will control the first 30 minutes. The Republicans will control the next 30 minutes. At 2 p.m., the Senate will resume consideration of H.R. 4213, the tax extenders legislation. Under an agreement reached last night, all postcloture debate time will be yielded back and the substitute amendment will be agreed to. The Senate will then proceed to a cloture vote on the underlying bill. If cloture is invoked, all postcloture debate time will be yielded back and the Senate will then proceed to vote on passage of the bill, as amended.

We will continue to work on an agreement to begin consideration of the Federal Aviation Administration reauthorization bill today.

MEASURE PLACED ON THE CALENDAR—S. 3092

Mr. REID. Mr. President, the bill, S. 3092, is at the desk. I understand it is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3092) to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the ''Joseph A. Ryan Post Office Building.''

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

Mr. REID. Will the Chair now announce morning business.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business until 2 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE

Mr. DURBIN. Mr. President, there have been a lot of issues brought up on the floor of the Senate recently, and two that seem to be front and center

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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are the health care reform bill and questions related to our national debt and the annual deficits we run into.

I have listened as many on the other side of the aisle have come to the floor and argued to do two things: first, kill the health care reform bill, and second, reduce our Nation's debt. Unfortunately, that is a mixed message, an inconsistent message, and it is one that really defies logic. We know the increasing cost of health care is adding to the expenses of the Federal Government, State governments, and local governments. If we do not do something to suppress, if not reduce, the cost of health care, we are going to see a dramatic increase in our deficits.

The bill before us attempts to create mechanisms to start bringing down the increase in the cost of health care. Anyone who would stand before you and say, well, if you pass health care reform, next year's health care premiums are going to go down, I do not think is telling the truth. I think it is likely they would go up. But what we are tying to do is slow the rate of increase. If the rate of health care inflation were the same as inflation in general, it would be a major step forward to come to grips with a real problem facing America.

I have told the story on the floor about a local town in Illinois that spends 10 percent of its small budget—a $20 million annual budget—on health care premiums, and they have just been notified that next year the premiums on about 200 employers will go up 83 percent for health care. That is one small town, Kankakee, IL. The same thing is true in the State of Illinois with our State budget, where we face a fiscal crisis and the costs of health care, in the Medicaid Program in particular, continue to go up because of high unemployment. People who lose their health insurance at work turn to Medicaid, and it creates a greater burden for the State and Federal Government. So as the economy struggles and people lose their jobs, we have to view health care reform as part of the answer not only to family challenges and business challenges but challenges that face us at the Federal level as well.

Health care costs take up a growing share of Federal and State budgets. In the year 2009, we spent an estimated $2.5 trillion on health care, consuming 17.3 percent of our gross domestic product. That is the sum total of all goods and services produced in America. It represents the largest 1-year increase in the health share of gross domestic product since we first started tracking it in 1960. If we do not pass health care reform to try to slow this rate of growth, the deficits each year will get worse. So those who come to the floor and say, kill health care reform, balance the budget, are really preaching an inconsistent message. It does not work. If we can reduce just slightly the annual increase in Federal spending on Medicare and Medicaid, we can see positive changes when it comes to our annual deficits.

Economists agree. Twenty-three leading economists, including Nobel laureates and those who have served both Democratic and Republican administrations, identified four key measures that will lower cost and reduce long-term deficits. Health insurance reform includes all four of those measures—deficit neutrality, an excise tax on highest cost health insurance plans, an independent Medicare advisory board, and delivery system reforms.

The Congressional Budget Office has scored the health care reform bill and says it will actually—at least the Senate version—reduce the budget deficit by $130 billion or more over the first 10 years and by $1.3 trillion over the next 10 years. We are waiting for the latest score of the bill, which could be forthcoming in the next day or two, but we hope it indicates the same thing.

To fail to pass health care reform is to invite higher deficits in the future. We cannot have it both ways. You cannot stop the effort to bring down health care costs—at least the rate of increase in health care costs—and then preach fiscal conservatism. It just does not work. Those two messages are inconsistent.

In terms of the use of the reconciliation procedure in the Senate to pass parts of health care reform, it is not a process that is unknown to us. Over 20 times we have used reconciliation to deal with major issues facing America. In fact, the Republican side of the aisle has used the process much more frequently than the Democratic side of the aisle. The programs that have been affected by reconciliation have often included Medicare and COBRA and the Children's Health Insurance Program. In fact, when President Bush wanted to pass his tax cuts for wealthy people, he used the reconciliation program and the Republicans supported it.

Reconciliation has been used three times by the Republicans to actually increase the deficit. Out of 22 times reconciliation has been used since 1981, Republicans used it to increase our national deficit at least three times, all of those instances during President Bush's administration. In 2001, reconciliation was used to pass extensive and costly tax breaks, many of them benefiting the very wealthy. Those tax breaks increased the deficit by $552 billion over 5 years—Republicans using reconciliation to give tax cuts to the wealthy and increase the deficit. Reconciliation was used again in 2003 for tax breaks. Those breaks resulted in adding to the deficit $342.9 billion in red ink over 5 years. Finally, reconciliation was used in the year 2005 to extend the tax breaks. That extension—that Republican reconciliation bill—increased the deficit by $70 billion over 5 years.

The health care reform bill we are considering will give middle-income families the largest tax cut in history. What the Republicans fail to mention is that the money we are raising in health care reform—almost $500 billion—will flow back to middle and lower income families and small businesses to help them pay health care premiums. Killing health care reform, which is the agenda on the other side of the aisle, will deny these tax breaks and assistance to businesses and families struggling to pay health care premiums that are going up.

We know America's business community will save under this approach and more Americans will be insured. The health care reform bill we are promoting will bring into coverage 30 million Americans currently uninsured. When the Republicans were asked: How many will you bring into coverage, they said 3 million. Well, let me tell my colleagues, 30 million paying Americans, people who show up for care at hospitals and doctors' offices and actually have insurance is not only peace of mind for them but also stops the transfer of their expenses to other people. We currently provide charitable care for those who have no insurance and pass the costs on to everyone else. It is estimated that each of us has a hidden, indirect tax of $1,000 a year in health care premium costs to make certain we provide for the uninsured. The approach we are promoting in health care reform will provide coverage for these 30 million and will stop this cost shifting and this hidden tax on families across America.

Let me also say the provisions in this bill that are the most objectionable to the Republican side of the aisle mirror the health insurance available to Senators and Congressmen today. We have a plan, the Federal Employees Health Benefit Program, administered by the Federal Government—I guess we could call it a government-run plan, even though they are private insurance companies—and it requires minimum coverage in every plan so we know we will get protection. I haven't found any Republican Senator willing to step up and say, That is socialism; we shouldn't do it; I am going to cancel my Federal Employees Health insurance. Not one. They live with it. I live with it every day in protecting myself and my family. I believe it is fair. I believe every American and every business should be given this opportunity. The insurance exchanges offer to America what we as Members of Congress have enjoyed as an institution for over 40 years. If it is socialism to put it in this bill, then I hope my friends on the other side will stand up and personally condemn this socialism by dropping their Federal Employees Health coverage. That will be proof positive of their genuineness on this issue.

Let me say as well in closing that many of the people who have come to the floor and suggested that reconciliation is some renegade procedure that is seldom used in the Senate have ignored the obvious. The fact that it has

been used 22 times more often by Republicans than Democrats tells the story.

I see on the floor the minority leader, the Republican leader Senator MCCONNELL. He has voted for 13 of 17 reconciliation bills during his time in the Senate. He did not consider this procedure objectionable on 13 different occasions when he voted for it. Senator KYL, who is my counterpart on the Republican side, the Republican whip, has voted for 11 out of 11 reconciliation bills during the time he has been in the Senate. In fact, every time reconciliation was used, the Republican whip voted for it. Senator MCCAIN has voted for reconciliation 9 out of 13 times since he has served in the Senate. It is a process that has been used repeatedly by both parties for major decisions: Health care cuts, COBRA insurance for the unemployed, children's health insurance, to name a few. It is something we acknowledge under our rules, and if it is part of the solution of bringing health care reform to an up-or-down vote—at least this aspect of it to an up-or-down vote—it should be a process that most Republicans are familiar with because most of them have voted for it repeatedly.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, the American people are looking at what is going on in Washington right now and they are wondering what the White House and Democratic leaders in Congress could possibly be thinking. The fact that we are still even talking about a health care bill that raises costs, increases premiums, and increases government spending is a complete mystery to most people. Americans have issued their verdict on this bill. They don't want it. It is that simple.

That is to say nothing of the process. The process that Democratic leaders have used to try to pass this bill is viewed even less favorably than the bill itself. So even if Americans supported the bill—which they clearly don't—they would still want the process cleaned up. Americans expect lawmakers to be completely up front and transparent about any changes they are thinking about making to the health care system.

Americans also expect a level playing field. That means union leaders don't get special deals that nonunion members don't. It means the people of Nebraska don't get a free ride bought and paid for by the rest of the country. Even Nebraskans are telling us they don't want that kind of special treatment. It means if you are a senior citizen, you don't have to move to Florida to keep your health care plan. It means that Louisianans don't get a windfall of Federal money because one of their Senators was willing to vote for a bill most Americans overwhelmingly oppose.

These are just some of the things Americans don't like about the way Democratic leaders are trying to push their bill through Congress and past the public. But they didn't much like the way the bill was put together either. They didn't like the fact that members of both parties spent endless hours negotiating and in committee meetings, only to see Democratic leaders write their own bill behind closed doors. These are the kinds of things Americans have been complaining about at townhall meetings and in statewide elections for months and months. These are the kinds of things the people of Massachusetts were saying in January. Americans can't believe that after all this—after a year of protests and all of the statewide elections—Democratic leaders are still stubbornly pushing the same bill and the same process.

Democratic leaders knew the public didn't support their bill, so they tried to jam it through on a party-line vote. When they had trouble with that strategy, they went for the kickbacks and special deals. As a result, they lost their 60-vote majority. So they came up with another strategy. They tried to get around the normal routes. They decided they would try to jam it through with a bare partisan majority, something that has never been done before on legislation of this magnitude.

Some in the media are blaming the resistance the administration and Democratic leaders have faced on the White House messaging machine. That is absolutely absurd. Americans aren't rejecting this bill because they don't understand it. They are rejecting it because they know exactly what is in it.

Democratic leaders continue to deceive themselves. I saw the Speaker said yesterday Congress needs to pass this bill so Americans can see what is in it. Let me say that again. The Speaker said Congress needs to pass this bill so Americans can find out what is in it. That is like telling somebody they have to buy a house so they can walk through it.

The White House seems to be throwing out every idea it has, hoping something will stick. The President is expected to highlight fraud and abuse in a speech today. I am glad the administration wants to use the enforcement power of the government to find and prosecute fraud, but that is something we can and should be doing already—right now. Do we need to pass a $2.5 trillion spending bill, raise taxes, and slash Medicare to go after fraud and abuse? I think not.

Finding waste, fraud, and abuse is one of the areas where we have agreement. Senators GRASSLEY, COBURN, CORNYN, LEMIEUX, and others have been leading this effort for quite some time. Tackling fraud and abuse is one of the issues that can and should form the basis of a bipartisan, step-by-step approach to health care reform, not as a hook—not as a hook—to drag this monstrous bill over the finish line.

On the contrary, Democratic leaders should leave this bill on the field. Then we can talk about passing commonsense ideas such as tackling fraud and abuse on their own, one by one.

The fact is, this whole debate has devolved into a little bit of a farce, and it might actually be funny if the stakes were not so high. Americans don't know how else to say it. They don't want this bill. The American people do not want this bill. They want the process cleaned up as well.

How much longer do Americans have to wait before Democratic leaders will give up this partisan quest and agree to start over, to work together, out in the open, on the kind of commonsense reforms Americans want? That is the question Americans are asking, and we owe them an answer.

The American people aren't an obstacle to be circumvented. This is their health care system, not ours. It is time to end this partisan effort, listen to the people, and start over.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

HONORING OUR ARMED FORCES

SERGEANT VINCENT L.C. OWENS

Mr. PRYOR. Mr. President, it is with great sadness that I come to the floor today to talk about SGT Vincent L.C. Owens from Fort Smith, AR. His life of service to our Nation is a shining example of a true American patriot.

Sergeant Owens lost his life while serving in eastern Afghanistan after his transport vehicle came under fire by enemy forces. He was a part of the 3rd Battalion, 187th Infantry Regimen, 101st Airborne Division in Fort Campbell, KY. Previously, Sergeant Owens spent 14 months in Iraq serving with the A Battery, 1st Battalion, 56th Air Defense Artillery from Fort Bliss, TX. Sergeant Owens served both tours with honor and distinction, earning numerous medals and awards, including two Army Commendation Medals, two Army Achievement Medals, a Valorous Unit Award, the National Defense Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, and the Combat Action Badge.

An ardent athlete, talented student, and motorcycle aficionado, Sergeant Owens lived his life of only 21 years with passion and dedication. Those who knew him describe him as a kind and easygoing man who always had high standards for himself. He was the oldest of five children. He had been married to his wife Kaitlyn for just 6 weeks. Despite being a newlywed, Sergeant Owens did not hesitate to answer the call of duty.

Sergeant Owens' family and friends said he joined the Army out of a sense of patriotism and took pride in serving his Nation. He devoted his life to defending America and gave the ultimate sacrifice for the country he so deeply loved.

After this tremendous loss, Fort Smith, AK, is in the process of waving off 200 airmen from the Air National Guard's 188th Fighter Wing as they head to Afghanistan, joining about 75 members of the 188th already serving there. This will be the unit's first deployment with the A–10 Thunderbolt II—also known as ''The Warthog''—since the 188th received the aircraft in April of 2007. Also, many of these guardsmen are part of the agribusiness development team. This unit will teach Afghans better farming, crop storage, and marketing practices in an effort to draw them away from poppy production and build a strong economy. These Arkansans are picking up Sergeant Owens' mantle in the fight to create a more secure and stable Afghanistan and together their efforts will endure.

Today, I join all Arkansans in lifting up Sergeant Owens' wife Kaitlyn, his parents Sheila and Keith and his siblings and friends and extended family and community of Fort Smith during this very difficult time. Sergeant Owens may be gone, but his courage, valor, and patriotism will never be forgotten.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JOHANNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTH CARE

Mr. JOHANNS. Mr. President, I rise to speak to the Senate health care bill and to talk a little bit about some of the issues related to that bill, in terms of financing and scoring and, to be very candid, about some of the accounting gimmicks that try to hold this bill together. I will be joined by Senator WICKER and Senator BARRASSO in this colloquy. Let me get started.

If you start to study the bill, and for many of us who have served in other capacities—myself as Governor and as a mayor—the first thing you want to do is ask yourself: Does it work? Is the financing of this bill such that it makes sense? Is it an honest portrayal of the income you expect and the expenses you expect? Certainly, that is where I start and, I suggest, many of my colleagues start.

The one thing about this health care bill that struck me immediately and struck others is, first of all, there are 10 years of tax increases. They total over $½ trillion—a massive amount of tax increases.

The second thing you see is, there are 10 years of Medicare cuts, again about $½ trillion total. You do those things and some other things and it pays for 6 years of spending because even though some of the issues relative to this health care bill kick in initially, the vast majority of it does not kick in for 3 or 4 years.

When you put that all back together, you begin to realize what you have is a health care bill that costs about $2.5 trillion over a 10-year score.

Then you start working through a whole bunch of other issues. You have a Senate bill that takes $52 billion in higher Social Security taxes and revenues and counts them as offsets. That would be money normally reserved for the Social Security trust fund. You look at the CLASS Act. One Member of this body—a Member who is very respected for what he has done relative to budgeting—called this a Ponzi scheme.

The CLASS Act was initially opposed by our friends on the other side or by leading Democrats. But it is back alive. It is included in the Senate bill. It is another Federal entitlement that is going to create an insolvency problem very quickly. It takes money from premiums that are supposed to go for benefits and uses them as offsets and pay-fors.

CMS experts have looked at this, and they reached a conclusion that is reliable. They said the CLASS Act faces ''a significant risk of failure,'' and then said, and may lead to ''an insurance death spiral.''

Our friends on the other side claim the bill will simultaneously extend the solvency of Medicare and then magically decrease the deficit. But the reality of that, again, comes from CMS actuaries who say: Well, wait a second here, that is double-counting. You can't use the same dollar twice. You can't count it twice. CMS concludes that the Medicare cuts in the legislation cannot be simultaneously used to finance other Federal outlays, such as coverage expansions under this bill or to extend the trust fund.

So when you cut all the way through this and see what is happening here, it doesn't hold together. This is a financial plan that is built upon sand, and you can almost guarantee it is going to collapse.

So let me, if I might, ask my colleague, Senator WICKER, what he thinks of all of this. Can he offer some thoughts as to where this bill is headed and the financial mechanisms of this bill?

Mr. WICKER. I appreciate my colleague from Nebraska getting into the weeds because it is important that we know the details of the numbers here. I think there is also a sort of big-picture aspect to this. There are a lot of Americans out there who may not have read the details the Senator from Nebraska just outlined, but they instinctively know you can't do all this to one-sixth of our economy and save money for the Federal Government at the same time. They instinctively know this is going to turn out, as big entitlement programs always do, to be more expensive than has been estimated and it is going to cost the American taxpayer and future generations in terms of the national debt.

I would like to pivot and talk about what this is going to do to State governments because that is an additional aspect over and above the gigantic numbers the Senator from Nebraska mentioned.

Really, almost half of the additional coverage in this Senate bill, which the House is being asked to adopt lock, stock, and barrel without even changing so much as a semicolon, half of the coverage is going to be under Medicaid. We all know Medicaid requires a huge Federal investment, but Medicaid also always requires a State match. Under the provisions of this bill, if it is enacted, States will be told that the magnificent Federal Government has increased coverage, and now, Mr. State Legislator, Mr. State Governor, you figure out a way to pay your part of it.

I know this much: In my State of Mississippi, our legislators and our Governor have had to stay up late 2 years in a row figuring out a way to pay for the Medicaid match they are already being asked to pay, much less this new mandate of additional persons who would be covered under this Senate language. There is no way the State of Mississippi can stand this new Medicaid coverage without an increase in our taxes at the State level. I don't think we can cut teachers enough, although teachers might have to be cut to pay this Federal mandate. I don't think we can cut local law enforcement enough, although that might have to be cut too. It is just a huge, unfunded burden on the States. Quite frankly, even if all of the promises that are being made on the Senate side come true—that we will clean this up in reconciliation, which I frankly doubt can possibly happen—the States are going to be faced with this huge unfunded mandate.

You don't have to take our word for it on this side of the aisle. Democratic Governor after Democratic Governor has had press conferences, they have sent letters, they have sent messages, they have made themselves available to the press. Governor Bredesen of the State of Tennessee said this bill is the ''mother of all unfunded mandates'' and has urged, even at this late date, that we not go down this road.

So I appreciate my friend from Nebraska pointing out what this is going to do to the Federal budget, and I would simply commend the bipartisan State officials who have been talking to anyone within the sound of their voices saying that State governments cannot afford this mandate at the State level, and it will inevitably result in an increase in taxes at the State level—something we certainly don't need at this time of economic hardship.

Perhaps Senator BROWNBACK has some thoughts he would like to add, and I know others may be joining us, too, Mr. President.

Mr. BROWNBACK. I appreciate my colleagues allowing me to join in this colloquy because it is incredibly important and I believe the American public believes it is incredibly important because, if for no other reason, they are looking at it and saying: We don't want this bill. We don't think this bill is the right way to go. We don't think this procedure is the right way. So they oppose it on process and they oppose it on product. And you don't have to believe me. Listen to these poll numbers: 68 percent say the President and the congressional Democrats should keep trying to work with Republicans to craft legislation.

By the way, that big, all-day-long meeting at Blair House to talk about this, where we put forward a series of ideas, virtually all of them were rejected—a bipartisan incremental compromise, which is much more the way the American public wants to go.

A Rasmussen poll says that 57 percent of the voters say the health care reform plans we are discussing in Congress will hurt the U.S. economy. Only 25 percent think it will actually help. And 66 percent believe the health care plan proposed by President Obama and congressional Democrats is likely to increase the Federal deficit. Do you know the reason they think that? Because it will. This is going to increase the Federal deficit.

On top of all that, there is a big intangible here. If this bill passes, the rest of the world is watching to see if the United States passes this big increase—an entitlement program—when we are running $1.5 trillion in deficit and have a $12 trillion debt that is 90 percent of the size of our total economy. They are watching and they are saying: If the United States does this now, they are not serious about getting their budget under control. They are going to start pulling dollars out of the U.S. economy and putting them in other places. It will make it harder for us to raise capital, it will increase interest rates, and it is going to hurt the U.S. economy. And that is a near-term thing that is going to happen because people are watching this.

I might note the ''Saturday Night Live'' routine where China's President, Hu Jintao, is lecturing President Obama about how he is going to get the budget under control by passing a big new entitlement program. I don't usually cite ''Saturday Night Live,'' but in this case it lands a little too close to home. And people are saying: Yes, this doesn't make any sense to me either. This is going to hurt.

The front page of the Wall Street Journal has an article about what Ireland is having to do to get its budget under control, Greece is a mess, and our deficit and debt is skyrocketing.

If we pass this, this is going to hurt us in the near term as far as the cost of raising the capital we need in this economy. It will hurt States that are really struggling as well. It is a bad idea at a bad time.

I am glad my colleagues let me join them, and I note that the doctor is in—the Senator from Wyoming—to help us dissect this bill as well.

Mr. BARRASSO. Well, Mr. President, that is exactly what I am hearing at home from Wyoming's voters and from my patients. I was in Wyoming this past weekend. I have had the privilege of practicing medicine there for 25 years, taking care of families in Wyoming. When I talk to people, their concerns are the national concerns the Senator from Kansas has just mentioned—the debt and what our Nation is facing long term. But they are also very focused on their own personal care. If you have a town meeting or just talk to people at the coffee shop, the people of America believe that if this bill passes, the quality of their own personal health care will go down; that their opportunity to go to the doctor they have enjoyed a relationship with for years, where they know them and they know their family, may be gone.

We are also seeing that health care providers all across the country—even the Mayo Clinic—are saying this bill is a huge lost opportunity. It was supposed to be designed to help get the cost of care down, and it is not doing that. It is going to raise the cost of care. It was designed to improve the quality of care, but it is going to cost people the quality of their own health care. That is why Americans don't like this bill. They do not like anything about it.

The Mayo Clinic was used early on by the President in this debate as the model for how we should have health care in this country. The Mayo Clinic has said ''no thank you'' to patients on Medicare in Arizona, ''no thank you'' to patients on Medicaid. Yet the President plans to push this program through. He says he is going to provide coverage for more Americans, and he is going to do it by putting 15 million more people on Medicaid—a program that many doctors won't see because the reimbursement is so low. If all a provider saw were Medicare patients, they couldn't afford to keep their doors open—not at the hospital or the clinic. And we are hearing that from hospitals and doctors across the country. That is why the Mayo Clinic said: No thank you, Mr. President. We can't take those patients, whether it is Medicare or Medicaid.

This bill will cut Medicare—the program our seniors depend upon—by $500 billion for patients who depend on Medicare. It cuts Medicare Advantage, and that program is an advantage, and the reason people signed up for it is because it provides preventive care and coordinated care. But it is not just that; there will be $135 billion in cuts to hospitals in all our States and communities, $42 billion to home health agencies. These are the folks who help provide a lifeline for people who are at home, and it saves money by keeping them out of the hospital. There are cuts to nursing homes, to hospice providers—providing services to people in the final days of their lives. That is why the American people are offended that this bill is being crammed through.

I see we have the former Governor of Nebraska here on the floor, who has experienced these issues with Medicaid, with Medicare, and with nursing homes. So I would ask my friend and colleague whether this the same thing he is hearing at home in Nebraska.

Mr. JOHANNS. This is exactly what I am hearing at home in Nebraska, Mr. President.

As a former Governor, as the Senator from Wyoming points out, you deal with these programs every day. You are trying to figure out how to fashion a State budget that deals with Medicaid. I said a few weeks ago that I don't know whom the folks who wrote this bill were talking to because if you look at the expansion of health care to people in this bill, really what they are doing is expanding Medicaid by about 15 to 18 million individuals.

The Senator from Wyoming hit the nail on the head. You already have serious access problems with Medicaid. What do I mean by that? As the doctor, Senator BARRASSO, said, doctors cannot practice on the Medicaid reimbursement. They would literally go broke. Our little hospitals in all of our States, our critical access hospitals, would say: We cannot keep our doors open on Medicaid reimbursement. They can't do it on Medicaid or Medicare reimbursement. So what is the solution? Well, the solution certainly isn't adding 15 to 18 million more people who will walk into a hospital or a doctor's office and who will hear: Sorry, we don't take Medicaid patients because we can't afford to do that.

The other thing I want to mention, if I might—and then I am going to ask Senator WICKER to comment on some of these questions also—because this is a very important point, is that all of a sudden we are starting to hear a lot of discussion from the White House on down about how we have to get a handle on cost. And I think they have communicated that well because, quite honestly, the American people get it. They understand that if you don't have an impact on cost, you are not going to get anywhere with health care reform.

My colleagues will remember that we sent a letter to the CMS Actuary—this is an actuary employed by the Federal Government—and we said: Take a look at this bill and tell us what you think in these respects, and one of the respects was health care costs. Let me quote from that report:

> Overall health expenditures under this bill would increase by an estimated total of $222 billion.

Compared to what? Compared to doing nothing. If we did nothing, we

would have a better impact on health care costs than this bill is going to have.

After spending $2.5 trillion, after cutting $½ trillion out of Medicare, after raising taxes over $½ trillion, the CMS Actuary says to us: After you have done all those things, the overall health expenditures under this bill would increase by an estimated total of $222 billion versus doing nothing.

I ask Senator WICKER, is that the kind of health care reform he is hearing the people back home want?

Mr. WICKER. The people back home want health care reform, but they certainly want the kind that is going to lower health care costs and lower health care premiums. The Senator mentioned CMS. It may be that some people within the sound of our voices do not realize this is a part of the administration. This is not some outside business group that has an ax to grind. The actuaries at the Centers for Medicare and Medicaid Services are called on to tell us the numbers as they see them. They had no choice but to answer the question accurately and the question is not one that lends itself to getting public support for this plan. I think that is why the poll numbers Senator BROWNBACK mentioned are there. There is only about 25 percent of the American public that believes at this point we should pass this huge Senate bill lock, stock, and barrel and send it to the President for his signature.

Senator BARRASSO mentioned the $½ trillion cut in Medicare. We spent a little time in December debating whether actually there was a cut in Medicare. Some of our friends on the other side of the aisle suggested this—the programs that were cut should not be considered part of the Medicare Program.

Obviously, there is one Democratic Senator who thought so much of these cuts in Medicare that he got an exemption for his State. That is what the minority leader has been calling the ''Gator aid.'' Florida, under the Senate bill—the bill the House is being asked to pass in its entirety without changes—the Senate bill says we are not going to cut Medicare Advantage for the State of Florida.

Why the people of the State of Florida are more deserving of Medicare Advantage and Medicare benefits than the people of Wyoming or Mississippi or Kansas or Nebraska, I do not know. But somehow the majority, 60 Members of this Senate, in their wisdom, believed Medicare was a good program and Medicare Advantage was a very good program for the people of Florida.

By the same token, I guess the Democratic Senator from Nebraska has now repudiated what was known as the ''Cornhusker kickback,'' which was basically saying Nebraska would not have to pay for their share of this huge Medicaid mandate; all the other States would. Somehow that State was singled out. Apparently, the people of Nebraska rose in horror at being singled out for some sort of favor the other people in America were not getting, so that is being proposed to be changed.

I ask Senator JOHANNS, if the House votes on this next week, they will not have a chance, will they, to take that out? The only choice the House is going to have is to vote for the ''Cornhusker kickback,'' the ''Gator aid,'' the ''Louisiana purchase,'' these special deals for labor unions, and all that will be sent to the President to be signed into law and will be part of the statute.

That is the way I understand the Democratic procedure. I ask Senator JOHANNS, am I correct?

Mr. JOHANNS. I believe the Senator is correct. Let me offer a thought, if I might. I think others—maybe I will turn to Senator BROWNBACK next. If this were a great bill, if this were the kind of legislation you wanted to take home and go out there and champion and maybe, if you are up for election, campaign on, then you would not have to go through all these gyrations and gimmicks and somersaults and cartwheels to try to get this darn thing passed. But that is exactly what is happening.

I cannot wait to get up in the morning and run down and turn on the computer and see what the latest is, because they are, over there at the House, but they finally figured out that the only way to get this terrible policy enacted is to pass the Senate bill with all its warts and moles and ugliness and special deals and whatever. They have to pass it without pulling a dotted ''i'' out or a crossed ''t.'' They may be able to say back home: Folks, I didn't support that. What I wanted was the reconciliation package that would fix all these things. All I can say is reconciliation was never designed for this. This is not what reconciliation was designed for. Reconciliation was designed to bring down the budget deficit. What is happening over in the Senate are more somersaults, more gyrations, more cartwheels to figure out how to shoehorn this terrible piece of policy into a rule for which it was never designed.

Now you are going to end up this day, I guess, where we all show up and literally you have rulings on what you can do with reconciliation and what you cannot do. So no House Member can go home and say I voted for this awful piece of legislation, but we are going to be saved by reconciliation. Do you know what. Maybe you will, maybe you won't. The reason why that question cannot be answered today is because reconciliation was never designed to take control of one-sixth of the economy; it was never designed to do what folks are trying to do.

Let me wrap up with this, and then I would like to hear Senator BROWNBACK's thoughts. Enough of the somersaults, enough of the cartwheels, enough of trying to figure out how many angels fit on a pin and what size razorblade is going to divide the hair. This is craziness. This is terrible policy. Please stop now. The country is begging us to stop and start over with a thoughtful process.

If there were a great bill, we would not be going through this. There would be bipartisan support such as there has been on many tough issues through the decades of our history. But, you see, this is not a good bill. This is a terrible bill. The bottom line is, they are going to try to fix it with a process that was never designed for this purpose.

I would like to hear the thoughts of Senator BROWNBACK.

Mr. BROWNBACK. We were on the floor in December, the longest continuous session in the history of the Senate, 25 continuous days, and we were talking about this and my colleague from Nebraska and I were joined by our colleague from Utah, Senator HATCH, who has been around a long time and part of a lot of health care reform legislation. His point is, if you follow the normal order and work it through a committee and bipartisan process, almost every health care bill he has been a part of—and there have been a number of substantial ones—gets 75 votes in this body. People want to support health care reform on a good bill. They will support it. It will be bipartisan. We are all for health care. But now you have a bill that is going to be completely partisan, on one side, not supported by the American public, and then you are having to jimmy rig a process to try to figure out how we set this up to do it.

Even KENT CONRAD, the chairman of the Budget Committee, who is a Democrat, says:

> Reconciliation cannot be used to pass comprehensive health care reform. It won't work. It won't work because it was never designed for that kind of significant legislation.

My experience is, if you try to do something that is not designed to do this, you are going to get a flawed product and flawed process that people are going to be mad about. It will hurt this body. I think it will be very harmful to this country to do this and it should not be done.

After all the time we spent in December, 25 continuous days in session, I think the American people spoke when they had a Massachusetts election and elected SCOTT BROWN. It was clearly about health care reform.

I know my colleague from Wyoming has been all over speaking about this on television, getting a lot of feedback from people. He probably is getting the same sort of feedback that I have, about don't do this. It wasn't designed to be done, this sort of health care reform, in a reconciliation process.

Mr. BARRASSO. I heard that just this morning. We had a number of county commissioners from Wyoming here in Washington. They were at a speech yesterday given by Speaker of the House NANCY PELOSI, and she told these county commissioners, this group from all around the country, we

need to first pass the bill so then later the American people will know what is in it. She said this to them and they laughed. They laughed at the Speaker of the House at this meeting yesterday because these are county commissioners. They know they are not going to vote on something the people in the community don't know about. The people in the community come, they want to know what is going to be discussed and then voted on.

The people of America do not know what is in this bill. They know this bill is going to raise taxes by $500 billion. They know this bill is going to cut Medicare for our seniors who depend upon Medicare by another $500 billion. They know they are going to be paying for this thing for 10 years, but there are only 6 years of services. It is amazing how much the people of America know about the gimmicks of this bill that, in fact, those who are pushing the bill wish they didn't know.

That is why three out of four Americans say stop. A quarter of them say stop, a quarter of them say stop and start over, and only a quarter of them support what is happening here.

Mr. WICKER. If I can interject, I think that was a very telling remark from the Speaker of the House yesterday, and if someone didn't catch that, she said we need to pass the bill so we can then find out what is in it. The comments are out there on the Internet for the American people to see. I would like to quote Senator LAMAR ALEXANDER about this entire process. He said:

> What the President is doing is asking House Democrats to hold hands, jump off a cliff, and hope Harry Reid catches them.

I don't know that HARRY REID will be able to catch them. I will say this. If there are budget points of order that need to be waived in this scheme the majority leader has about cleaning up this statute in conference, I am not going to be a part of 60 votes to waive that point of order. It will all be on Mr. REID and his teammates over there to get this done because I will not be a part of waiving points of order, helping them get to a supermajority to clean up something, even if it needs to be done.

This process needs to be stopped, and I would say the next 10 to 14 days are going to tell the tale. The American people do not want this bill, and it is up to the House of Representatives and to us, saying what we can on the Senate side, to see if we are going to listen to the people and stop this bill, go back to the drawing board and try something that works.

Mr. BROWNBACK. I join my colleague from Mississippi. I would note that is the case, and why is it the Speaker is saying we have to pass the bill to see what is in it? They are going to hold it back until they break enough arms to get a majority vote and then pop it out and then there will be an hour's debate on one-sixth of the economy being changed. We saw that same procedure when Majority Leader REID was crafting this bill behind closed doors and nobody knew what was in the bill and then popped it out when you have the deal, when you made enough deals, broken enough arms, then we can pass this. That is no way to have a process like this. That is no way to effect this big a piece of the economy that touches every American's life in the process.

I urge the Speaker not to do something like this. Listen to the American public and follow normal order. They could send this back to committee, to the Finance and the HELP Committees, work a bipartisan agreement on this, say we have to hit this number or that, let's do an incremental approach and come out with a bill that would have 75 votes. That is doable.

We put forward a whole bunch of ideas at the Blair House. Here are different things we would support. Put out a long day of discussion. That is the normal order that produces good legislation that will stand the test of time. This will not stand the test of time, and it is going to bankrupt the country.

Mr. JOHANNS. If my colleagues will permit, let me offer a few closing thoughts. I so appreciate the opportunity to be on the floor with them. It was not that long ago that our President of the United States actually was a Member of this body. He was a Member of the Senate. It just seems, from time to time, we are asked to comment on the 60-vote rule. He was asked to comment on that. Here is what he said. ''Removing the 60-vote threshold would change the character of the Senate forever.''

He went on to say having majoritarian absolute power on either side was ''not what the Founders intended.''

The thing about reconciliation is this: It limits debate, it is a very abbreviated process, and it just comes in and says you are only going to get 20 hours of debate. Very limited. The second thing is it only takes a majority vote.

From time to time this issue pops up. But you do not have to study the history of this great Nation very long to understand what our Founders were doing. The House is a majority body. Now, States such as Kansas and Nebraska do not fare very well in that. We do not have a lot of Members. We are never going to have as many Members as California, New York, or New Jersey. So literally on every vote you could find yourself losing.

Our Founders understood that. They came up with an idea for a very unique body, a body that would be an equalizer. Every State got two. Every State got two Members. But the important thing about this body was this: that as issues were passed on the House side by majority vote, over on this side it was anticipated that something more would be required to cause the Members to come together and try to work through the Nation's difficult problems.

Initially there was no way to stop debate. Then about 1915 it was decided that a two-thirds vote would stop debate. Then, in the mid-1970s that was changed to 60 votes. That 60 votes is an important limitation on the power of the Federal Government to impose its will upon the people.

I will wrap up my comments today by saying this: The will of the people here is very clear. They do not want this bill. They see this as a massive government takeover of their lives. They have spoken very clearly and eloquently in our townhall meetings, in elections that have occurred, and they have said: We want you to go back and work through your differences and come up with a bipartisan approach.

Yet if reconciliation is used, you will not only change the character of this body, you will change how our government operates. If you can pass this bill through a reconciliation process, you can do anything, and you end up with literally a system that is vastly different than was ever intended and a system, in my judgment, that is not good for the future of our great Nation.

With that, let me wrap up and say again to my colleagues, I appreciate the opportunity to be on the Senate floor with you today.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURRIS.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENSIGN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL RECKLESSNESS

Mr. ENSIGN. Mr. President, I rise to discuss the tax extenders legislation and the consequences of our fiscal recklessness. I cannot stress enough that our spending is completely out of control. It seems every week this body passes more legislation and spends more money and adds more debt onto the backs of our children. Unfortunately, the Democratic majority continues to sing from the same old sheet of music—more debt, more spending, and more fiscal recklessness. Last week the nonpartisan CBO provided their analysis of President Obama's budget, and it is nothing short of a fiscal train wreck and a roadmap to banana republic status. It pains me to stand on the floor of the Senate and tell the American people that President Obama is leading us down a path of bankruptcy.

I believe this budget is simply reckless, with enormous budget deficits as far as the eye can see. This year, the government has overspent by more than trillion dollars; the same amount last year. We are passing trillions of dollars in debt onto our children and grandchildren. Nevadans and people across the country are facing very hard

economic times. For the Federal Government to be spending this much money is an insult to American families everywhere.

In 2020, the last year of the President's budget, our Nation's credit card bill will account for 90 percent of the economy. What does this mean in terms real people can understand? Because these numbers are so large and enormous, it is difficult to put them in perspective. Let me talk in terms of the consequences of this fiscal recklessness. At a certain point, foreign countries will not buy our IOUs, our bonds, or they will demand higher interest rates because they are riskier. Our standard of living will decrease. Actually for the first time in American history, future generations will be worse off than prior generations. As to the American dream of owning a home as a young adult, one will have to wait until their 40s or 50s to buy a home. Families, in order to maintain a similar standard of living, will have to become smaller. With a less dynamic economy, we will enjoy less of the fruits of innovation and technological progress.

I know this is hard to hear, but one day, if we continue down the current path, this scenario will become a reality. We cannot keep spending and spending and spending without consequences. Democrats claim we need to spend money because our economy is sluggish. We need stimulus after stimulus to put us back on the right track.

We are not on the right track. Unemployment in my State is still 13 percent. There isn't much light on the horizon. We have lost our way and have wandered down a path of fiscal crisis. More spending doesn't fix the economic crisis.

I wish to talk about the depression of 1920 to 1921. Shortly after the end of World War I, we went into economic crisis. The Department of Commerce estimates the economy declined by nearly 7 percent during that period. Unemployment rose sharply during the recession. Estimates are the rate of unemployment went from around 5 to almost 12 percent. From May of 1920 to July of 1921, automobile production declined by 60 percent, and total industrial production across the country decreased by 30 percent. Stocks also fell dramatically. The Dow Jones Industrials was cut by almost half. Business failures tripled between 1919 and 1922.

But instead of ''fiscal stimulus,'' here is what President Harding did. He cut the government's budget nearly in half between 1920 and 1922. Marginal tax rates were slashed across all income groups. So he cut taxes and cut government spending at the same time. This encouraged businesses to grow and to add jobs in the private sector. The national debt was reduced by one-third.

In the 1920 acceptance speech for the Republican nomination, Harding said:

> We will attempt intelligent and courageous deflation, and strike a government borrowing which enlarges the evil, and we will attack the high cost of government with every energy and facility which attend Republican capacity.
>
> We promise that relief which will attend the halting of waste and extravagance, and the renewal of the practice of public economy, not alone because it will relieve tax burdens but because it will be an example to stimulate thrift and economy in private life.

You see, Harding's laissez-faire economic policies, rapid government downsizing, and low tax rates spurred a private market recovery and led to a readjustment in investment and consumption for a peacetime economy.

The unemployment rate went from almost 12 percent in a little over a year to less than 2 percent. Let me repeat that. The unemployment rate went from almost 12 percent to under 2 percent. I do not think that is what is happening today.

This episode in history provides a counterexample to the argument that we need massive government spending to stimulate our Nation's economy. You see, we do not hear about the Great Depression of 1920. Instead, we hear about the Roaring Twenties because sound fiscal policy, cutting tax rates, cutting spending led to economic resurgence.

This is an example that shows when the burden of government is lessened through less spending, less taxes, and less debt, the private sector will respond with investment and job creation, which lead to economic growth.

So why is the legislation on the floor today not the answer? If creating jobs is priority No. 1—and it should be for this body—why is the majority party letting tax incentives for job-creating businesses expire? These noncontroversial provisions expired 3 months ago. Why is helping businesses an afterthought for the majority?

The tax extender portion of this bill could have passed by unanimous consent months ago. But the majority did not want to bother with that. It will have to be extended again later this year because the provisions will again expire on December 31.

This is not the right policy for creating a stable and certain environment for employers who are wanting to hire more employees. The tax extender provisions of the bill amount to only $25 billion of this massive $144 billion bill.

The tax extenders are good. They include energy production credits, research credits, accelerated depreciation for certain businesses, State and local sales tax deductions, and low-income housing tax credits.

I have said these are good provisions. But we should have done much more. Foremost, we should be cutting individual and corporate income tax rates so people and businesses could use their money to get the economy moving again and could invest in job creation and wealth-creating enterprises. But, at the same time, we need to cut government spending so we are not massively increasing the debt. You see, I hate to break it to you, but America is falling behind other countries in that regard. Tax relief is wrongly criticized by those across the aisle. They have been arguing for job creation, but their policies are making it tougher on private businesses.

In order to help these businesses find a stable footing once again, we need to make tax relief permanent and not wait for these extensions to expire again and again.

Let me conclude. To get this economy moving, we do not need to pass a bill that is going to add over $100 billion to our deficit and our debt. That is what the bill before us today does. It adds over $100 billion to our deficit and our debt.

A few years ago, $100 billion was a lot of money around this place. We throw that amount around here like it is nothing anymore. That is debt that is adding to the coming fiscal crisis this country is going to be facing.

I believe the prescription to get this economy going is to cut taxes, cut government spending. I believe in the spirit of the American people and the American entrepreneurs instead of creating jobs here in Washington, DC. I do not know if the American people know that over 100,000 jobs were created in this city last year—over 100,000 jobs in Washington, DC. That is about as many jobs as my State lost. That is not the prescription for economic prosperity.

Government jobs have to be sustained with tax dollars year after year. When the private sector creates those jobs, the whole economy grows and feeds off itself, and you do not need taxpayer dollars to continue to subsidize those jobs. As a matter of fact, they feed in money to the Federal Treasury.

The bill before us today, I think, is fiscally irresponsible. It is the exact opposite direction we should be going. What we should be doing is acting in accord as Americans—not as Republicans, not as Democrats—but let's look at history and learn from it and get this economy going by focusing on actually what has worked in the past and what will work in the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

(The remarks of Mr. BENNETT pertaining to the introduction of S. 3096 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BENNETT. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I understand the Senator from Virginia is going to speak now, and I ask unanimous consent that when he finishes, I be given 45 minutes at the completion of his time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Virginia.

OVERSIGHT AND TRANSPARENCY

Mr. WARNER. Mr. President, I rise today to speak about a bipartisan, commonsense amendment that Members of this body endorsed yesterday by unanimous consent. I wish to thank Chairman BAUCUS for his work and the work of his staff in managing this important job creation package on which we took a step yesterday. I wish to thank Senator CRAPO for cosponsoring this bipartisan amendment and Senator COBURN for his ideas and support.

My amendment is simple. It amends the Recovery and Reinvestment Act of 2009—what I think most folks refer to commonly as the stimulus—to correct gaps in oversight and transparency. It provides much needed additional accountability for these public investments, again, that have come about through the stimulus package.

I voted for the stimulus package. It was one of the first and toughest votes I cast as a Member of this body. I have worked hard to make sure my State, the Commonwealth of Virginia, has had opportunities to compete for its fair share of this funding.

The Recovery Act was not perfect, and reasonable people can debate whether it was necessary or whether it was ambitious enough. But I do think it is fair to say that the majority of the economists of all political stripes across most of the ideological spectrum now agree a year later that while imperfect, the stimulus package prevented our battered economy from sliding over a cliff last spring into what I think could have been a full-scale economic depression.

Almost a year ago, I remember coming to this floor for one of my first presentations, and I stood on the Senate floor and spoke of my concerns about the potential challenges of implementing a piece of legislation as big as the Recovery Act.

At that time, I said we needed to come up with a common set of definitions, performance metrics, that would allow us to honestly measure our progress as these stimulus dollars were pumped into our economy. I know that metrics, performance indicators, and other things—many Members' eyes start to glaze over when you go into these kinds of discussions, but if we are going to be truly responsible to the people of this country, it is our job to make sure we put in place, particularly when we start new programs, those kinds of performance metrics.

As the Chair knows, prior to being Senator, I had the opportunity to be Governor. The hallmark of my administration was, that which gets measured gets done. My sense was that as we started down the ambitious path around the Recovery Act, we needed to have those same kinds of metrics in place.

I suggested a year ago requiring specific timelines and checkpoints so we could better track the outcome of programs funded by stimulus dollars. I discussed at that time steps we could take to hold Recovery Act recipients more accountable. I actually recommended delaying or deferring stimulus payments if progress was not adequately demonstrated or appropriately reported. Here we are a year later, and while I do believe the macro level of a lot of the stimulus activities has accomplished its goals, it appears that requirements for program reporting and disclosure of spending plans have gone missing or just have not been reported and that the notion of putting in place, in effect, a business plan for some of the new programs of this legislation has never fully been vetted. In the amendment this body adopted yesterday—this bipartisan amendment—we have successfully included fixes to make sure that on a going-forward basis, we will not have this problem.

When we passed the Recovery Act 1 year ago, we required recipients to report quarterly, we required agencies to post reports, and we established an oversight board to tackle issues of waste, fraud, and abuse—the Recovery Accountability Board. We required the Congressional Budget Office, various inspectors general, and the Government Accountability Office to provide oversight. One would think, with all this reporting and oversight, that we would have it totally covered, that we would have thought through all of the ramifications. Unfortunately, a year later we have found that is not the case.

Not that anyone here needs a recap, but I think it is fair to once again explain—and I do not think particularly those of us who are supporting the Recovery Act and the administration ever did a very good job of actually explaining to the American people what was in the Recovery Act. It is not a long recap, but I do think it is important for viewers and my colleagues to recall what it was.

Literally more than one-third of the stimulus act was tax cuts, $288 billion of tax cuts. I believe it was, in effect, the third largest tax cut in American history. As I travel Virginia—and the Presiding Officer, I know, travels the great State of Illinois—I very rarely find a constituent who realizes the stimulus had a huge amount of tax cuts. We have only paid out less than half of those dollars, but a third of the stimulus was tax cuts.

A second third was direct assistance to State and local governments.

I can tell you, in the Commonwealth of Virginia, I sometimes run into the legislators there, some folks from the other side, who oftentimes will say to me: Senator, we are going to keep kicking you in the tail about the stimulus, but keep sending those checks because otherwise we would be right down the tubes at the State level.

Oftentimes, these dollars have gone to prevent what would have been otherwise catastrophic layoffs in our schools, in our highway departments, providing health care. Many State governments that are working on biennial budgets are finding, in the second year of the budget when the stimulus dollars run out, the enormous budget shortfalls they are going to face.

Again, for many of our constituents, because these dollars did not necessarily create new jobs but prevented massive additional layoffs, I am not sure we conveyed that to folks adequately.

The third part of the stimulus package and the category I am primarily concerned with today and the focus of my amendment included significant new investments in our Nation's economic infrastructure. These are areas this body and policymakers have talked about for years, but we never really put our moneys where our mouth was until the stimulus. These areas include such policy goals as smart grid; investing in high-speed rail; making sure we have the power of information technology to transform our health care industry to make it more productive and cost-effective, so we have significant dollars in health care IT; and an area I am particularly interested in: deployment of broadband across our rural communities.

As you can see in this third category, as of mid-February we have only paid out about $80 billion of a total of $275 billion. And it has now become clear that many of the programs in this third category are what I would term ''high risk.'' That means they include Federal programs that sought enormous increases in funding and new responsibilities. Some of these programs barely existed a year and a half ago. They had relatively modest priorities before. But now with broadband, we have seen a 100-fold increase, and dramatic increases in health care IT. These programs have had a year to gear up, but we have to make sure they actually have business plans that can be vetted. In some cases, these stimulus funds were actually designated for brand-new priorities and new programs. Now many of these programs are just now a year later getting their stimulus funds out the door.

Here is the challenge my amendment will address: We simply do not know a year in and with $80 billion being spent out very much about how these high-risk programs are actually doing in terms of delivering broadband, health care IT, and smart grid.

For example—let me turn to the next chart—on the Web site recovery.gov, you learn that the Energy Department has paid out about $2.5 billion in stimulus money so far. Close to another $24 billion remains to be spent out.

If we look even further, we find that the Energy Department complied with OMB requirements last year to come up with an implementation plan for its Weatherization Assistance Program. The Energy Department plan set a clear and reasonable goal. It said it would use stimulus dollars to weatherize 50,000 homes across the country in 2009. Weatherization programs are geared to low-income homes. They help

the homeowners. They decrease energy costs and decrease our commitment on foreign oil. There is a lot of good in this program. But a report from the Energy Department just 3 weeks ago showed that these funds actually paid to weatherize only 30,000 or so homes in 2009. That means the programs missed the goal by 20,000 homes. That is a score of 60 percent. When I was in school, 60 percent was not a passing grade.

We should be concerned that almost every dollar of the $5 billion program for weatherization has already been awarded. We have to make sure we are getting the results we were promised. How can we have confidence these grants already in the pipeline for this year are going to be properly managed? We must have more transparency and accountability from the Energy Department about how they are managing this program and overseeing the spending of these funds.

There are the same kinds of challenges around the smart grid program. I am not just picking on the Department of Energy. If we look at the other areas—health care IT and rail—we find similar challenges.

There is no information, beyond once these funds are distributed, how this fund distribution fits into the overall management of these new programs. That information should be easily accessible and available to taxpayers, and it should be reported on a regular basis to those of us in Congress who have this oversight responsibility. If these agencies are not meeting their milestones or deadlines and if stimulus programs are not producing measurable results, we need to know about them. If there are problems of potential barriers to distributing these stimulus funds, we in the Congress and the administration could do more to support reasonable solutions. We should be able to work together to fix the management barriers that have slowed down this work.

It is not too late. According to the Congressional Budget Office, the government spent only about 18 percent of the stimulus funds in fiscal year 2009. By the end of this fiscal year—that means October of this year, 2010—that number grows to about 54 percent. But that still means over half of the dollars will be spent out after October of this year. That means much of the stimulus funding remains in the pipeline, and that means we have an opportunity now to correct any management and transparency gaps.

Our amendment this body adopted will do that in three important ways:

First, it requires agencies to update and refine their implementation plans they developed last year for these high-risk programs. We define ''high risk'' as any program that received more than $2 billion or any program that saw a funding increase of 150 percent or more from the previous year's funding. These are the programs that went from quite small to ramping up to huge amounts. It also includes brand-new programs. Under our amendment, these programs will be required to update their stimulus implementation and oversight plans by July 1. As a former business guy, what that means in legislative speak is they have to show us their business plan in a way that is intelligible and understandable to the taxpayers and to Congress by July 1.

Second, our amendment would require these high-risk programs to report their outcomes to Congress and taxpayers every quarter beginning September 30. We cannot wait for a year to go by to see if these programs that are spending billions of dollars are actually achieving their goals. These reports must include relevant information on spending and outcomes that clearly measures whether these programs are working and meeting the goals defined basically in the business plans they would have submitted by July 1.

Finally, our amendment adds an enforcement mechanism to make sure that Federal agencies, Members of Congress, and the public have access to the information they deserve to evaluate whether these stimulus investments are actually working. One of the things we found is that close to 1,000 recipients of stimulus funding in this last quarter never even filed the required reports so that we know and the taxpayers know how these dollars are being spent.

The amendment will impose civil and financial penalties on stimulus grant recipients who deliberately or consistently fail to comply with quarterly reporting requirements. The amendment provides sufficient discretion for the Attorney General and the courts to set these penalties and to make sure there is consideration of whether the recipient is a nonprofit organization or State and local government or a small business. Again, we are not trying to unduly penalize, but we want to put some teeth in the fact that these organizations that are recipients of Federal funds document what they are doing with those funds. This is basic accountability.

Once again, I applaud my colleagues for stepping up in a responsible and bipartisan way to correct obvious gaps in management, accountability, and transparency of the Recovery Act programs. With so much of the stimulus funding still in the pipeline, this amendment will allow us to dramatically improve the way we measure and report outcomes and demonstrate accurate, verifiable results for the taxpayers.

Mr. President, I yield the floor. 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. COBURN. 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. COBURN. Mr. President, I compliment my colleague from Virginia. I am a cosponsor of his amendment. I think it is a very noble attempt to try to put better hands on the stimulus.

It is interesting to note that when we had the first hearing with the IG who is overseeing the stimulus, he said, regrettably, $50 billion would be wasted; that is, $50 billion out of $867 billion—actually, some $940 billion—was going to be wasted. We started with the assumption that about 6 or 7 percent of this money was going to be defrauded. I congratulate my colleague because some of the steps he is talking about in his amendment will actually lessen that, hopefully. I agree with him.

It is exciting for me to see a bipartisan attempt to start bringing teeth into the laws we pass, not toward the American public but toward the agencies that administer the funds.

I congratulate him. I think he has a good amendment. I think we will have a great vote on it.

TAX EXTENDERS

Mr. COBURN. Mr. President, I wish to spend time talking about the bill we are considering.

Yesterday afternoon, I had the great fortune—my daughter was performing in Florida and was driving back to New York. I got to see my 7-month-old granddaughter. Anybody who is a grandparent knows what it is like to see your grandchildren. There is nothing wrong with it and everything right with it. You get a picture and see in your grandchildren aspects of your children. It draws back memories.

But I was struck by that encounter with my daughter and granddaughter and, by the way, her dog. What are our hopes and dreams about? What are the hopes and dreams we have for our children and our grandchildren? Our hopes and dreams are that they will have great opportunity to flower and blossom in a way that they can take advantage of their God-given talents and their hard work and become a success in their life's endeavors. And then you contrast that with the heritage of our Nation—a heritage which is about sacrifice—where one generation makes hard choices, makes difficult decisions, where they sacrifice their own benefits from their own endeavors to create opportunity so that the next generation of Americans can have that opportunity to fulfill and expand their heart's desires.

We heard the Senator from Utah today talk about where the problems were with our Nation, and he talked about where all the gold was in terms of fixing what is wrong. I would have to say I disagree with him. When I look at the U.S. Constitution, and then I look at all the government programs the Federal Government has fostered, passed, and funds, I see a black-and-white slate. I see on the one hand the very limited intent of our Founders, which was spelled out very clearly in

Article I, Section 8 of the enumerated powers—here are the powers you are to have. We are designing this to be a limited Federal Government and we are going to reserve everything else to the people and the States through the tenth amendment. Those words are actually in there. What is not spelled out for the U.S. Federal Government is explicitly reserved for the people and their States.

So when we consider the mess we are in—the fact we had a $1.56 trillion deficit last year, that 43 cents of every dollar we spent we borrowed from our grandchildren, that this year it will be $1.8 trillion, that over the next 9 years we will spend $10 trillion we don't have—and I would put forward most of it on things we don't need—look at it in the light of what our constitutional charge is.

I have made this statement from the floor several times. The oath we take—when I was sworn in, in January of 2005—is to uphold the Constitution. The Constitution is our guideline, our direction for what our responsibility is and what should be left to the States. So I agree with my colleague that unless we reform entitlements, we are going to have a difficult time solving our problems, but there is another answer. Actually, there are two other answers.

One of the other answers is to go through with a fine-tooth comb and look at every Federal Government program and ask: Is it a legitimate responsibility of the Federal Government? And if it is, is it a program we need?

You know, in 2 weeks time, my staff found 640 duplicative programs in the Federal Government, across all agencies, that all do the same thing—105 programs to encourage students to go into technology, math, engineering, and science. There are 105 different programs. So as we look at comparing what is our obligation and what is our charge under the Constitution with what is happening, all of a sudden a wide world opens up of monies we don't have to spend, that aren't absolutely necessary, that aren't absolutely a priority, that we shouldn't be spending money on in a time when we are borrowing and stealing the future of my little granddaughter Katie Rose, and everybody else's granddaughter.

Why would we not demand that we do the hard work of going through what is truly our obligation and eliminating what is not, and eliminating the multitude of duplications that the Federal Government has? Why shouldn't we put ourselves to the same test every other family in America is put to. Once you have maxed out your credit card, once you have passed your limits, they do not continue to extend you money. Unfortunately, what they do is jack up your interest rate. Well, guess what is getting ready to happen to us. We do not have an unlimited credit card. What is going to happen to us over the next few years? We are seeing 30-year bond obligations today going for a higher percentage than what they have ever gone for in the last 4 or 5 years, and we are going to see that trend continue. Out of the $10 trillion we are going to spend—money we don't have—in the next 9 years, $5.6 trillion of that is to pay interest on the national debt. So we are going to find ourselves in the same predicament as that person who has maxed out their credit card who is now paying interest on the interest instead of paying off the debt.

I said there were two ways of looking at this. The second is to go through the Federal Government and eliminate the waste, fraud, abuse, and duplication. One is to eliminate where we don't truly have a responsibility or authority for what we are doing under the Constitution, but the second is we have identified $350 billion a year of waste, fraud, and duplication in the Federal Government. We have done that over a period of hearings over the past 4 years. One amendment out of about 800 I have offered over the last 5 years has been accepted to eliminate something—just one. They have all otherwise been voted down. And they have been voted down because Members of this body refuse to make the hard choices about priorities, because they think we don't have to.

Well, the gig is up. There is a real rumble among the American people. There is a rumble in America about holding us accountable for the future of this country, which means no longer ignoring the hard choices, no longer adding to the credit card. I say all that to talk about the bill that is before us. We have a bill before us that is called the tax extenders bill. But that is not what it is. It is the debt extender bill. Because this bill, in light of all the speeches we will hear in this body, and all of the excuses and all the press releases that are going to be released, is going to add $104 billion to our children's credit card.

Yesterday this body voted to go forward with that. They voted to not make the hard choices, not offset the spending. If these are priority items that we should be doing in this bill, then why aren't we going after some of the waste, fraud, and abuse in the Federal Government and getting rid of it? There is $104 billion over the next 10 years, with this one bill alone, that we are going to add to the debt, and that comes down to $10.4 billion a year. We have $350 billion worth of waste. Yet we refuse to go into that $350 billion worth of waste, fraud, and duplication, and eliminate anything to pay for this. Instead, we are going to steal that opportunity, we are going to steal that future, we are going to put a blight on the blossom of opportunity for our children and grandchildren. I beg America to hold us accountable; to not accept business as usual anymore.

When you get down to it and start talking about what this means—when you take the $104 billion and divide it by the 300 million people in this country and then multiply it by the average family size—what you get is $1,282 per family that this bill will add. So if in fact you go to sleep the day after tomorrow, when this bill has passed the Senate, when 60 Senators vote for it and we go on and do this—35 or 36 will vote against it, but 64 or 65 will vote for it—when you put your head on your pillow at night, you can thank them for jeopardizing the future of your children. And not because what they want to do in the bill is necessarily wrong, but because they lacked the courage to stand up and make the hard choices that are required in times of distress in our country.

If you study our history, our greatest leaders exhibited courage in the face of adversity. They pulled us through by making hard choices, not running away from the hard choices. We had a lot of people who were critical of Senator BUNNING because he raised the issue on a $12 billion jobs bill—that isn't going to do anything—and said we ought to pay for it. We voted him down. We said no. But you know what, as I read the American public, about 80 percent of them said we should have paid for it. We should have done that. And those people who were most critical of Senator BUNNING on the floor are the people who have hardly ever voted against any spending bill in their entire career in the Senate. They honestly believe it is okay to mortgage the future of our children to benefit their own political careers.

So what we have developing in the Senate isn't partisanship, it is policy differences that will make the difference for this country. And if the ne'er-do-wells of doing it the same old way win, our children won't have a future. What they will have is a debt burden they will never get out of.

We hear speeches, as we did from the Senator from Utah, that tend to push us, and we think, well, we have to figure out how we can fix Medicare and Social Security. Well, how do we fix Medicare and Social Security? We have to delay retirement, lessen benefits, eliminate fraud in Medicare, and delay eligibility. Those are the only answers. Or we have to raise taxes.

But how do you raise taxes on the American people when you know you are spending $350 billion a year that is wasted? How do you, in good conscience, even consider that? I am not against having a tax increase when and if we have done everything we can do to get this government efficient and eliminated what is not our role and gotten rid of the fraud, waste, and duplication. And most of America wouldn't be against that either. But right now they do not trust us. And for good reason they don't trust this body. Because we are not shooting straight with them. We are not telling them that we are going to add $1,282 to their kids' debt.

When you take this number—this 347 figure, and you look at kids 25 years and younger, and you take that out 20 years, here is what you find: Not only

are they going to be responsible for the debt we have today, but the $78 trillion worth of unfunded liabilities for Medicare, Medicaid, Social Security, and all the other trust funds, including Federal employees' retirement, which adds up to $1.3 million for every person in this country under 25, ask yourself: How in the world will they ever own a home or send their kids to college if in fact they are having to support $60,000 a year in interest on a debt they didn't create?

The promise of America was freedom. Debt is a hard taskmaster. But it is doubly hard when it wasn't your debt but that of your parents and your grandparents, yet you are tasked with changing your lifestyle, your opportunities, your hope and vision for your children because this generation didn't have the courage to stand up and say: Enough is enough.

When will it ever be enough—when we can't sell our bonds? When will it ever be okay to offend those who are on the dole and who don't deserve to be on the dole? When will it be okay to eliminate the waste in the Federal Government, if not at a time we are going to have a $1.8 trillion deficit; if not at a time when $50 billion is going to be defrauded out of the stimulus program? When will we ever do it?

We have never been in the financial situation our country is in today—never before in our history.

Our whole foreign policy is now being affected and impacted because of our debt. We have to keep an ear toward China as we conduct our foreign policy, in the fear that they may dump our bonds. Why would we put ourselves in that position when we do not have to? Because there is no spine in the Senate. There is no spine in the Congress. There is no spine to go out and say: Yes, I made the hard choices. You may not like it, but your children deserve that we make hard choices and difficult decisions. If I am not here, it is OK, I did the right thing. I secured our future. I will be able to sleep at night, knowing I was not a part of taking and stealing that blossom of potential from our children and grandchildren.

I will finish by asking a question of the American people. Is it right that you have to make choices within a finite budget, yet your elected leadership in Washington does not? Is it fair for you to have to sacrifice to create a future for your children, when we are destroying that future in Washington?

It is a time for Americans who have never been involved in the political arena, in our Nation, to get involved because the future of your children and your children's children depends on it. We have a very short window within which to recapture the economic renaissance in our country, and it is less than 4 years. If you look at what we are coming to in terms of debt-to-GDP ratio and in terms of the size of the government to the size of the GDP, we will be on an irreversible course that will eliminate American exceptionalism forever because the thing that made us free and kept us free was a fairly limited Federal Government. What we have in front of us is an attempt not to get it back down to a size that is manageable and within the intent of our Founders' vision and the American people's expectation; we have an intent to grow. The discretionary budget of the Federal Government, on the rate that has been passed by this body the last 2 years alone, not counting the stimulus, will cause the Federal Government to double in size in 5 years. We are 40 percent bigger than we were 2 years ago; actually, it is 38.6 percent bigger. We hear the average Federal employee now makes $72,000 and the average private employee now makes $40,000. We have added 170,000 new jobs in the government in the last 7 months, while we have lost three times that in the private sector. Things are out of whack. The only way they are going to change is if the American public demands it to be changed.

I will go back. This is not a tax extenders bill. This is a debt extension bill. We are going to extend another $104 billion of debt across the threshold of opportunity for our children and grandchildren. I am not going to be a part of that. I am not going to be complicit in it. If that is not satisfactory to the people of Oklahoma, I am fine with that. I am ready to make the hard choices to make us a lean mean fighting machine again as an economy, a lean mean fighting machine as far as opportunity. The way to do that is to downsize the Federal Government, put it back within the role of its intended purposes, and return to the States both the money and the authority to handle what is rightfully theirs in the first place.

The second thing that is important is to get rid of the $350 billion worth of waste, fraud, abuse, and duplication that occurs every year that we do nothing about. We do nothing about it. We send out press releases, but when it comes time to vote to make a hard choice, we do not do it. We refuse to do it. We refuse to offend those who are well connected and well heeled, while we send our country into the trash heap of history through financial collapse.

My hope is, my colleagues will stand and say we are not going to pass this debt extender bill until you pay for it, until you make the hard choices about what is waste, what is duplication, what is fraud, and get rid of some of that to pay, if these are truly priority items.

You see, if they are truly priority, if America truly needs them, then there has to be something that is a lower priority that we can take away. But we do not have that kind of thought in the Senate because we just keep putting the credit card into the machine. Thank you, China. It is not going to be too long before we are saying: May we please, China. May we please. May we.

Watch what is happening to Greece. Look at the articles on Ireland today, the hard choices they had to make to get themselves out of trouble. But they are doing it. We are ignoring it in this body, and we are going to pass another $104 billion along to our children and grandchildren.

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.

Mrs. HUTCHISON. 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.

HONORING THE WASPS

Mrs. HUTCHISON. Madam President, we just had a beautiful, really incredible Congressional Gold Medal ceremony honoring the Women Airforce Service Pilots known as the WASP. It was the largest audience to have ever attended a Congressional Gold Medal ceremony or any ceremony in the Capitol because we have now the wonderful new Capitol Visitors Center that allows us to accommodate very large ceremonies.

This one had over 2,000 family members of the Women Airforce Service Pilots who were honored by Congress. I thought it was worth also including comments in the CONGRESSIONAL RECORD to be sure the American people know that today was, in fact, a wonderful day in which we honored women who did so much in World War II. They did not get the recognition they deserved at the time but they received those accolades today when they were recognized with the highest honor that Congress can give.

I would like to read the speech I gave at the ceremony, and also just embellish a little bit about the WASP.

I wrote a book called ''American Heroines: The Spirited Women Who Shaped Our Country.'' In that book each chapter focused on specific areas in which women trailblazers had done so much to open doors for the future women leaders in our country. One of those chapters focused on those who blazed new trails in aviation.

The pioneers I profiled were Amelia Earhart and also Jackie Cochran. Jacqueline Cochran was a true pioneer, as was Amelia Earhart. They were contemporaries—actually, Amelia achieved her fame just a little bit before Jacqueline Cochran. But Jacqueline Cochran went on to become the first woman to break the sound barrier in an aircraft. She was a protégé of Chuck Yeager who, of course, we know was the first to break the sound barrier in a jet aircraft. He was a test pilot and a fabulous aviator who I saw recently in Dallas and understand he still enjoys flying.

For everyone who knows anything about aviation, Chuck Yeager is an

icon. He took Jacqueline Cochran under his wing and helped her, and she went on to become the first woman to break the sound barrier. She also was the woman who conceived of the Women Airforce Service Pilots and was the leader during World War II of this incredible group of women.

I wish to read the remarks I made because they tell much of the story of the WASP and Jacqueline Cochran's leadership.

As we celebrate Women's History Month, this is the perfect time for us to gather to honor the Women Air Force Service Pilots. They were not in the Air Force at the time, but they were called the WASP. We are presenting them the Congressional Gold Medal during Women's History Month because these women truly made history. America's first women to fly military aircraft, they blazed a trail in the sky that opened the door for today's women military pilots. By the time the war ended, 1,074 women had earned their wings at Avenger Field in Sweetwater, Texas. Thirty-eight of those women were killed in the line of duty. Throughout the war, these courageous women flew over 60 million miles around the world, in every type of aircraft flown by male pilots. They were never commissioned, were never afforded Active-Duty military status, and were not granted veterans status until 1977, 30 years after they had served.

All these women volunteered to serve their country in wartime. The reason the organization was formed was the every available male pilot was needed to fly combat missions. So, for the first time, women were recruited to fly non-combat missions. They ferried new aircraft from the factory to the coast and delivered the aircraft for shipment overseas. Some flew airplanes that towed targets so that male gunners could practice shooting with live ammunition and others even trained male pilots. They did all the things someone in the Air Force would do today except fly combat missions. That is why Jacqueline Cochran convinced the Army Air Corps of that their recruitment was a necessity. Women were eager to serve the war effort. That was why the Women's Army Corps, the WAC, was created. They too contributed to the war effort. The WAC was headed by Oveta Culp Hobby, a wonderful woman who later became a member of President Eisenhower's Cabinet.

Women volunteered by the thousands during World War II. The WASP volunteers paid their own way to Texas for training. Just before the war ended, the program ended, and the WASP paid their own way back home. The 38 courageous women who died as a result of their service in the WASP received no military honors and the expense of their burials was borne by their families or through contributions from their fellow WASP. Their families even had to pay to have their bodies transported home for burial. They were not even accorded the honor of having a flag on their caskets because they were not considered to be in the military.

I wrote about the WASP in my book, ''American Heroines: The Spirited Women who Shaped our Country.'' These women surely did. Despite their patriotic and historic impact, the WASP were never formally recognized by Congress for their wartime military service—until today. Both Houses of Congress, the Senate and the House of Representatives, passed a resolution to present the Congressional Gold Medal. It was unanimous on both sides of the aisle. It is the highest award given by Congress. We honor their service, the history they made, and the history they made possible for other women to make as a result of their courageous service.

Today, we right a wrong and acknowledge our debt to these great patriots, women who are so worthy of this award and this recognition.

I recognized Tom Brokaw during the ceremony. Tom was on the stage with us at the ceremony. Of course, Tom wrote the book ''The Greatest Generation'' that raised the awareness in America about the incredible contribution of the veterans who served in World War II—primarily of course, the combat veterans who served in World War II. He chronicled those because they served so valiantly in horrendous circumstances. They came home, never talked about it, didn't talk about their experiences to their wives or their friends or their children. Most went back to life as normal and considered that they had done their duty and now it was time to go back to work. Tom Brokaw did a wonderful service for all of us. He raised the awareness of the ''greatest generation'' and made us appreciate so much what they had done.

I said at the ceremony that Tom Brokaw, who came to the ceremony today because he had gotten to know about the WASP through his own research, was really here helping us close the circle for so many of those who served in World War II and were never recognized. We recognized the combat veterans. We recognized their incredible service in combat and in battle. But there were some who contributed that we have only recently received the Congressional Gold Medal. The WASP was the third of the three. The first was the Tuskegee Airmen. They were an incredible group African American pilots who flew combat missions but whose service was never fully recognized until later, when they were presented the Congressional Gold Medal.

Then there were the Navajo code talkers who did an incredible service for our country but operated in secret. They promised they would not ever tell what they did, and they didn't until years later when they were given leave to do so after a movie was made that chronicled their critical wartime role. They too were recognized with the Congressional Gold Medal. And now today we honor the WASP, the women who were the first women to fly military missions but never made a part of the military

This effort to recognize the WASP started in the Senate where I was proud to introduce the legislation with my colleague from Maryland, BARBARA MIKULSKI, that culminated in the celebration today. Senator MIKULSKI and I shepherded that bill through the Senate, and in the meantime legislation was introduced in the House of Representatives by Representatives SUSAN DAVIS and ILEANA ROS-LEHTINEN, who passed it on the House side. It passed in record time for a Gold Medal resolution. For this, I thank my colleagues in the Senate and House. It took less than a year from the day we introduced this legislation in the Senate to arrive at this day in which we award this medal to the WASP. There have not been too many Gold Medal resolutions signed into law, usually one per year, two at the most. But these resolutions usually take much longer. But because these women are older and have waited so long, we wanted to pass this quickly so as many of them as possible could come to Washington to celebrate. In fact, over 2,000 WASP veterans and their family members did come. Of the 1,074 women who earned their wings, over 200 were here today. I thank them.

I ended my remarks today by saying:

I thank the WASP and their families who have waited so long and traveled so far to be here today to finally hear these words: on behalf of a grateful nation, thank you for your service.

Speaker PELOSI was eloquent. The distinguished Minority Leader in the House, our leaders, Senator HARRY REID and Senator MITCH MCCONNELL, all participated with the Secretary of the Air Force in this special day. And of course, the four of us from the Senate and House who sponsored the resolution spoke as well. It was a beautiful ceremony. I wished to put that in the CONGRESSIONAL RECORD as a record of this day and as an additional record of the recognition the WASP so richly deserve and for which they have waited far too long.

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. LEMIEUX. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEMIEUX. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEDICARE FRAUD

Mr. LEMIEUX. Madam President, yesterday, the President was in St. Charles, MO. He talked about a new effort the Federal Government would undertake to go after waste, fraud, and abuse in the health care system. He focused on the use of payment recapture audits and the teams of auditors who will now go through the process of looking at the payments being made in Medicare, for example, health care for seniors, to make sure the money is actually going for health care to seniors and not going to criminals who are stealing money from the system. I commend the President for doing this. It is the right thing to do. Republicans and Democrats can work together. This is a good initiative.

But I would like to request of the President, as I have requested of this Congress, to take further steps and more bold steps to stop fraud in the system.

I thank Leader MCCONNELL who, in his opening remarks this morning as the Senate opened its session, commented on a piece of legislation I have offered that will not only go after the fraud after it happens, which is what the President's proposal does—and I commend him for it; it is estimated by folks looking at his proposal that it might save $2 billion a year by going through and auditing and trying to find out where the bad guys have taken the money. I have some experience in that. When I was deputy attorney general in Florida, working under then-attorney general Charlie Crist, we had a Medicaid fraud control unit.

On the Medicaid side—health care for the poor—we did just what these teams the President is putting together now are going to try to do for Medicare. We had teams that looked at the data. We would break down the list of the top 50 folks who were receiving reimbursements from the Federal Government, and if the number and the amount of money they were receiving was abnormally high, we would look at it and make sure it was legitimate. You could go where money is. Right? They say: Look where the money is going. And if you can find out where the money is going, you can find out what the problems are.

We looked at the top 50 or top 100 folks who were receiving reimbursements from Medicaid, and we found problems. So the President's idea is effective. But let's not just do pay and chase. That is what we have been doing in health care for years and years and years.

The Presiding Officer, the Senator from North Carolina, agrees with me on this issue. She has been a leader in advocating that we stop the health care fraud before it starts. We were trying to change the health care bill last year at the end of the year to put in something more robust.

We do not have to start from scratch. There is an idea out there that already exists that is already working in another sector of the economy that is very similar to what could be done in health care.

Health care is about a $2 trillion a year business. We know that in Medicare, there is at least $60 billion if not $100 billion a year of health care fraud. That is worth repeating: $60 billion to $100 billion a year of waste, fraud, and abuse in Medicare alone.

My colleague, Senator and Dr. COBURN, has been a leading advocate about trying to go after this waste, fraud, and abuse.

So what could we do with that money? We could put that money back into Medicare to make sure we are actually helping patients and make Medicare solvent for years to come, instead of where we are looking at it right now: that in the next 7 years Medicare is going to have a real financial crisis.

So how do we get at that $60 billion to $100 billion a year of waste, fraud, and abuse? Well, the health care industry is about a $2 trillion industry. Another industry that does a fantastic job of fighting fraud that is also an industry of about $2 trillion is the credit card industry.

In health care—at least in government health care—we believe $1 out of every $7 is fraud. In the credit card industry, they lose 7 cents on every $100. Madam President, $1 out of every $7 versus 7 cents on every $100.

How do they do it? They do not do just pay and chase; they do not just set up auditors and prosecutors to go after the bad guys after they have stolen the money. They stop the stealing before it starts. Technology is a wonderful thing, and it has created tremendous abilities for us to prevent fraud before it begins.

You all have had this experience. You have gone somewhere and used your credit card, and your credit card company has e-mailed you or called you and said: Was that really you making that purchase? And why is that? Well, a mechanism was triggered by their computers, where you were doing something you normally do not do. You were outside your normal spending habits. You were in Washington, DC, visiting, not at home in Orlando, FL. That is not something you usually do. A red flag goes off because they built a computer model that tracks your normal purchasing, and if something is out of normal—if you are traveling or you are purchasing more than you usually do, or you are buying things that are the target of people who steal credit cards—the model goes off, the phone call happens, and if you do not verify, they do not pay.

This is called predictive modeling, and it makes all the sense in the world that we put this into our health care system. And we can. I have a bill, S. 2128. It has bipartisan support in the Senate with about a dozen cosponsors.

It is a bill to do three things. One, create the predictive modeling system, set up a computer program where if we have health care fraud, we can try to detect it before it starts.

Let me give you an example. My home State of Florida is rampant with health care fraud—rampant. In fact, I think south Florida is the capital, unfortunately, of health care fraud. Here is one example to give you: We have in south Florida 8 percent of the Medicare beneficiaries with HIV or AIDS nationwide, but 72 percent of the reimbursements to these patients are sent there.

Is that because they are getting the best health care in the world? No. It is fraud. There are people in organized crime who are running these health care codes, stealing medical records from hospitals, finding out your patient information, saying that you have AIDS, running a $2,400 vaccine, and running those vaccines all day long, sending the bill to the Federal Government. The Federal Government is paying. It is a lot better deal for the crooks. It is a lot better than illicit drugs. We hear from these criminals they would much rather be stealing from the Federal Government. No one is shooting at them, and it is a lot easier to rip off Uncle Sam.

We have to stop this. So if you put this predictive modeling system in place, you could actually have a trend that occurred, and the computer would say: Wait a minute, this ''health care provider'' has sold this wheelchair 100 times in an hour, or they sold this other medicine, this very expensive AIDS medication. They have prescribed that more than anybody else. The model goes off and the payment stops until they are verified. We stop the fraud before it starts.

My bill does two other things. One is, it requires a background check for every health care provider in America that is going to try to bill Medicare or Medicaid. Can you imagine that we do not do that right now? We do not do background checks of people who are allegedly providing health care to our seniors and to the poor. Can you imagine, we have a convicted murderer in Florida who was an alleged health care provider who was scamming the system? There are bad guys scamming the system for $10 million, $20 million, $50 million, $60 million. So we have to do a better job.

The third thing this bill does is it creates some accountability. We are going to create an Assistant Secretary of Health at the Department of Health and Human Services whose only function will be to fight fraud so we have some person accountable who we can call in front of our committees and say: How are you doing in the battle to fight fraud?

As much as I appreciate what the President did today—and that could save $2 billion—a group here in town has evaluated this bill that has bipartisan support and they say it could save $20 billion a year. So why aren't we doing this today? I know this health care bill is very important. We have differing views on whether we should pass the big bill. But why can't we pass my bill now? Why can't we start preventing this health care fraud now and save $20 billion a year?

Imagine what we could do with that money. Imagine what we could do to put that money back in Medicare and make it more resilient so our seniors know their health care is going to be paid for.

I applaud the efforts of the President of the United States today. It is a good step. But it is on the pay-and-chase side. It is not on the prevention of fraud side. I keep coming to the floor and talking about this because I feel so passionately about it. It is a commonsense thing to do. It is problem solving. It is not partisan. No one is for fraud. Everybody should believe that we should try to spend the government's money more effectively and more efficiently.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. 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.

Mr. KAUFMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO EVELYN LIEBERMAN, KAREN HUGHES, AND JAMES GLASSMAN

Mr. KAUFMAN. Madam President, this afternoon I will preside over a Foreign Relations Committee hearing on the future of U.S. public diplomacy. Never has public diplomacy been more important for promoting U.S. national security interests, especially in volatile regions and areas where we are engaged in counterinsurgency. In order to evaluate past achievements, successes, and challenges in public diplomacy, the committee invited three former Under Secretaries of State for Public Diplomacy to testify on the matter earlier today. Given their wide breadth of experience, they will share their views about lessons learned from their tenure and their recommendations on tools and future strategy.

The three former Under Secretaries who are participating—Evelyn Lieberman, Karen Hughes, and James Glassman—promise to provide incredibly useful insight, and I am grateful they are able to be here for the hearing today. Not only are they important voices on public diplomacy, they have also been dedicated public servants in both the Clinton and Bush administrations.

I wish to make a point here. They don't stay, as do the vast majority of the people we have talked about who have spent 10, 15, 20, 25, 30, 35 years in the government. These people come from a different group. They are the group who come for a short period of time and bring incredible expertise and intelligence to the issues we face—expertise and intelligence, by the way, that we in the Federal Government could never afford to pay for. These three are perfect examples of that, and that is one of the reasons I wish to recognize them today.

During their years of service as Under Secretaries of State for Public Diplomacy, they oversaw our State Department's efforts to promote American foreign policies abroad using tools such as educational exchanges, public affairs and embassy outreach, international broadcasting, and the establishment of American corners or centers. They did this through communication with international audiences, cultural programming, academic grants, and international visitors programs. Public diplomacy programs such as the Fulbright Fellowship and Sports Envoy exchanges bring emerging leaders from foreign countries to visit the United States, promoting a cross-cultural exchange and contributing to sharing an American perspective with the world.

Although these three officials come from different sides of the aisle, they each hold unique perspectives on American public policy, and all share—and I can say from firsthand experience they all share a love of country and dedication to service that called them to government service. I was honored to work with each of them in various capacities over the years, especially during my tenure on the Broadcasting Board of Governors.

Evelyn Lieberman is a native of New York and a graduate of State University of New York in Buffalo. She first entered government service in 1988 as press secretary to my predecessor, now Vice President JOE BIDEN. In those days I was serving as chief of staff, and I had the privilege to work with Evelyn early in her career. In 1993 Evelyn moved over to the White House where she served as Assistant to the First Lady, now Secretary of State Hillary Rodham Clinton. Three years later, after serving also as Deputy White House Press Secretary, she was appointed Deputy Chief of Staff under Leon Panetta.

In 1997, President Clinton appointed her as director of Voice of America, and she served there for 2 years. During that time, I was a member of the Broadcasting Board of Governors, which oversees Voice of America programming, and I was fortunate to work closely with Evelyn once more.

In 1999, President Clinton nominated Evelyn to serve as the State Department's first Under Secretary for Public Diplomacy, and she was confirmed by the Senate. He could not have picked a better person. What happened back then was, we took the Information Agency and split it into two pieces. The Broadcasting Board of Governors created an independent entity for that, and then we brought the rest into the State Department, and Evelyn was the one who got that started and got it started on the right foot. She stayed there until the Bush administration.

Since then, since 2002, Evelyn has continued a career in the Federal Government serving as the Director of Communications and Public Affairs for the Smithsonian Institution.

The second witness today is Karen Hughes, who was appointed by President Bush to this position after serving as Counselor in the White House from 2000 to 2002. A Texas native, she holds a bachelor's degree from Southern Methodist University. Before embarking on a career in politics, Karen worked in broadcast journalism for 7 years.

When she was appointed as Under Secretary for Public Diplomacy in 2005, Karen was given the rank of Ambassador to underscore the importance of public diplomacy as a central component of U.S. foreign policy. While she was there, Karen implemented important changes including the creation of a rapid response unit in her bureau at the Department of State and many others.

Upon leaving State in 2007 to pursue work in the private sector, Karen told the BBC that her greatest achievement was ''transforming public diplomacy and making it a national security priority, central to everything we do in government,'' which is the goal I believe continues to this day.

During her tenure as Under Secretary, she represented former Secretary of State Condoleezza Rice in meetings with the Broadcasting Board of Governors, and I had the opportunity to work with her on promoting a free press overseas.

I have worked with all three of these people. These are extraordinary public servants, Republicans and Democrats; people who have disagreements on many things but came to the government, took incredible financial sacrifice, and worked together to solve bipartisan problems that have put the public diplomacy effort in a positive light.

When Karen Hughes left the State Department, President Bush nominated James Glassman to take her place. James is a Harvard graduate and a prominent writer and journalist, to say the least. He was confirmed by the Senate in June 2008 as Under Secretary of Public Diplomacy. Jim has done a whole lot of things. He has held senior roles at a number of leading news organizations, including the New Republic, the Atlantic Monthly, and U.S. News and World Report. He is also a former owner and editor of Roll Call.

Before joining the Bush administration, Jim served as a fellow at the nonprofit American Enterprise Institute for 12 years. In 2007, Bush nominated him to be chairman of the Broadcasting Board of Governors, and he served in that role until moving to the State Department several months later. As I said, I worked with Jim during my service on the board, and I saw firsthand his dedication to promoting American values and policies overseas.

Since the Bush administration left office, Jim has been working in the nonprofit sector, and he was recently selected to lead a new public policy institute at the George W. Bush Presidential Library.

Think about this: Here I am, a Democrat, and I can tell my colleagues there aren't three better people with whom I have worked in the whole world than Evelyn Lieberman, Karen Hughes, and Jim Glassman. They care. We have a lot of fights about a lot of things, but when it came to public service, these three individuals all did incredible work.

Political appointees make up an important constituency in our Federal Government. When a President requests their service, they often make real sacrifices to respond to that call, and I can tell you without a shadow of a doubt, these three made incredible

sacrifices, financial and personal, to answer the call of this country.

I hope my colleagues will join me in thanking Evelyn Lieberman, Karen Hughes, and James Glassman for answering the call to serve and for their work on behalf of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

RESPONDING TO THE ECONOMY

Mr. CASEY. Madam President, thank you very much. I appreciate the many times Senator KAUFMAN comes to the floor to celebrate what is working in Washington and the good work that is done by so many public officials, but also public employees in our Federal Government.

I rise this afternoon to talk about the recession, unemployment, job loss—all of those related topics—and in a very particular way to focus on the trauma, the suffering that a lot of Pennsylvanians and a lot of Americans are living through right now.

This has been and continues to be a horrific recession for the American people. When we are confronted with that kind of economic difficulty, we need to respond to it in very bold ways. I think we have over the last couple of years and even the last couple of weeks. I will talk about that today. But we do need bold action to put people back to work and to keep our economy moving in the right direction, as I think it is now, more than a year after the recovery bill was enacted.

In Pennsylvania, the unemployment situation is as follows: Our rate is at about 8.8 percent as of January. That is lower than a number of States of comparable size. But, unfortunately, the rate doesn't tell us much. It doesn't often reflect the true meaning or the true impact of unemployment. We have 560,000 people in Pennsylvania out of work through no fault of their own. I think it is also important to put this in the context of where we have been and where we are now, not only in Pennsylvania but across the country.

In late December of 2008, Congress took action to stave off the impending collapse of our Nation's financial system. Months later, the downturn required Congress to pass, as I mentioned before, the recovery bill known as the American Recovery and Reinvestment Act, known by the acronym ARRA. I tend to refer to it as the recovery bill.

These actions were at the time—meaning the legislative actions—unpopular but absolutely necessary. I said we have worked on job creation strategies and legislation more recently within the last couple of weeks. Our majority leader Senator REID has led us in that, and we are making progress. We have more to do.

First, let me go back in time a little bit to the fall of 2008. At that time I happened to be a member of the Banking Committee. We were given briefings at that time on how perilous our financial system was; that we were on the edge of a cliff in terms of the collapse of our financial system and, therefore, the collapse of our economy. We passed legislation which included the Troubled Asset Relief Program, known by the acronym TARP.

I know as soon as I say it, it doesn't bring back positive recollections for people. It was not popular. Even the bill itself was not that popular—the Emergency Economic Stabilization Act—and part of that was the so called Troubled Asset Relief Program or TARP. But I think it is important to put the facts on the table about what has happened since that time.

The Troubled Asset Relief Program was, indeed, unpopular, but we should note that to date the Treasury Department has spent, invested, or loaned $500 billion through TARP. To date, almost $190 billion of the $500 billion has been returned or paid to the Treasury Department. These actions helped steer the economy back from the brink and, by the program's conclusion, we expect all but $100 billion of that $500 billion to be repaid, which makes the Troubled Asset Relief Program significantly less expensive to taxpayers than earlier estimates. It met some of the predictions at the time by some of us that the money would be paid back. So that is good news. It is not enough, though, to report on good news.

We had to take other action. We took action when we passed the recovery bill in the early part of 2009. Just by way of example, Pennsylvania is on track to receive more than $26 billion through the recovery bill, including billions in direct tax relief. We had 4.9 million Pennsylvanians who got tax relief as part of the recovery bill. Among, or part of, I should say, that more than $26 billion, $13.15 billion was in so-called formula-driven funding for health, education, infrastructure, job training, and other aid. It was a tremendous boost to the economy in Pennsylvania, not only creating jobs but preventing the erosion of our job creation strategies and preventing people from being laid off, including teachers in school districts, law enforcement officials, as well as in jump-starting the economy of Pennsylvania. We still have a ways to go. We still have basically another year of a jump-starting effect for the recovery bill.

Across the country, when we measure the impact of the recovery bill, the nonpartisan Congressional Budget Office, which is known by the acronym CBO—we hear about it all the time, but they are a referee in a sense in Washington, an arbiter of what the numbers mean. The CBO reported a few weeks ago that the Recovery Act added between 1 million and 2.1 million jobs by the fourth quarter of 2009. Again, impressive, halfway basically—or almost, I should say, halfway through the recovery bill's implementation at the end of 2009, 1 million to 2 million jobs. The CBO also said the Recovery Act raised economic growth by 1.5 percent to 3.5 percent over that same period. So it has contributed to growth.

The CBO Director, Doug Elmendorf, said during a recent Joint Economic hearing:

> [T]he policies that were enacted in the bill are increasing GDP and employment relative to what it otherwise would be.

So that is the CBO talking about the recovery bill as another way to measure. There are lots of ways to measure the impact and, I would argue, the success of it.

In January of 2009 the country lost 1.2 million jobs. Job loss, as of the most recent report for February, was a little more than 60,000 jobs, just about 62,000 jobs. So that reduction or diminution in the number of jobs lost from 1.5 million jobs to 62,000 jobs is, indeed, substantial progress but, again, it is not enough. We have to keep going. We have to keep putting in place strategies to create many more jobs.

The facts speak for themselves. More people are currently employed and more goods and services are being produced as a result of the Recovery Act. Put another way, if the Recovery Act had not been enacted, the economic situation would be much worse than it is today. That is an understatement, if we did not pass that legislation.

But we need to do more and move forward. We need to pass legislation to continue to create jobs. That is why I am standing today in support of passage of the American Workers, State, and Business Relief Act, the legislation we are now considering. This legislation contains vital policies that will support our workers and our businesses as we recover from the recent economic recession. The most important part of the legislation is the extension of unemployment insurance and COBRA health insurance through December 31 of this year.

The national unemployment rate is 9.7 percent. It is expected to remain at this level, unfortunately, through most of 2010. I mentioned earlier that in Pennsylvania it is about a point lower, 8.8 percent. There are 560,000 Pennsylvanians who are out of work. These numbers are far too high for us to in any way be satisfied with the positive impact the recovery bill has had and other measures we have taken.

We are about to pass and enact into law the HIRE Act—four provisions agreed to in a bipartisan way. We have to do more than that as well. Congress must continue to provide for comprehensive unemployment benefits and a subsidy to pay for COBRA health insurance for those who have lost their jobs through no fault of their own. The eligibility for emergency unemployment compensation and COBRA premium assistance will expire at the end of March. According to our State's department of labor and industry, hundreds of thousands of Pennsylvania workers could lose unemployment benefits over the next several months without an extension.

An extension of federally funded unemployment compensation and the

COBRA health insurance subsidy through the end of this year, December 31, is necessary for several reasons. First, State labor departments—and this is true across the board—will now be under pressure to constantly update their systems and inform constituents of the changes in Federal law. Why should we keep passing an extension of a month or two or three when we could pass legislation to give certainty, most importantly to that unemployed worker and his or her family—they are the most important part of this story—but also to State labor departments and other officials in departments so they do not have to continue to make changes to their system. People who were recently laid off will constantly be reminded that their unemployment benefits may run out sooner than expected, especially at a time when there are six applicants for every one job.

Second, our State labor department makes a point that at a time when millions of people do not have health care coverage, failure to provide an adequate safety net to ensure people maintain adequate and affordable health coverage will only add to the rolls of the uninsured in the country.

During my travels throughout the Commonwealth of Pennsylvania, I have met and I will continue to meet or hear from numerous people who are in desperate need of help.

Recently, the Hanlon family of Pleasantville, PA, contacted my office to share their story. Here is but one story, but it is very telling about what families are up against.

Lisa and Jeff Hanlon have four young children. Until recently, Jeff and Lisa were both employed by the same company and, in their words, ''the family lived a solid middle-class experience.'' Jeff worked at the company for nearly 8 years. Over time, he began to experience severe health problems, including suffering three heart attacks. When the economic downturn hit, Jeff was downsized by the company and the family lost their health insurance. The blow of losing health insurance could not have come at a worse time. Just one of Jeff's hospital bills was $398,000.

Due to his medical condition, Jeff was unable to work. Too sick to work, it took a long time for Jeff to apply for and receive Social Security. During this time, the family experienced severe hardship and sold everything of value to keep their home and stay afloat. Mrs. Hanlon told our office that their children went without medical help for a year—young children going without medical help for a year because their father or mother loses a job. That is unacceptable. We should act on the statement ''that is unacceptable in America today.'' What the Hanlons had to do was choose what bills to pay to feed their children. Without means, the children were not able to participate in sports or any school activities. Even now, the family's current income is a fraction of what it was.

Another example, in addition to the Hanlons, is Janet Lee Smith, a single mother of two girls. Her difficulties began back in 2003 when she was laid off from a 26-year career. As Janet tells the story, the company began outsourcing to Mexico, which made her position obsolete.

Faced with the tremendous responsibility of raising two young girls, she decided to go back to school while still working. In 2005, she graduated from a Penn State extension campus with an associate's degree in human development and family studies. Unfortunately, additional education was not enough to get her a job in this tough economic climate. So once again, Janet turned to odd jobs and part-time jobs until 2008, when she was finally blessed with a full-time job as an administrative assistant. Nine months later, once again she was told that business was slow and she would, in her words, ''once again become a statistic as a 'dislocated worker.'''

Today, unable to find full-time work, Janet is back in school and working part time. She says she feels she has to do whatever she can ''to get her girls through school healthy and strong.'' In Janet's words:

> It is not a good feeling at all being told that you are going to be laid off, especially when you are the only income that your family depends on. It has been a struggle keeping up my spirits and trying not to let my girls see that I am stressed.

That is what Janet tells us, and that is what the Hanlon family tells us. Despite these challenges—and I have seen this across our State—despite these challenges, Janet is still optimistic. She says:

> I am confident that this time I will be able to find that one job. I know that they are out there. I had a good job before and I will have a good job again.

I heard this in many instances across our State. I was at a job center in south central Pennsylvania, just outside Gettysburg. I met with 8 of those 560,000 people who are out of work. I heard the same thing there. Eight Pennsylvanians—at least six were over the age of 50 and the others were over the age of 60—had never been out of work in their lives, never had to rely on food stamps, and almost in every case never had to rely on unemployment insurance. And they find themselves in this predicament. Despite that, there is a burning flame of optimism inside them. Despite their setbacks, they are willing to keep filling out forms, keep applying, keeping their heads up, and keep moving forward.

Debbie, a woman, who was one of those eight I spoke to that day, probably said it best—simply: All I want to do is get back to work. We see that across the board.

What are we going to do in Congress? Are we going to preach? We will only have unemployment for another couple weeks or a few months. We are only going to have COBRA insurance for a couple of weeks, a couple of months. It is easy for us to say when we have health care, Federal employees that we are, and we have job security.

For those who say we should not do it, we should not extend these safety net programs, before they make a speech about it, they should tell their constituents about why they do not want to support it. Tell Janet Smith and tell the Hanlon family why it is not a good idea to support unemployment insurance and COBRA health insurance. The security of Washington allows a lot of people to avoid that conversation. The security of being a Federal employee, of being a Senator or a House Member and having health coverage and job security allows us the luxury of not having to look those families in the eye and tell them. I think if people were more honest about it around here, they would.

In addition to aiding families who are desperately in need of putting food on the table and a roof over their heads, an extension of the unemployment insurance has a direct impact on our Nation's economy. We know, for example, that again the Congressional Budget Office says that for every $1 spent in unemployment insurance benefits, upwards of $1.90 is contributed to the gross domestic product.

Mark Zandi, an economist I have quoted often, a Pennsylvanian—a little bias there, but he also worked on Senator MCCAIN's Presidential campaign, so he is not someone coming from a purely Democratic point of view—Mark Zandi has stated that for every $1 spent in unemployment insurance benefits, upwards of $1.63 is contributed to the gross domestic product. If you spend a buck on unemployment insurance, the taxpayers get $1.63 back in return.

In addition to unemployment insurance and COBRA health insurance, the American Workers, State, and Business Relief Act provides a range of tax credits that will help businesses and State governments to create and retain jobs. For example, the bill contains an extension of the biodiesel fuel credit, which will put a number of Pennsylvanians back to work across the country.

The bill contains a research and development tax credit that will provide businesses with financial resources to compete in a global marketplace.

Finally, the bill will assist our teachers by providing a tax deduction for those teachers who spend their own money to buy supplies for their classrooms and students—something I have seen in Pennsylvania for many years, teachers constantly reaching into their own pockets to buy supplies and equipment they need for them to teach our children.

I say in conclusion, I and I know many others strongly support passage of the American Workers, State, and Business Relief Act. This legislation is necessary to continue to spur economic growth and create jobs in Pennsylvania and across our country.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

TAX EXTENDERS ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4213, which the clerk the report.

The assistant 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.

Baucus (for Webb-Boxer) modified amendment No. 3342 to (amendment No. 3336), 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.

Feingold-Coburn amendment No. 3368 (to amendment No. 3336), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks.

McCain-Graham amendment No. 3427 (to amendment No. 3336), to prohibit the use of reconciliation to consider changes in Medicare.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. I make a point of order, en bloc, that the pending amendments Nos. 3342, 3368, and 3427 are not germane postcloture.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. The point of order is well taken?

The ACTING PRESIDENT pro tempore. The amendments all propose new subject matter. The amendments are nongermane and the point of order is well taken.

Mr. REID. The amendments fall; is that right?

The ACTING PRESIDENT pro tempore. The amendments fall; that is correct.

Mr. LEVIN. Mr. President, the Senate can take an important step today in alleviating the incredible strains this continuing economic crisis is having on thousands of families in my State, and millions of families across America. In approving the American Workers, State, and Business Relief Act of 2010, we can end what has been an agonizing procession of will-we-or-won't-we votes on extending unemployment benefits and COBRA insurance subsidies for those who have lost their jobs. And we can ensure that, by extending enhanced Federal payments to State Medicaid programs, crucial health coverage and other vital State services are not cut.

Those who doubt the wisdom of extending unemployment and COBRA benefits until the end of this year should hear the phone calls and read the letters that have come into my office over the past few weeks. As the Congress has debated, and delayed, on the question of whether to pass another short-term extension, these Americans, left jobless by a crisis not of their own making, wondered if the economic lifeline that keeps food on their tables and shelter over their heads would be severed. By approving this legislation, we will ensure that these families are not left in limbo by delays in Congress. Giving them some measure of certainty, at a time when the economic crisis has turned so much upside-down, is the right thing to do. What's more, continuing these benefits is one of the most important steps we can take to nurture the fragile recovery of our economy. These payments benefit not just families coping with unemployment, but provide an immediate stimulus to local economies that have been devastated by the recession.

Likewise, the decision to extend enhanced Federal Medicaid assistance percentages, or FMAP, funding to States, boosts the entire economy while helping those in the greatest need. Michigan and other States have made clear that without this extension, we would leave giant holes in their budget. In the absence of enhanced funding, the steps the States would have to take balance their budgets could mean devastating cuts to vital programs that serve the victims of this crisis. Such cuts would also dampen the recovery, removing a pillar that has kept economic activity from collapsing during the crisis. Extending these payments gives States, and the citizens they serve, much-needed certainty.

This legislation also would continue tax provisions that can provide additional support to economic recovery and job creation. In extending the research and development tax credit and other measures, we give our businesses another tool they can use as they seek to regain ground, begin growing again and start putting people back to work. I urge my colleagues to join me in voting for this important legislation.

Mr. LEAHY. Mr. President, today, the Senate is passing the Satellite Television Extension and Localism Act, STELA. This legislation modernizes and extends important provisions of the Satellite Home Viewer Act, which contains statutory copyright licenses and Communications Act authorizations that allow for the retransmission of broadcast television signals by satellite and cable providers.

Ensuring that Americans have access to broadcast television content is important, and it is particularly relevant for consumers in rural areas who might not otherwise be able to receive these signals over the air. The legislation that the Senate is passing today will ensure that nobody will be left in the dark for the foreseeable future.

The Satellite Home Viewer Act provides cable and satellite companies with statutory licenses to allow them to retransmit the content of broadcast television stations. It also contains important authorizations in the Communications Act that facilitate these retransmissions. Broadcast television plays a critical role in cities and towns across the country, and remains the primary way in which consumers are able to access local content such as news, weather, and sports.

Cable and satellite providers help to expand the footprint of broadcast stations by allowing them to reach viewers who are unable to receive signals over the air. Vermont is an example of how cable and satellite companies can provide service to consumers in rural areas who might not otherwise receive these signals.

Vermonters will see improved service when this legislation is enacted. As the act has been reauthorized over the years, I have worked to improve the service that Vermonters receive from cable and satellite companies. Residents in southern Vermont have seen improvements. Windham and Bennington Counties are not considered part of the Burlington television market that encompasses the rest of the State, and for many years those residents were unable to receive Vermont broadcast stations by satellite. Congress changed this in 2004, and DirecTV has been providing these Vermonters with access to Vermont stations ever since.

I am also pleased that under this legislation, DISH Network will be able to provide their subscribers in southern Vermont with the same service. As soon as the DISH Network uses this authority, virtually everyone in the State will be able to access the news and information that is truly important to Vermonters, whether it is the debate over relicensing the Vermont Yankee nuclear power plant in Vernon or the UVM basketball team's quest to make the NCAA Tournament.

One other important way that STELA will preserve and improve existing service for consumers is by correcting a flaw in the statutory copyright license for the cable industry. An unintended result of current law is that the cable license requires the cable industry to pay copyright holders for signals that many of their subscribers do not actually receive. This is often referred to as the phantom signal problem. The effect of this anomaly in the law is that Comcast is required to pay copyright royalties based on their subscriber base across the northeast for the Canadian television content

that is only provided to subscribers in Burlington, VT.

The bill that the Senate is passing today corrects this flaw by giving the cable industry the flexibility to continue to provide signals that are tailored to local interests—signals that might otherwise have been pulled from cable lineups. This will benefit industry and consumers. For instance, subscribers in Burlington will still be able to receive programming such as ''Hockey Night in Canada,'' which has been a tradition, without fear that Comcast will have to remove the channel or raise prices because it is being charged royalties based on subscribers in Boston.

In addition, the legislation will expand consumer access to their States' public television programming and low-power, community-oriented stations that will promote media diversity.

This bill is the product of many hours of hard work and compromise among four committees in both Houses of Congress. No single Member or committee chairman would have written it in this exact way, but the final language represents a fair compromise on important issues. I would have preferred that the language approved by the Senate Judiciary Committee last year with respect to multicast signals be included in this legislation. However, under the bill the Senate passed today, multicast signals will be treated differently than primary broadcast signals for a short period of time, even if they are broadcasting an additional network. In Vermont, WFFF is the local Fox affiliate, but it carries the CW Network on a multicast signal. This is programming that is otherwise unavailable to Vermonters. There should be no distinction in this case between a primary signal and a multicast signal. I appreciate the difficult nature of the issue, however, and believe that the compromise that was struck in STELA is a fair one.

The final bill language also provides a pathway to lift a court-ordered injunction that currently prevents DISH Network from using the distant signal license, in exchange for DISH launching service in all 210 television markets across the country. Providing service to all 210 markets is a goal that I have long believed ought to be achieved. I believe the language included in the Senate Judiciary Committee-passed bill provided better incentives for launching additional markets without lifting a court-ordered injunction. As a matter of policy, lifting a court-ordered injunction based on copyright infringement is something I generally do not support, but others insisted upon it and it is part of the compromise embodied in STELA.

This is a good bill that will preserve and improve the service that consumers across the country are accustomed to receiving. I am pleased that the Senate has adopted this legislation. I look forward to its prompt consideration and adoption by the House and the President signing it into law.

Mr. REID. What is the question before the Senate?

AMENDMENT NO. 3336, AS AMENDED

The ACTING PRESIDENT pro tempore. The question is on the Baucus substitute, No. 3336, as amended.

The question is on agreeing to the amendment.

The substitute amendment (No. 3336), as amended, was agreed to.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII,the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant 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 H.R. 4213, the Tax Extenders Act of 2009.

Harry Reid, Max Baucus, Richard Durbin, Roland W. Burris, Kent Conrad, Benjamin L. Cardin, Patrick J. Leahy, John D. Rockefeller, IV, Robert Menendez, Daniel K. Inouye, Robert P. Casey, Jr., Jon Tester, Bill Nelson, Charles E. Schumer, Kay R. Hagan, Sheldon Whitehouse, Tom Harkin.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on H.R. 4213, an act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, shall be brought to a close.

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 66, nays 33, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—66

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murkowski
Bayh	Franken	Murray
Begich	Gillibrand	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Bond	Inouye	Reid
Boxer	Isakson	Rockefeller
Brown (MA)	Johnson	Sanders
Brown (OH)	Kaufman	Schumer
Burris	Kerry	Shaheen
Cantwell	Klobuchar	Snowe
Cardin	Kohl	Specter
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Chambliss	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Lieberman	Voinovich
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden

NAYS—33

Alexander	Brownback	Coburn
Barrasso	Bunning	Corker
Bennett	Burr	Cornyn
Crapo	Hutchison	Nelson (NE)
DeMint	Inhofe	Risch
Ensign	Johanns	Roberts
Enzi	Kyl	Sessions
Graham	LeMieux	Shelby
Grassley	Lugar	Thune
Gregg	McCain	Vitter
Hatch	McConnell	Wicker

NOT VOTING—1

Byrd

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 66, the nays are 33. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The ACTING PRESIDENT pro tempore. Under the previous order, all time is yielded back.

The question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall the bill pass?

Mr. LEVIN. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

The PRESIDING OFFICER (Mr. MERKLEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—62

Akaka	Franken	Nelson (FL)
Baucus	Gillibrand	Pryor
Bayh	Hagan	Reed
Begich	Harkin	Reid
Bennet	Inouye	Rockefeller
Bingaman	Johnson	Sanders
Bond	Kaufman	Schumer
Boxer	Kerry	Shaheen
Brown (OH)	Klobuchar	Snowe
Burris	Kohl	Specter
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Collins	Lieberman	Vitter
Conrad	Lincoln	Voinovich
Dodd	Menendez	Warner
Dorgan	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feingold	Murkowski	Wyden
Feinstein	Murray	

NAYS—36

Alexander	Crapo	Kyl
Barrasso	DeMint	LeMieux
Bennett	Ensign	Lugar
Brown (MA)	Enzi	McCain
Brownback	Graham	McConnell
Bunning	Grassley	Nelson (NE)
Burr	Gregg	Risch
Chambliss	Hatch	Roberts
Coburn	Hutchison	Sessions
Cochran	Inhofe	Shelby
Corker	Isakson	Thune
Cornyn	Johanns	Wicker

NOT VOTING—2

Byrd McCaskill

The bill (H.R. 4213) was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. TESTER. Mr. 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.

The PRESIDING OFFICER. The Senator from Montana.

MORNING BUSINESS

Mr. TESTER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MICHAEL PUNKE

Mr. TESTER. Mr. President, I rise today to urge the immediate confirmation of Michael Punke to be the U.S. Ambassador to the World Trade Organization.

The United States has been without an ambassador for more than 6 months because one Republican Senator has been holding up his nomination for no good reason. This is another example of standing in the way of doing what is right for our country.

Michael Punke is well qualified. He is ready to serve. He happens to be from Montana. Michael's qualifications are as follows: Michael received his undergraduate degree in international affairs from George Washington University. He then attended Cornell Law School where he earned his juris doctorate with a specialization in international legal affairs. He also served as editor in chief of the Cornell International Law Journal.

For 14 years Michael served in government and private practice in Washington, DC. From 1991 to 1992 he acted as international trade counsel to Senator MAX BAUCUS, then-chairman of the Finance Committee's International Trade Subcommittee.

Michael has been fully vetted. He received strong bipartisan support in his Senate Finance Committee hearings, and the Finance Committee unanimously approved his appointment. Let me repeat that. Michael Punke passed out of the Finance Committee with the support of all the Senators on that committee. That means all the Democrats and all the Republicans supported his nomination, including the junior Senator from Kentucky, who continues to hold up his nomination. The reason Senator BUNNING is giving for his hold? He wants Canada to repeal parts of the antismoking law that they passed in the Canadian Parliament. I don't think that holds water.

This job is too important to remain open because one Senator has a flimsy policy beef with a foreign country. Common sense has to prevail.

Expanding U.S. exports will help rebuild our economy by creating jobs. Michael Punke is an important part of that goal. Michael will be responsible for promoting and securing U.S. trade interests abroad to create jobs for America's farmers, workers, and businesses right here at home. Our trading partners use his absence as an excuse to stall progress on serious negotiations. Standing in the way is hurting America's businesses and workers who are affected by these very important negotiations.

Michael could be working right now to create jobs for American farmers, workers, and businesses. But, instead, some issue about tobacco in another country is keeping us from moving forward. That is not right.

That is why a broad coalition of America's farmers and businesses have been calling for quick approval of Michael Punke by the Senate. A coalition of 42 food and agriculture groups wrote Senator REID and Senator MCCONNELL last January to call for Michael's quick confirmation saying:

> U.S. food and agriculture exports are under assault in many markets with trading partners erecting even more barriers in recent months . . . The longer the delay in confirming Mr. Punke, the more likely that the U.S. loses exports and jobs.

So if we act today to confirm Michael Punke, the Senate will have done something right now to help create jobs in America. Holding up Michael Punke does just the opposite. For all these reasons—oh, and may I add this guy is one quality individual—I would request we confirm Michael Punke in the Senate, we do it as soon as possible, and confirm him to the position of U.S. ambassador to the World Trade Organization.

BIG SANDY PIONEERS

Mr. TESTER. Mr. President, I rise to share some news from my hometown of Big Sandy, MT. It is a town of just over 700 folks. That means in Montana, it is a Class C town. In Montana, Class C basketball isn't just a tradition, it is a way of life. For a lot of Montanans, the entire year revolves around that basketball season.

Last week, Coach Roy Lackner led his boys—the Big Sandy Pioneers—to the Class C basketball tournament. They fought their way to the championship game on Saturday night and they played another outstanding Class C team in the Power Pirates.

It was one of those games folks will be talking about for years. After a last-second foul, with less than a second on the clock, senior forward Corbin Pearson broke the 49-to-49 tie by sinking both free throws. I was 6 years old the last time Big Sandy boys won a State championship. That was 47 years ago.

So I rise in honor of Coach Lackner, assistant coach Gregg King, and the Big Sandy boys basketball team, including Corbin Pearson, Zac Leader, Blake Brumwell, Taylor Ophus, Colter Darlington, Trevor Lackner, Jeff Zeiger, Scott Drga, Dallas Briese, Kaden Beck, Matt Gullickson, and C.J. Hansen.

I am sharing this good news not just because these young men are from my hometown—although I am very proud of that—I am sharing this news because we can all use a reminder that hard work, working together, and teamwork pays off. Coach Lackner says winning a State championship was a matter of perseverance. It is. The Big Sandy Pioneers persevered. They worked hard as a team. They won their championship, and I congratulate them on that.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 36, H.R. 1586, and that once the bill is reported, I be recognized to offer a substitute amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

> A bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3452

(Purpose: In the nature of a substitute).

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

> The Senator from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 3452.

Mr. ROCKEFELLER. I ask unanimous consent that the reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. ROCKEFELLER. Mr. President, I am very happy to be here this afternoon with the most excellent ranking member of the Commerce Committee, Senator KAY BAILEY HUTCHISON of Texas, to lay down our Transportation bill, and in so doing we say that our transportation system is at a crossroads, and not a comfortable one.

For decades, the Federal Aviation Administration has done an excellent job of operating the world's most complex airline system. Nobody else comes close. The system has served us very well. Not only is it the safest airspace system in the world, it is a critical component of the national economy. I cannot overstate the importance of a

vibrant and strong aviation system. It is fundamental to our Nation's long-term growth—from the largest cities to the very smallest of towns—because it connects our citizens and it connects our businesses with the global economy.

Increasingly, however, our air transportation system and the FAA—the Federal Aviation Administration—are strained beyond capacity. Our skies and airports have become plagued with congestion and delay, and what is more, on a pretty regular basis. Over the past decade, we have seen passengers delayed for hours on runways, and we hear about it. During peak times, such as the holidays, the system is often paralyzed—stopped. Disruptions at just one key airport—maybe JFK, maybe O'Hare, maybe Los Angeles, should they be in trouble at any one of those places—can quickly cascade throughout the entire system.

With airline capacity cut, these delays can easily extend to days for passengers who cannot find flights with empty seats because the capacity has been reduced. Our constituents are frustrated about flying and, frankly, rightly so.

When our economy recovers, and I believe that growth has slowly begun—we shall see—congestion and delay will only get worse. The FAA predicts that commercial air traffic will increase by nearly 50 percent over the next decade. Putting that in other terms, from our current level of 700 million passengers a year, it will be well over a billion passengers per year. In a complex system as ours, everything has to work so the possibility of a meltdown of the air traffic control system may in fact become a reality and this will put passenger safety at extreme risk.

These are not the only troubling signs; there are more. While aviation has an excellent safety record, as I have indicated, the Federal Aviation Administration and the industry's focus on safety and vigilance in maintaining it as the highest priority, has come into question—the question of safety. The grounding of thousands of aircraft throughout the system in 2008 raised questions about the quality of airline maintenance practices and the FAA's ability to provide sufficient oversight of air carriers.

The tragic accident of flight 3407 has exposed problems with pilot training, crew fatigue, and the ability of the industry to assure the traveling public that there is one level of safety throughout the entire system, and that does not exist.

For all these reasons I stand here, along with my distinguished colleague, and encourage my colleagues in as strong a fashion as I can possibly muster to move forward and pass S. 1451, the FAA Air Transportation Modernization and Safety Improvement Act. I will only say that once.

I want to spend a few minutes discussing how and why we have made so little progress in addressing the issues facing our Nation's aviation system. In 1999 and 2000, the aviation system was experiencing the worst congestion and delays in its history. There was, indeed, a growing recognition that fundamental change was needed. Nonetheless, I worked with Senator Lott to author Vision 100, in effect the 2003 FAA reauthorization bill. This bill laid the foundation to build a modern digital satellite-based air traffic control system. We created the joint planning and development office and authorized a significant increase in FAA's capital budget to meet the specific air traffic control modernization needs—a lot of what I say will be based on that—an increase based upon the administration's own budget requests.

But instead of investing in the system in 2004, 2005, and 2006, the previous administration proposed dramatic cuts in the FAA's facilities and equipment, the F&E account, the account that funds air traffic control modernization.

The urgency of 2000 understandably but regrettably waned as air traffic fell after 9/11. Today we find ourselves in a similar situation. The recession has prevented widespread delay—temporarily. We must not let this temporary reprieve keep us from taking action to address these concerns once again. Our economy has begun, as I indicated, to slowly turn around and I am confident that demand for air travel will soon begin to grow. If we do not act quickly, our system will simply not have the capacity to cope with the growth in demand.

That is where you get in trouble. I believe everyone in aviation recognizes the need to modernize our national air transportation system in order to meet the growth in passenger traffic. In addition to creating much more capacity, a new satellite-based air traffic control system, an ATC system, will allow airplanes to move more efficiently by taking more direct routes, being able to be closer to each other but without danger. These improvements will save our economy millions of dollars annually.

Most importantly, the next generation air transportation system, which we refer to as ''NextGen,'' will dramatically improve the safety of air transportation by providing pilots and air traffic controllers with better situational awareness. They will be able to see other air traffic and detailed weather maps in real time. President Obama clearly recognized the value of investing in our air transportation system and this is, in fact, reflected in his fiscal year 2011 budget request. The administration has proposed spending a total of $1.1 billion in fiscal 2011 on the NextGen program, which is more than a 30-percent increase. That is not in line with the so-called freeze. So it is a 30-percent increase over 2010.

We oversee all of transportation—trains, cars, airplanes, trucks, whatever you have. I will say at this point for the record that the same financial requests or needs for the Surface Transportation Board, which interacts with railroads and shippers, has not been increased sufficiently. It is $31 million and it needs to be closer to $44 million. These efforts, however, are only the first steps in a long journey. Modernizing the ATC system will require sustained focus and substantial resources. S. 1451 takes concrete steps to make sure that the FAA accelerates the NextGen—that is the modern system—programs, and that the agency implements modernization efforts in an effective and efficient manner over the long run. The FAA estimates that NextGen will cost the agency $20 billion through 2025, and the airlines another $20 billion in aircraft equipage—how they, as individual airplanes, respond and react to that system so it can work.

I have worked with Senators INOUYE and BAUCUS to reach a deal that I believe moves us in the right direction. S. 1451, the bill under discussion, will create a new subaccount with the aviation trust fund to fund FAA's modernization efforts. This modernization subaccount will dedicate $500 million annually to NextGen efforts. I appreciate the hard work of my colleagues on this provision, to develop it, to make it become possible.

I wish to spend some time talking about the highest priority in aviation and that is called safety. Statistically, the United States has the safest air transportation system in the world. I indicated that. But statistics do not tell you the whole story. It has been a little more than a year since the tragic crash of flight 3407 in Buffalo, NY, that took the lives of 50 people. It is clear from the National Transportation Safety Board investigation that we need to take serious steps to improve pilot training, address flight crew fatigue, to make the cockpit isolated from extraneous conversation, and reform air carrier employment practices. I commend Senator DORGAN in particular for the work he has done to promote the safety in the aftermath of this accident. He has attached himself to this cause ferociously.

The committee's work has prompted the FAA to initiate a number of activities to improve aviation safety. The agency has been able to get many air carriers to make voluntary commitments to implement important safety measures and the agency has committed to initiate new regulations on flight and duty time regulations in coming months.

Despite this progress, our work remains far from complete. We must also make certain that the FAA remains as vigilant on other safety priorities—the oversight of airline operations and the maintenance, reducing runway incursions, and air traffic controller staffing issues. Just as with modernization, we must make sure the FAA has the tools and the resources to accomplish these safety objectives.

I am especially proud of the safety title we have developed and included in this bill, S. 1451. This title will do the

following, in part: address pilot fatigue by mandating the FAA revise flight and duty time limitations based on the latest in scientific research; ensure one level of safety exists throughout commercial aircraft operations by requiring that all carriers adopt aviation safety standards. The bill also requires stronger safety oversight of foreign repair stations, which is a very controversial subject. They are a relatively small percentage of air maintenance. Most of it is done in this country. But there is some argument as to how well it is done overseas.

These are critical measures that will help us identify safety issues and prevent problems before they occur and this is the best way to address safety.

A word on small community air service. The State I come from is not large. In fact, it is small and it is rural. But it is important and it is a good place. We need to keep America's small communities connected to the rest of the world. If one lives in a rural State or in a rural part of a rural State, one is no less important than if one lives on Fifth Avenue in New York City. The nature of the individuals may be the same, the entrepreneurship may be the same, but access to international aviation or transcontinental aviation is not the same. The continuing economic crisis has hit the United States airline industry very hard. They are in and out of bankruptcy. We have all read about that. They are cutting back on things they offer that they used to offer in flight and do not now. We grump about it but there is a reason they do that so I don't grump about it, and this affects the future of hundreds of rural communities across our country.

In their effort to cut costs, air carriers have drastically reduced service to small or isolated communities. From a business point of view, I guess that makes sense. From my policy point of view, that does not make sense and it is not fair. They are the first routes to go, the rural ones. They go in tough economic times, and that is where we are right now. The reduction or elimination of air service has a devastating effect on the economy of a community. Having adequate air service is not just a matter of convenience but also a matter of economic survival. Without access to reliable air service, no business is willing to locate their operations in these areas of the country, no matter how attractive the quality of life. Airports are economic engines that attract critical new development opportunities and jobs.

The Federal Government needs to provide additional resources and tools for small communities to help them attract adequate air service. Our legislation does this by building on existing programs and strengthening them. Authorizing funding for the Essential Air Service Program is increased to $175 million annually. The bill also extends the Small Community Air Service Development Program—incredibly important for small airports. This program has provided dozens of communities with the resources necessary to attract and retain air service.

In conclusion, when I began work on this bill, I had four simple goals: No. 1, take steps to address the critical safety concerns—that was always No. 1 and always will be; No. 2, to establish a roadmap for the implementation of NextGen and accelerate the FAA's key modernization programs; No. 3, make certain we adequately invest in airport infrastructure; and, No. 4, continue to improve small communities' access to the Nation's aviation system.

I believe we have worked hard in a truly bipartisan fashion with Senator DORGAN, obviously Senator KAY BAILEY HUTCHISON from Texas, Senator DEMINT from South Carolina, to develop a bill that I think advances these goals and which all of my colleagues can support.

This bill is not being held up. There is a reason for that. We worked out our problems early. This bill takes the steps needed to advance the system. The FAA must be provided with the tools, the resources, and the clear direction and deadlines to make sure the agency provides effective oversight of the aviation industry itself.

I think we all recognize the United States must significantly expand the capacity of our Nation's transportation system. There are no quick or easy solutions to the problem, and I believe our situation is going to get worse before it gets better. But we do have to take the actions we can right now. We cannot ignore the aviation system anymore.

We cannot float on nice memories of a glorious past. The United States is losing its position as a global leader on aviation. The American public is not happy with the aviation system or with us. We must move boldly, just as we have with our investments in high-speed rail, or risk losing our leadership in the world.

Given the challenges our Nation's aviation system faces, we must act now to pass S. 1451, the FAA Air Transportation Modernization and Safety Improvement Act.

Is it the order that the Senator from Texas will have the floor?

The PRESIDING OFFICER (Mr. FRANKEN.) There is no order to that effect.

Mr. ROCKEFELLER. Business as usual.

The PRESIDING OFFICER. Correct.

Mr. ROCKEFELLER. I yield proudly to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank the distinguished chairman of the committee, and I wanted to say, as the ranking member of the Commerce Committee, I believe this FAA reauthorization bill is a very good, solid bill. It is very bipartisan, and we have worked through many of the sticky issues that have held up the long-term extension of FAA reauthorization.

I think this is a bill that most everyone on this floor will support if the bill stays as it has come out of the committee. I want to say also that I believe the Aviation Subcommittee chair and ranking members, Senators DORGAN and DEMINT, deserve a lot of credit for this bipartisan bill as well because it does provide a solid roadmap for the direction and future of our aviation system, and its enactment is long overdue.

So I very much appreciate—as a matter of fact, Senator ROCKEFELLER and I had been the chairman and ranking member of the Aviation Subcommittee when this bill was written. Then we both went to the full committee, chairman and ranking member slots, and so we have now two new Aviation Subcommittee chair and ranking members who have also done an excellent job.

So I feel strongly about this bill and how much it is going to do for the stability of our system. When you are looking at the reason for an FAA reauthorization bill, you have to have stability. We need to improve aviation safety. We need to modernize our air traffic control system, which is known as NextGen. We have to do that.

We are behind the rest of the Nations in the world that have major air traffic control systems in this modern age. If we are going to keep up with the added traffic in our airspace, we are going to have to have NextGen. This bill does provide the way forward on that.

We need to make the investments in infrastructure where there is a knowledge that this infrastructure support will be ongoing.

I am the former Chairman, Vice Chairman—actually Acting Chairman as well—of the National Transportation Safety Board. So I know the crucial mission the FAA has in overseeing our Nation's airlines and the aviation system.

Aviation safety and the public trust that go along with it is the bedrock of our national aviation policy. We cannot allow for any degradation of safety to the flying public. I believe this bill goes a long way toward achieving that goal. While I continue to have great confidence in the safety of our aviation system, it was made obvious that there is still room for improvement after the tragic crash of Colgan flight 3407 in Buffalo, NY, last year.

Despite the remarkable safety record of the U.S. aviation industry, that accident reminds us that we must remain vigilant and always look for ways to improve our safety system.

While tremendous strides have been made in aircraft technology and maintenance practices in recent decades, little has been done to address the human factors side of the safety equation in areas such as pilot fatigue, quality of pilot training, quality of pilot experience, commuting and pilot professional responsibility.

Over the course of a year, and through six Commerce Committee hearings regarding the aftermath of

the Colgan accident, we worked in a bipartisan manner to craft proposals to address these human factors issues.

During these hearings, the family members of those lost in flight 3407 were there every step of the way. I applaud their continued activism for improving aviation safety.

A few of the safety improvements that we call for in this legislation include mandating the FAA complete a rulemaking on flight time limits and rest requirements for pilots; improving safety for helicopter emergency medical service operations; addressing inconsistent application of FAA air worthiness directives by improving the voluntary disclosure reporting processes to ensure adequate actions are taken in response to reports; and limiting the ability of FAA inspectors to work for air carriers over which they have oversight; also conducting independent reviews of safety issues identified by employees; requiring enhanced safety oversight of foreign repair stations; taking steps to ensure ''one level of safety'' exists in commercial aircraft operations, including a mandate that all carriers adopt the Aviation Safety Action Programs and Flight Operational Quality Assurance Programs.

This legislation would also require air carriers to examine a pilot's history for the past 10 years when considering hiring an individual, and annual reporting on the implementation of NTSB recommendations and reevaluating flight crew training, testing, and certification requirements.

Another priority and centerpiece of this bill is focusing on and expediting the FAA's air traffic control modernization program, known as NextGen. The FAA operates the largest and safest air traffic control system in the world. In fact, the FAA air traffic control system handles almost half the world's air traffic activity. The United States is a leader in developing and implementing new technologies to create a safer, more efficient airspace system.

However, today's air traffic control system is not much different from that used in the 1960s. This system is still fundamentally based on radar tracking and ground-based infrastructure. NextGen will move much of the air traffic control infrastructure from ground-based to satellite-based by replacing antiquated, costly ground infrastructure with orbiting satellites and onboard automation. By doing so, the FAA will be able to make our aviation system more safe and efficient while also increasing capacity.

Some of the modernization provisions in the bill include establishing clear deadlines for the adoption of existing global positioning system navigation technology.

Airports: Finally, the bill would also increase our Nation's investment in airports. As we all know, you can have the best planes and the best air traffic system, but they mean nothing without the proper airport infrastructure in place. Our Senate legislation is different from the House-passed bill in several areas.

I look forward to working with my colleagues on the bill this week. If we are able, and I hope we are, to pass a bipartisan, commonsense FAA reauthorization bill, we will still have a long way to go. But it will be an important step toward improving our aviation system and improving aviation safety for the millions of air passengers who should expect no less from this Congress.

I do hope we are able to keep the bill pretty much intact. I know there are amendments that some Members will have. I urge Members who do have amendments to come to the floor and begin to let us see their amendments so they can offer them and we can begin to address the amendments and try to expedite the bill as much as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, first of all, I am pleased with the work the chairman and ranking member of the Commerce Committee have done. I am chairman of the Aviation Subcommittee and have worked closely with them to produce a piece of legislation that I think is bipartisan, is a very important and urgent piece of legislation that will strengthen this country's system of air travel. I want to talk some about that today.

A couple of things this legislation will do. I am not going to repeat everything my colleagues have said, but it will advance aviation safety, which I think is very important. It will accelerate the modernization of the air traffic control system. It is going to support jobs by investing in aviation infrastructure; that is, airports and runways and the kinds of functions that accommodate our air travel system. It will ensure that our rural communities in States such as North Dakota, my home State, have continued access to the Nation's aviation system.

So I am very pleased with this bill. Since the last FAA reauthorization bill expired in 2007, the Congress has passed 11 separate extensions of this law. There was a suggestion that we pass another 1-year extension, which I opposed. We do not need to extend this; what we need to do is pass new authorizing legislation that addresses the fundamental issues that we need to address with respect to air travel in this country.

The Federal Aviation Administration is charged with operating what I think is the world's most complex airspace system in the world. By and large, they do an outstanding job. The United States has the safest skies in the world. There is no question about that. But we have seen changes in the aviation industry, in the airline industry, that have impacted safety, and we need to take action to deal with and address it.

The FAA predicts that air travel in this country will increase by 50 percent in the coming decade. That brings it to probably 1 billion passengers a year. That is a big system, a system that is very strained at this point. As the economy recovers, we will see substantial increases in demand.

As we do that, we desperately need to modernize this system. Let me describe the circumstances of commercial air travel, and then I am also going to talk about general aviation.

I learned how to fly many years ago. I was not much of a pilot, so I did not keep it up. But I learned how to take off in an airplane and go fly up someplace and land. It is an extraordinary feeling. It is one of those moments in life that you never forget, when your instructor gets out of the plane and says: All right, now you go fly the airplane by yourself. When you take off wearing this metal suit with an engine, you think: Oh, my gosh, it is pretty unbelievable to be able to fly an airplane.

General aviation, people flying their own planes around for recreation, for business, is a very important part of our air travel system. I wish to talk about that at another time during this discussion.

Commercial aviation is the companies that put together the structure, the capital and the airplanes and then haul people around the country and the world at scheduled times and places. That is very important. It is significant that in many areas of our country now, such as in my home State, Bismarck, ND, when you go out and see that strip of runway, maybe 6,000, maybe 8,000, maybe 10,000 feet of runway, you are one stop away from anyplace in the world. Because you take off on that runway and one stop later change a plane and go to South America, go to Europe, go to Asia, you are one stop away from the world. That is what air travel has done for us. It is extraordinary.

Go back to the origins of commercial air travel. Airplanes were used originally to haul the mail. Go all the way back to December 17, 1903, when Orville and Wilbur Wright left the ground for the first time. It was only 59 seconds, but what an extraordinary achievement. They learned to fly. They didn't just learn to fly that day. They had tried 700 times, again and again and again and again, continually failing until one day at Kitty Hawk the engine took hold. The pilot was lying on the fuselage of this rickety-looking structure, and they flew above the ground in powered human flight for 59 seconds. It was quite an extraordinary achievement.

It was not too long after that, having decided we can shape a wing that can allow us, with power, to escape gravity and fly, we were flying in combat. American pilots were in Europe flying in combat. We began flying mail with commercial airplanes. Then you could only fly during the daytime because you couldn't see at night. So you couldn't fly an airplane at night because where would you land. As they

began to haul the mail, what they began to do was to build bonfires every 50 miles or 100 miles, big old fires. Then a pilot could fly in the dark of night toward a fire and land. So you hauled the mail at night. Then when they decided they could do something better, they put up light stanchions and shined lights into the sky. So the pilot would fly to the lights flashing into the sky.

Then they invented radar. Then you have ground-based radar so we can determine here is an airplane in the sky. We can direct that airplane and put a light on the runway. All that changed air travel 24 hours a day, during the daylight hours but also at night. Ground-based radar was extraordinary. So if you get up in an airplane today, there is going to be a control tower someplace. In your cockpit, you will have perhaps a transponder. Your cockpit from that airplane is going to send a signal. You have 125 people who are riding in the back, and you are sending a signal that goes to a control tower and is on a screen. It is a little dot on the screen that blinks, and that is your airplane, except all that does is say: Here is where that airplane is right this nanosecond. But in the next nanosecond, that airplane is somewhere else, especially if it is a jet. All we know is, at this moment, the airplane is here, and for the next 7 or 8 seconds, as the sweep goes around on the monitor, that airplane is somewhere else, perhaps 1 mile, perhaps 8 miles away, but the airplane is somewhere else. We know about where an airplane is based on ground-based radar. Because we don't know exactly where it is, we space those airplanes for safety and have them fly certain routes for safety.

Contrast that ground-based radar with your child. Your child has a cell phone. If your child has the right cell phone at this moment—and there are cell phones with this technology—your child can ask 10 of their best friends, do you want to track each other of our whereabouts with GPS. If the friends say yes, 10 of them could decide to link up with cell phones and figure out where their friend Mary is or where Lester is, and the GPS will tell them exactly where Mary and Lester are because they have their phones with them, so we know exactly where they are. Our kids can do that with GPS with cell phones. We don't do it yet with commercial airliners. Isn't that unbelievable? That is what this is about, modernization, next-generation air traffic control, ground-based radar to GPS. It is complicated. It is difficult. But it is where we are going. We are not going there in the next 20, 30, 40 years. We want to go there soon. I have met with the Europeans and others. They are moving in exactly the same direction.

Here is what it will allow us to do. If we know exactly where an airplane is, as we know where a car is with GPS—a lot of people have GPS in their vehicles and get directions from it, so you know exactly where that vehicle is at every moment—if we do that for airplanes, we can have more direct routing from one city to another and less spacing between planes because we know exactly where they are. We save energy. We have less pollution in the air. We get there faster. It does all the things that are advantageous for everybody.

It is called NextGen, next-generation air traffic control modernization. We could have extended this bill for another year, as some wanted to do, but instead what I wanted to do, and what my colleagues, Senators ROCKEFELLER and HUTCHISON and others want to do, is to get about the business of getting this done, modernizing our air traffic control system, bringing it into the modern age. That is what this is about.

I will describe briefly what we do with that. We set up timelines on such things as Required Navigation Performance, and the Area Navigation or RNAV system at 35 airports must be completed by 2014. We will create circumstances where the entire national airspace system is to be covered by 2018. We ask FAA to study providing best-served status for those providing the right equipage for their planes and come in with GPS, best equipped, best served. We create a NextGen officer at the FAA. It is a new position to help guide and create these programs for modernization. We are doing all these things. It is so important we complete them and truncate the time with which to complete them.

The other issue that is important is the issue of aviation safety. We have worked a lot on that. I have done now eight hearings on aviation safety, especially focusing on issues we have now discovered from the Colgan Air crash, which tragically killed 50 people in Buffalo, NY. The Colgan crash raised a lot of questions. Let me describe the circumstances.

As I do, I think I speak for all my colleagues on the committee that the relatives, the families of those who were killed in the Colgan crash have made it their mission to be at every hearing, to be involved in every decision about this issue of air safety. God bless them. The fact is, their diligence and work is making a difference. It made a difference in this bill. There are provisions in this bill as a result of their diligence and concern.

Let me describe the circumstances of that particular crash. It was an evening flight in weather that was not so good, with icing conditions for an airplane. They were flying a propeller airplane called a Dash 8. Colgan flight 3407, 2 pilots, 2 flight attendants, and 45 passengers lost their lives, and one person on the ground. It was a Bombardier Q400 airplane, operated by a captain and copilot.

What we discovered in reviewing the circumstances of that crash was quite extraordinary. The pilot had not slept in a bed the two previous nights. The copilot had not slept in a bed the night before. The pilot commuted from his home in Florida to his duty station at Newark in order to begin flying. The copilot flew from Seattle, WA, deadheaded on a FedEx plane that stopped in Memphis, TN, and then continued on to New York in order to reach her duty station at Newark, an all-night flight. There is no evidence, the night before the flight, that either the pilot or the copilot did anything other than stay in the crew lounge, and there is no bed there. For the pilot, it was two nights, no record of him sleeping in a bed. So you have two pilots who commuted long distances just to get to work without any evidence that they had a night's sleep in a bed prior to the flight and were on the airplane.

If you read the transcript of the voice recorder, a series of problems existed in that cockpit. There was not a sterile cockpit below 10,000 feet, which is supposed to be the case. There was visiting about careers and a range of things as they were flying through icy conditions, violative of the regulations. The copilot, it is said, was a young woman who worked two jobs in order to make ends meet.

The copilot was paid something in the neighborhood of between $20,000 and $23,000 a year, commuting all across the country just to get to work. When they ran into icing conditions, there was a stick pusher that engaged, a stick shaker as well. It turns out there had not been adequate training with respect to that. A whole series of things occurred with respect to that flight that raise lots of questions about training, about fatigue, a whole series of things.

As a result of that, just that case to try to understand what does this mean for others, what does it mean for regulations that are necessary. Randy Babbitt, new head of the FAA, someone for whom I have great respect, has just finished a rulemaking on fatigue. I believe that now exists at the Office of Management and Budget, awaiting action by OMB—a step in the right direction, in my judgment.

This bill has another piece that needed to be done that we discovered as a result of this crash. The pilot, over the years, had failed a number of competency tests and then subsequently succeeded or passed those tests. But nonetheless, he had a number of failures. The airline that hired that pilot didn't know that because the records were not transparent. The airline has since said, had we known that record of failures, that pilot would not have been hired by us. But they didn't know. This legislation will correct that. When you are hiring a pilot, you will know the entire range of experience that pilot has had, including the tests and the passage or failure of certain competencies along the way. That is a very important provision in this piece of legislation.

Pilot training and experience is another issue we are talking about and working with. It is not an irrelevant issue. There is supposed to be one

standard and one level of safety with respect to airlines.

Regional carriers are now carrying 50 percent of the passengers in our country. They get on the airplane, and they see the airplane, and it is painted Continental or US Airways or United or Delta, but that may not be the company that is flying that airplane. It may be Pinnacle. It may be Mesaba. It may be any number of other regional carriers. The passenger doesn't know. All the passenger sees is what is marked on the side of that fuselage. This legislation will also require information on the tickets of who is transporting that passenger.

There are a number of things this legislation does in the area of safety that are very important. We prohibit the personal use of wireless communication devices and laptop computers in the cockpit. We all remember the pilots who were flying to Minneapolis and flew well into Wisconsin, well past the city of destination, and didn't know where they were, apparently. They indicated they were busy visiting or they were busy on their laptop computers. But whatever the circumstances, while it is, in many cases, an airline requirement that they not do that, there is no FAA requirement that personal use of wireless communication and laptops in the cockpit is prohibited. We do that.

We also require enhanced safety oversight at foreign repair stations. That also is very important. The outsourcing of maintenance, repair, and overhaul work is now a routine practice. Much of it is outsourced in this country by the major carriers, and our legislation will require enhanced safety oversight and inspections with respect to that outsourcing.

So those are a few of the items that are included in the bill.

I should also point out this bill includes the passenger bill of rights, which I think is important. I have just mentioned a couple of the provisions, but one of them that has gotten the most attention is to say: You have a requirement as an airline and you have a right as a passenger not to be stuck on an airplane for 6 hours, sitting out on a runway somewhere. This is a 3-hour requirement, as part of the passenger bill of rights. They are not going to be able to keep you on an airplane 5 or 6 hours, sitting on a runway, waiting in the middle of a big storm. Three hours: back to the gate and allow the passengers to deplane.

We also have substantial amounts of airport improvement funding here. This authorizes the AIP. It streamlines what is called the passenger facility charge, the PFC. We provide greater flexibility of the use of the PFC.

We improve the airline service in small community service provisions. Some communities in this country rely on essential airline services called EAS, which is the way for them to get the services they were guaranteed when we deregulated in this country, which is, by the way, another subject for perhaps another day. Although I again say, as I have said on the floor previously, deregulation might have been a wonderful boon for those who live in very large cities and travel to other large cities. If you do, you are given a lot of opportunity. You are given many opportunities for different carriers and different pricing. I would bet if we left the floor at this moment and decided to go to one of these search engines and buy a ticket from Washington, DC to Los Angeles, in order to visit Mickey Mouse at Disneyland or we decided we will have two alternative tickets: We will purchase one from Washington, DC to Los Angeles to visit Mickey Mouse or we will go to Bismarck, ND, which is only half as far, to see the World's Largest Holstein Cow sitting on a hill over New Salem, ND, called Salem Sue. So the choice: to go twice as far to see Mickey Mouse or go half as far to see the World's Largest Holstein Cow—I will bet the search engine on the computer will tell us we get to pay half as much to go twice as far, and twice as much to go half as far.

So think of that. You get to pay half price to go double the miles or you get to pay twice the price to go half the miles. Yet that is the kind of circumstance we have in our country today. The higher yield tickets are on the end of a spoke in a hub-and-spoke system, where there is little or no competition. So we are not addressing that. It was just therapeutic for me to talk about that again. We are not addressing that on the floor of the Senate today. But it is something I think is of great concern. Because if you are flying from Chicago to Los Angeles, you have plenty of competition, plenty of price competition and opportunities to get better prices. That is not the case for a number of small States on the back end of a hub-and-spoke system.

Well, there are many other provisions. As I indicated earlier, I am going to speak some at another point on the subject of general aviation because while we focus a lot on the issue of commercial aviation, general aviation is a very important part of this country's air travel system. The folks who live out on a farm some place and have a small airplane in a shed—from those folks, to people who fly corporate planes and move people around so they can leave in the morning from Washington, DC, and fly to Los Angeles, down to Dallas, and get back—that is general aviation and a very important part of our air travel system. I am going to talk about that at some point later.

Let me again say I think we have at last, at long, long last, put a piece of legislation together that avoids some of the controversy of past attempts, that will substantially improve infrastructure, substantially address the safety issues. I will talk a little later about pilot hours and some related issues we have been talking about that we hope would be in a managers' package.

But all of these things I think finally bring to the floor in this bill a victory for those who want to modernize the system. I know there will be some amendments. We have not addressed some issues that are in the House bill. But our concern is to try to get a bill through the Senate, into conference with the House, and get something signed by the President to get something done. We will be dramatically advantaged as a country if we can enhance the efforts in a shorter period of time to modernize the system and go to a completely different air traffic control system called NextGen, which works off of the GPS system. It will save energy, create safety in the skies, and allow people to be transported more directly with less time. I think it will be very positive for our country.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PRYOR). The clerk will call the roll.

Mr. DORGAN. Mr. President, I withhold that suggestion.

I did want to make one additional point. I did not do this when I talked about the issue of the Colgan tragedy. The larger question is not addressed directly in this legislation. We address many of these issues, but we do not address the larger question of commuting.

I want to show, if I might, something Senator ROCKEFELLER and I and others have used in the Commerce Committee. This map describes where the Colgan pilots commute from. But do you know what. This chart could probably have been describing almost any regional airline or any trunk airline or major airline, for that matter.

Pilots live in one part of the country and work out of another part of the country. The fact is, with respect to this tragedy, the Colgan crash, I am convinced that mattered. I am convinced that flying through difficult nighttime icy conditions—with two pilots, neither of whom had slept in a bed the night previous—I am convinced this kind of commuting has caused significant difficulties.

There was a Wall Street Journal piece that pretty much says it all. This was an veteran pilot describing the routine of commuter flights with short layovers in the middle of the night, which is pretty typical. He said:

> Take a shower, brush your teeth, pretend you slept.

That is something we have to pay some attention to. I am not suggesting today that you cannot commute. We do not in this legislation prohibit commutes. But I think these are instructive pieces.

As shown in this picture, this is what is called a crash pad. I was completely unaware of a crash pad until we began to hold these hearings. But this is a pilot watching a movie on his computer at a crash house in Sterling Park, VA. They can have up to 20 to 24 occupants at a time. They are designed to give flight crews from regional airlines a quiet place to sleep near their

base airports. Many cannot afford hotels so they use crash houses where the rent is $200 a month for a bed.

When I described the copilot of the Colgan tragedy—a copilot who is making $20,000 or $23,000 a year, traveling across the country, all night long, if that copilot had traveled the day before, are they in a situation to be able to purchase a hotel room at an airport when they are making $20,000 or $23,000 a year?

In fact, I believe there is a substantial cargo operator that pays for hotel rooms for their pilots who come in the night before. I do not believe there is an airliner that does that. But I did not make the point during the Colgan discussion. I wanted to make the point that I think fatigue, commuting, and other issues, are serious and significant.

I know Administrator Babbitt believes as well that we need to continue to look at these issues. We need to visit with pilot organizations and others to understand how we might see if we can reduce some of the risks here. We have a safe system of air travel, to be sure. But the Colgan crash and all of the details and circumstances of it should remind us not everything is as it seems, and we need to take action from time to time to address some of those important issues.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3453 TO AMENDMENT NO. 3452

(Purpose: To reduce the deficit by establishing discretionary spending caps)

Mr. SESSIONS. Mr. President, I have an amendment, No. 3453, at the desk, and ask that it be called up.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mrs. MCCASKILL, proposes an amendment numbered 3453 to amendment No. 3452.

Mr. SESSIONS. 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. SESSIONS. Mr. President, briefly, I will call my colleagues' attention to this serious bipartisan effort with Senator MCCASKILL of Missouri to contain our penchant in this body to violate or manipulate the budget and spend more money than we intend to spend. Sometimes we are our own worst enemies, and Members of both parties have been guilty of that.

I originally offered a very similar amendment that adopted the budget amounts passed by this Congress, our Democratic leadership, and would have made those amounts that we said would be our top spending amounts—the budget maximum. It would have set a statutory cap at those levels and say if we were going to violate those limit, it would take a two-thirds vote to do so.

A number of senators were concerned about it, but it received broad bipartisan support. When we voted, 56 people voted for it—4 short of the 60 necessary to be adopted. But I thought it was a positive step, and I know Senator MCCASKILL felt it was, too.

I believe we can dispute how much we ought to spend, but one of the biggest dangers and problems the Senate confronts—and often fails to meet—is breaking our own budget. This amendment would have made it harder to break the budget, and 56 Senators voted for it.

Then we listened to our colleagues because people were saying: This year, JEFF, I believe we have to do some things that we may not have to do in the future—and that we do not want to do in the future—but this year our economy is in such a state that we can't be so limited.

So Senator MCCASKILL and I proposed another amendment that we voted on, which would have exempted this year and made it a shorter bill. We would remain under the normal budget rules for this year and would therefore not be creating the power to block additional stimulus legislation a number of Senators were concerned about. Frankly, I felt that was a compromise we could make. I would have preferred to have had it apply to this year, but I understand that concern and we made that change. So 59 Senators voted for it—1 short of the necessary vote to make it a part of the legislation.

So now, we listened again to some of the concerns we have heard from our colleagues. Senator MCCASKILL and I believe this bill, with the additional changes we made, will be the kind of legislation that could garner perhaps very broad bipartisan support and could actually make it into law. It would significantly help us honor the budget process. It would send a positive message to the world markets and our financial world because some rightly think we have lost our spending bearings and we are spending crazily here. We could send them a message that we have a budget out there that you may or may not like, but at least we are not going to bust it wide open and we will be more faithful to those limits. It would suggest less of a danger of massive deficits than we have had over the last 2 years.

What were the changes we made? Well, we exempted emergencies. In other words, some people felt we may need to pass emergency legislation and that a two-thirds vote—67 votes—is too much, and they would prefer to be able to pass emergencies by 60 votes. So we have acquiesced and put that in there. If a Senator is proposing extraordinary spending, they would have to openly state that it was an emergency, advocate for that, and the current law would still be in effect then. It would only take 60 votes to declare an emergency.

We made another change, one that I kind of hate to do but I am not unwilling to do. We would exempt year 2014, so it would only be a 3-year statutory cap on spending. Some people said: Well, we don't know what will happen in 2014. We may be in better financial condition. We won't have to contain our spending to the budget levels we passed last year, and we could do it in that fashion. I think that is all right. I really accept that if it helps us get the votes necessary.

So now we have 3-year legislation that does not change the law with regard to what is an emergency. We could violate the budget if it is an emergency, and we would have the votes to do it, but I still think it would be a good deal harder to take basic spending levels and break the budget on those. Technically, you could declare it an emergency. Most anything with 60 votes could be an emergency, but I think most Senators have some conviction that we shouldn't abuse the emergency spending level.

We will leave the emergency spending definition with the same number of votes, but the basic spending of our country needs to be within the budget caps. Remember, this is the level of spending a Democratic majority voted to pass last year. I voted against it. I thought it had too much spending in it, particularly last year. This year's spending was also too much, but the outyears had pretty tight budgets with 1 or 2 percent spending increases. The Congress and the Senate voted for it, and I think if we live with that, we might surprise ourselves to see that it would create a positive impact on the size of our deficit.

I am confident we are moving in the right direction. Again, it is a statement to ourselves if we pass this legislation. It is also a statement to the world markets that we are going to be less likely to violate our budgets in the future and more likely to contain our spending increases to levels that are acceptable.

I would note one more thing. President Obama, in his State of the Union, announced a freeze over the next 3 years, and he believes that in our discretionary spending accounts—which is what this essentially covers—we should actually have a freeze. I intend to support him on that. But this bill does not call for a freeze. It allows for a modest increase of 1 to 2 percent consistent with last year's budget.

I will just say that we should and hopefully we will pass a budget this year that has a freeze in the discretionary accounts. But if we don't or if people attempt to break it and go above it, at least we would have a stronger high ground from which to defend budget-busting legislation.

This is a bill that deserves bipartisan consideration, and I think it has gotten bipartisan consideration. I know 18 Democrats and every Republican voted for it last time. We have listened to the concerns of some of our Members, and we amended the legislation to be more amenable to those concerns. I hope we can pass it.

Let me say one thing that is an obvious matter of law. If 60 of my colleagues feel as though this is too restrictive, then they can pass a piece of legislation with 60 votes that wipes this out entirely from the books. It is mostly a self-imposed discipline. But it would be harder to pass legislation to wipe out the two-thirds vote level just because somebody has hard feelings that they didn't get enough spending in this or that bill as part of the normal governmental process. So I think it would be an effective tool. But as a matter of power in the Senate, make no mistake, this is not a two-thirds rule that would keep the Senate from doing anything. The Senate can pass legislation promptly to eliminate this statute any time we want to.

I believe it will work. It worked before. In the early 1990s, such legislation was passed, and it was extended periodically, up through 2002. From sizable deficits in the early 1990s, the spending was contained to much lower levels than we have adopted in recent years and it resulted in a budget surplus at the end of the 1990s. I am absolutely convinced a significant tool in the effective effort to contain spending and put our budget back in balance was the statutory limit on spending, consistent with what we voted for in a budget. That is what we are doing today. This is not new legislation, really, but we are fundamentally reestablishing the kind of legislation we previously had.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, let me just make a point. This is an authorization bill that is on the floor, the FAA reauthorization. We have waited a long time to get it here. We have had 11 extensions to get this bill to the floor.

The Senator who offers the amendment certainly is allowed to offer it on this bill. Of course, his amendment really doesn't relate to passing an FAA reauthorization bill, so I hope he will withhold at some point and do this at another moment on another piece of legislation because I fear that—at long last, trying to get an FAA reauthorization bill 3 years after it previously expired, with 11 different extensions, my hope is we can stay on the FAA reauthorization, have amendments that relate to this bill, debate them, and then vote on those amendments. That would be my hope.

I understand the Senator has a right to do that. Somebody could bring an amendment on abortion or whatever somebody wants to the floor of the Senate on an open authorization bill. The Senator has had two other opportunities to offer this. I hope he will find a third at some point.

The budget deficit is a very serious problem. We are on an unsustainable path. Let me give just a slightly different observation on the subject as long as I am on my feet.

It is true that 10 years ago our country was running a budget surplus. It is true that 10 years ago we had a budget surplus. It is also the case that when President George W. Bush came to town, he said: You know what, we have a budget surplus. Alan Greenspan is not going to sleep at night, he said, because he worried that the surplus was going to pay down the Federal debt too fast. He literally said that. He worried about paying down the Federal debt too fast, so we need to be a little careful about accruing these surpluses. So President Bush said: What we need to do is have a very large tax cut.

I stood here on this floor of the Senate and said: You know what, these surpluses exist this year only and the next 10 years of projected surpluses don't yet exist. They are simply projections. Let's be a bit conservative. What if something happens?

They said: ''Katy, bar the door,'' we are going to do this anyway, and did it—very large tax cuts, very substantial reductions in Federal revenue. About 50 percent of the structural budget deficit at the moment is as a result of reducing the revenue base 10 years ago—9 years ago.

I said on the floor of the Senate: You know, let's be a little conservative. What if something happens?

Well, guess what happened almost immediately. We passed the tax cuts—not with my vote—the majority of which, the bulk of which went to the wealthiest Americans. Very quickly, we discovered we were in a recession. Very quickly, there was an attack on our country on 9/11. Then we were in a war in Afghanistan and then a war in Iraq. We sent young men and women off to war and did not pay for one penny of it—not a penny. So we cut the revenue base very substantially. We experienced a recession, an attack against our country, engaged in two wars, sent men and women to other parts of the world to fight, and did not pay for a penny of it. We added it all to the debt and increased deficits.

I happen to think the Senator's presentation about the danger of the deficits is very real. I agree with that. But in order to reduce these deficits—this is not rocket science—if we are going to send young men and women to Afghanistan to risk their lives, if they are going to get up this morning and put on body armor because they are going to face real live bullets, pay for every bit of it. Pay for it. Let's ask the American people to sacrifice, not just the soldiers. We are going to cut spending? Then let's really cut spending.

I offered an amendment on the floor and lost it. I said: Let's cut TV Marti. I couldn't get it passed. TV Marti broadcasts signals into Cuba, spends $¼ billion broadcasting television signals into Cuba that the Cuban people can't see. From 3 in the morning until 7 in the morning, we spend taxpayers' dollars broadcasting television signals into Cuba that Cuba blocks and the Cuban people can't see. We spent $¼ billion, and we can't cut the spending? I don't understand that at all.

The prescription drug amendment I offered on the floor of the Senate would have saved the Federal Government $20 billion in spending, and I lost it.

If we are going to cut the deficit, we have to cut real things. When those things come to the floor and we have an opportunity to really cut spending, let's do that.

By the way, it is not just spending. We need to work on spending, and I have offered amendments to cut spending, but it is also the revenues. I hope the Senator would agree with me that when the richest—well, let me rephrase that. When the person in America in 2008 who made the highest income—$3.6 billion running a hedge fund—when that person pays the lowest income tax rate, would the Senator agree with me that perhaps we ought to increase that rate?

This person comes home, and his spouse says: Honey, how are we doing?

He says: Well, pretty good—$3.6 billion.

That is $300 million a month; that is $10 million a day. Honey, how we are doing?

Well, pretty good. I made $10 million. But guess what. I get to pay the lowest income tax rate in the country because I declare it as carried interest.

Do we want to plug that loophole and ask that person to pay the same income tax rate that the people who get up and go to work and then have to shower after work because they have dirt under their fingernails have to pay?

How about making those changes? I am for all of those things. I want to work with the Senator from Alabama and every other Senator who wants to do all of these things.

What happened at the start of this past decade is, somebody put sand in the gas tank and the car will not run and we are up in the engine department trying to figure out how the carburetor works.

This is not difficult. You are going to go to war, pay for it. You are going to cut spending, then take a look at the most egregious abuses and pay for those by cutting the spending.

Take a look at the history on this floor. We have been through a long, tortured decade of what I consider irresponsible fiscal policy.

I understand it is not the case where one side is all to blame and the other side not. I understand all that. But I also understand this: I was on this floor saying: Let's pay for the cost of war. I did 20 hearings on the most egregious waste, fraud, and abuse in this country by contractors doing work in Iraq and Afghanistan. I spoke dozens of times on

this floor on those issues and could not get much support: cutting spending for contractors who were abusing the American people by sending contaminated water—more contaminated than raw water from the Euphrates River—to the military bases in Iraq for the soldiers to use and getting paid for it; getting paid bonuses to do electrical work at the military camps in Iraq and Afghanistan that was so shoddy—done by third country nationals hired by our contractors—such shoddy electrical work that Mr. Maseth, a Green Beret, goes in to take a shower and he is electrocuted, killed in a shower. We paid bonuses to that contractor for that work. It is unbelievable to me.

We have a lot to answer for—all of us do. Every single Member on the floor of this Senate has a lot to answer for. But we can work together on spending and asking those who are not paying their fair share of taxes—by the way, the President, when he gave his State of the Union Address in the House Chamber, said something I have had a vote on four times on the floor of the Senate and lost all four times. The President said: Let's shut down the tax break that gives tax breaks to companies that shut down their American manufacturing plants, fire their workers, and move to China or some other foreign country. Do you know we do that?

We have tried to shut that down. We give a tax break. If you lock up your manufacturing plant, shut the plant, fire every single worker, and move your manufacturing to China, we give you a big, fat tax break for doing it.

That is unbelievably ignorant. The President said in his State of the Union Address: Shut that down. I have been trying to shut that down for many years and have been unable to do it. It is not as if there are not candidates for some common sense and some sanity in fiscal policy to bring us back into some balance.

We need a revenue base that is a reasonable revenue base. We took a lot of that away about 9 years ago with a vote that I did not cast. Then we need to tighten our belt on spending and get rid of the things that do not work.

I know I have gone far afield, and the Senator from Alabama—I have not heard him gritting his teeth, but he probably is.

My point is this: He raises an important subject—an unsustainable fiscal policy. This President inherited an economic wreck; there is no question about that. We are trying to get out of this. But you cannot look out 5 and 10 years and see what we see without understanding this is unsustainable and all of us have to work together to fix it—all of us. I am committed to doing that.

I say to the Senator from Alabama, I hope he will find another vehicle in the next few days on which to offer this amendment because Senator ROCKEFELLER and I have put together this FAA reauthorization bill along with Senator HUTCHISON. We have worked very hard after so many years to finally get it to the floor of the Senate. We want to get this bill passed. Air safety, modernization—all of it—depends on us getting this legislation through the Senate soon.

I thank the Senator from Alabama for staying and listening. I expect he will retort or respond. Again, these are all important issues, but we must get this FAA reauthorization bill done.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator DORGAN for his comments and the frustrations we all share. He comes at it from one party's perspective, and I have my party's perspective. We can argue these issues for a lot of time.

I have gotten to the point—and I think Senator MCCASKILL and a lot of Members of the body have as well—that we need to do something that might actually work. I say to Senator DORGAN, the reason I believe we should go forward on this amendment is because the first time we had an amendment with 56 votes and bipartisan support. Then the last time it was 59. We made some more changes to primarily assuage concerns of my Democratic colleagues that Senator MCCASKILL still believes could put us in a position to pass this legislation. It will make some difference.

I was at a townhall meeting. The questioner criticized me for something. I said: I wrote a letter about that to the Cabinet person and complained. He sat there and looked at me.

He said: You wrote a letter. Thank you a lot.

I didn't have much to say.

At some point we have to do something. I have made speeches. Senator DORGAN, one of the most eloquent—Members of this body, has made speeches. But we are not doing anything. Deficits are surging beyond limits. We have a possibility of passage here and that is why I think we should go forward. We have the possibility of reaching this agreement that for 3 years will place in statutory form the budget my Democratic colleagues passed, which is higher than what President Obama is saying we should spend. We could at least have that as a firewall. It would be difficult to go above those amounts, but it would not eliminate or make it even any harder to pass an emergency bill because we amended our amendment to change that part we previously had in there that would have made it harder to declare something an emergency.

One thing I would like to share with my colleagues—I see Senator DORGAN is gone—about the allegations, which are not all wrong, that President Bush and Mr. Greenspan were insignificantly concerned about deficit spending after we had a series of surpluses.

But first, let me go back. One of the great political efforts in this Congress—and it has had some success and partisan success—is to give President Clinton credit for the balanced budget. Not a dime can be spent by any President that is not appropriated by the U.S. Congress.

Republicans took over the Congress in 1994 and shut down the government in a dispute with the President over how much money he ought to be spending. It caused a big controversy. But they fought and fought against spending. People were sleeping in their offices. But the budget got balanced for several years.

After 9/11, we slipped into a recession. We were in a war. As a matter of fact I heard Mr. Greenspan, in effect, say he believed the country could take on more debt. Senator ROCKEFELLER probably remembers essentially that. He serves on many of these committees.

He said: I think we can take on more debt.

What Mr. Greenspan and, I think, Mr. Bush did not realize was that once you start taking on more debt, it gets harder and harder to stop. We started a trend of taking on more debt as if it did not matter. Some people even said deficits don't matter. Some Republicans said deficits don't matter; we can handle it.

We got into a bad habit. Both parties got into that habit, and it is roaring away today with spending levels the likes of which we have never seen.

We passed a budget that I think has reality in it. I think if we hold to that budget, we might surprise ourselves how much progress we can make. These kinds of statutory caps were part of the success in the nineties.

I ask forgiveness of my colleagues for trying to pursue a vote on this amendment. I say to my colleagues, if we get the 60 votes I think it will be an indication that it would not in any way burden the FAA bill. In fact, it might be attractive to some Members of this Senate to vote for the bill if this cap was in it—Members who might not otherwise vote for it. I don't think it would damage the prospects of the bill's passage. This amendment is building up with increased votes each time. We are near to success. I think it would be a great bipartisan statement of commitment to financial responsibility, and I think it is important to go forward.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. LEVIN). The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise in support of the FAA reauthorization bill that has been put forward by Senator ROCKEFELLER and Senator HUTCHISON. Both have worked hard on this legislation. I have worked on this legislation for a number of years as well.

My general aviation industry is centered in Wichita KS. It has had a lot of difficulty lately with markets and the recession and problems overall, and it needs a bit of good news. This would be a bit of good news, having FAA reauthorization. This is an industry that is roughly $150 billion in size. It is located

primarily in the United States. It has created over 1.3 million jobs. It is key. It goes across a broad array of disciplines. It is a high-tech manufacturing business that we are very good at. This is something we need to have.

Implementation of the NextGen technology for navigation and travel across the United States is in the bill. Also in the bill is maintaining inspection procedures that are important for the safety of aircraft, increased funding for essential air service for a State such as mine that has a need for essential air service in places where it is tough to get in and out of and the population pool is not large. It needs that to move forward. It expands passenger rights and provides increased Federal support for small airports.

I think it also important that this legislation does not include language imposing disproportionate and onerous user fees on the general aviation industry. This is something Senator ROBERTS and I have been concerned about for some period of time, that the general aviation industry would get stuck with a disproportionate share of the funding for the overall FAA infrastructure. That is not in the bill. If it comes back to this body from the House with that in the bill, it is going to be something I am going to fight strongly against.

The bill is a good bipartisan bill. It has been worked out. It certainly is not perfect. No bill is. It is something that has been worked out over a period of time, over a series of years, over a lot of interests. It is the way we ought to legislate and move forward.

I say as a cautionary tale again to my colleagues that if the bill comes back with provisions from the House that are problems for this body, it is going to stop the bill and it then is not going to happen.

My urgings to my colleagues here and in the House would be, let's keep with the primary design of what this bill has and not try to load it with other things that might be special projects for individuals who are going to kill the bill. I have concerns on any side, whether it is on my side or the other side, of provisions being added that would kill this bill that has been a hard fought, long legislative process for us to move forward. It is a bipartisan piece of legislation. It will create jobs. It will spur further development in our Nation's aviation sector, a sector that needs some help and support now. This bill does that.

I can see a lot of ways this bill could get damaged and hurt along the way. I am not opposed to putting amendments in that make sense and that can continue to move the bill on through the legislative process. I am opposed to those amendments that would kill it and that would substantially harm it when this is something that has been worked on a long time through several committees to get it moving forward.

For those reasons, I support it. I support it as it is. I think we ought to move forward with it and move forward with it with some speed to help this critical industry in our country, to support safety in flying in this country, to support this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I would like to say a few words about the aviation trust fund reauthorization. I support the bill, and I strongly urge my colleagues to support it as well.

In addition to discussing the bill's specifics, however, I would like to give some perspective about our current aviation system. Our current system relies on the use of radio detection and ranging—more commonly known as radar. Radar was once a tremendous leap forward; that is, it was a tremendous leap forward right before World War II. Let me take a couple moments to retrace the history of air traffic control, starting before radar.

Before radar, pilots followed prominent landmarks, such as rivers or railway lines, to navigate their routes. Naturally, bad weather and darkness made flying especially hazardous. In the 1920s, commercial night flights relied on something called the transcontinental lighted airway. That is an impressive-sounding name. What was it? It was just a series of bonfires. Local farmers maintained those bonfires across many parts of America. More developed areas could use gas-fueled beacons.

In 1922, the first civil aviation midair collision happened in France. That collision created awareness of the need for some sort of air traffic control. I use the word ''control'' loosely. It took more than another 10 years before this country's air traffic control center opened up in Newark, NJ, in 1935. The following year, additional centers went up in Chicago and Cleveland. Elsewhere, the system still consisted of flagmen standing on the airfield, waving flags to communicate with pilots.

But all that changed with the establishment of radar shortly before World War II. During the war, radar gave the British an extraordinarily positive tool—a defensive tool—for repelling Luftwaffe attacks. Soon, the Allied Powers were using it for offensive purposes.

Radar provided air cover at Anzio and Normandy. It enabled air raids deep into Germany, despite overcast skies, and it helped us disrupt Axis Power shipping routes and attack the Japanese Navy. We spent more during the war on radar than on the atomic bomb.

No less an authority than German Grand Admiral Doenitz, when captured at the end of the war, said this:

> We fell behind technically. We were unable to build shortwave RADAR to compete with Anglo-American improved radio location equipment.

Following the war, radar was adapted for civil aviation. Ultimately, it spawned the tremendous rise of the commercial air travel industry. Incidentally, this led Congress to properly fund aviation. In 1970, we established the airport and airways trust fund—commonly referred to as the aviation trust fund—and that is what we seek to reauthorize today.

The aviation trust fund built on the success of the highway trust fund. The idea behind the aviation trust fund was for the system's users to pay for its upkeep. Generally speaking, the aviation trust fund has managed to do that, to finance the needs of the air-traveling public.

The aviation trust fund receives about $12 billion a year in user-based taxes. Much of this funding goes into the Airport Improvement Program. The airports in my State of Montana rely heavily on it. The Department of Transportation has estimated that every billion dollars spent in Airport Improvement Program funding creates or sustains more than 20,000 jobs throughout the U.S. economy.

But now we need to do more. Our system needs modernization. We need to improve safety and efficiency. We need to enable direct routes, rather than flying along zigzag flight corridors, as we have since the transcontinental lighted airway, and we need to keep up with air traffic growth. Look at how bogged down our New York-New Jersey airspace already is.

We need Continuous Descent Arrival to reduce the amount of fuel that aircraft burn. This reduces both cost and air emissions. During a recent test in Atlanta, Delta Airlines saved as many as 60 gallons of fuel and cut carbon emissions by up to 1,250 pounds for every flight.

The Senate bill would fund the aviation trust fund for a little more than 3 years. Importantly, the bill would provide needed funds for the establishment of NextGen. NextGen is the Federal Aviation Administration's plan to use satellite-based technology in order to modernize the Nation's air traffic system. We need to invest in it now. Our 2010 trust fund, established in the early 1970s, is still funding radar. That is a technology that predates the Second World War. Some radar beacons are still located on the same sites as those early bonfire beacons.

NextGen, however, will enable planes to use global positioning systems to continuously transmit location, speed, and altitude to other planes, pilots, and controllers within 150 miles. That will improve efficiency and safety. This is a sea change. A number of other countries have already invested in satellite tracking technology. The United States is behind the curve, and we can change that with the passage of this bill.

How do we pay for NextGen? The Finance Committee proposes the following:

First, we set the tax for general aviation jet fuel at 36 cents a gallon. That is up from the current 21.9 cents a gallon. The general aviation community agreed to this proposal.

Second, we treat fractional aircraft; that is, partially owned planes; as general aviation rather than commercial carriers. Owners of fractional aircraft believe this change will preserve their ability to fly and land in Europe.

All told, we raise nearly an additional $180 million to get NextGen started. More will be needed, especially given the rapid state of technological change. I know that both the Finance Committee and the Commerce Committee plan to monitor NextGen's implementation.

We will have a pretty good debate this week. I look forward to it. But first I wish to thank my colleagues, especially Senator ROCKEFELLER, for his willingness to seek common ground. We have worked together on this for a long time—actually, for several years. In fact, we had an agreement a couple years ago, but due to an extraneous event, it was unable to be realized.

Senator ROCKEFELLER has written a very strong FAA reauthorization. I especially appreciate his continued support for the Essential Air Service Program, a program that matters a great deal to my constituents in eastern Montana.

So let us adopt NextGen to improve safety and improve efficiency. Let us reauthorize the aviation trust fund. It is time to bring American air travel into the 21st century.

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. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

AMENDMENT NO. 3456 TO AMENDMENT NO. 3452

(Purpose: To reauthorize the DC Opportunity Scholarship Program, and for other purposes)

Mr. LIEBERMAN. Mr. President, I ask unanimous consent to call up amendment 3456.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH, proposes an amendment numbered 3456 to amendment No. 3452.

Mr. LIEBERMAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LIEBERMAN. Mr. President, I introduced this amendment with a bipartisan group of cosponsors, Senators COLLINS of Maine, BYRD of West Virginia, FEINSTEIN of California, VOINOVICH of Ohio, and ENSIGN of Nevada.

Its purpose is to reauthorize—in fact, to save—the Opportunity Scholarship Program or OSP for students here in the District of Columbia.

We are introducing our amendment to this legislation, and I use the word ''save'' because without prompt action by Congress, there is a reasonable probability that the OS Program, the scholarship program, will not just be limited to the number of students who are in it now—and, in fact, there have not been any new students admitted in the last 2 years—but it will be doomed.

As I explained here on the floor of the Senate yesterday, the current administrator has advised Secretary Duncan that it will no longer—the administrator being a corporation, an entity—that it will no longer administer the program without a reauthorization.

No other entity has yet expressed a willingness to take over, given the constraints imposed by Congress. So despite President Obama's intent, stated in his budget message to continue this program, admittedly only for those 1,300-plus students currently participating in it, it appears that even that will become impossible.

I think that would be a tragic result. This program has given a lifeline for students in failing schools in the District of Columbia, a scholarship to go to private or faith-based schools where, by all accounts, they are receiving a much better education and being given the talents with which they can make something much greater of their lives.

We first offered our amendment to the American Workers, State, and Business Relief Act, which was passed earlier today. I was proud to support that measure. It is good for the economy, good for people hurting in our economy, good for businesses hurting in the economy. Unfortunately, we were not able to get a vote on this amendment on that bill. As promised, we are here today again in another attempt to get a vote in the Senate on this issue. It is time sensitive. It is urgent. The life of this program hangs in the balance and, in a very real way, the future of these 1,300-plus children in the District who are benefiting from the program.

The truth is, the FAA reauthorization bill has been referred to as a jobs initiative. I believe it is. What is more important to getting a good job than getting a good education? That is what this bill is all about.

Achievement gaps in our schools, including our schools in the District of Columbia, have a profound impact on the quality of our workforce and on the future of our economy and, in a classically, characteristically American sense, focusing on the individual children who, by twists of fate, have ended up in schools that are not adequately preparing them. I will have more to say about this, but these are schools I am not just personally judging to be failing schools but, under characteristics, standards created by the Federal Government under the No Child Left Behind Act, are designated as failing schools. The OSP provides these low-income students in the District with a chance at a better education.

Dollar for dollar, this program accomplishes this goal at a very low cost. Personally, how did I get involved in this? Of course like all of us, I have an interest in education. I have an interest in overcoming the achievement gaps in American schools that are so profoundly related to income and to race. More particularly, I have followed the status of this program in the District of Columbia for several years in my capacity as a ranking member and now chair of the Homeland Security and Governmental Affairs Committee because of the committee's traditional jurisdiction in its governmental affairs aspect over and regarding the District of Columbia, our Nation's Capital.

Last year our committee held a hearing on the Opportunity Scholarship Program and heard testimony from students in the program and their parents. It was evident from their testimony that this program has served as a lifeline to many students who otherwise would have been assigned to schools in which they would not have received a good education, as designated by No Child Left Behind.

One parent whose annual income is only $12,200 testified that she had sought an opportunity scholarship, a voucher for her 8-year-old son after her 17-year-old nephew was shot and killed at the Ballou High School. Her son since has thrived in the Opportunity Scholarship Program, loves his school and his teachers, is part of the reading and debate club, and now wants to be a doctor. His hopes have been fortified and elevated, and his achievement has been remarkably improved. This mother believes that none of this would have happened had her son been forced to stay in the school he was in in the DC Public School System.

Another young man, Ronald Holassie, started in the Opportunity Scholarship Program in sixth grade. He is now a high school student. He told the committee the DC Opportunity Scholarship Program ''has changed my life.''

Then he said:

No one should take away my future and dreams of becoming a successful young man. No one should take that away from me and the other 1,700 children in this program.

Now, because of the failure of Congress to support the program over the last couple of years or fill the spots opened by graduation, it is down to 1,300 children. Ronald Holassie became the deputy youth mayor for legislative affairs of the District of Columbia and is now applying to college. What he said was right. This program provides a quality education to economically disadvantaged students at half the per-pupil cost of educating students in the Public Schools.

Our committee also heard from Tiffany Dunston. She told us:

Receiving a scholarship was a blessing for my family and put me on the path to success. I grew up in a neighborhood with a lot of poverty and crime. And there were such low expectations for kids in my neighborhood schools. I would watch kids hanging out in the streets and not going to school. . . . My motivation to get the best education possible was my cousin James who was shot and killed at 17. I am always thinking of what he could have done. . . . With the help of a scholarship my dream [has been] realized.

Those are very moving testimonies, personal anecdotes, affirmations of the worth of the program. But has there been an independent professional evaluation of the program? Yes, there has.

Required by Congress, the person chosen to carry out that program is a man named Patrick Wolf, Dr. Patrick Wolf, the principal investigator of the valuation conducted by the U.S. Department of Education's Institute of Education Sciences. This is a report required by Congress, carried out by an institute under the U.S. Department of Education.

Dr. Patrick Wolf testified that the Opportunity Scholarship Program has had a statistically significant, positive effect on the test scores of students in reading in this program.

I know some of the critics of the program, some of the opponents have downplayed these results. However, the fact is, as I have learned, most education innovation programs actually fail to show any significant gains, certainly in the first few years.

Dr. Wolf has said when compared to all other similarly studied education innovations throughout our country—not talking about the the District of Columbia—''the reading impact of the DC voucher program is the largest achievement impact yet reported.''

He went on, the principal independent investigator, to say:

The DC voucher program has proven to be the most effective education policy evaluated by the federal government's official research arm so far.

So why stop it? Why terminate it? Certainly not based on this independent evaluation, certainly not based on the testimony our committee and others have heard from the parents and students involved. The reasons I leave to others, but I fear it is because of the opposition of teachers groups and others who don't want this kind of competition.

In sum, Dr. Wolf's study used the gold standard of research methodology and found that the Opportunity Scholarship Program is getting very impressive results. Those who oppose OSP argue in part that vouchers take away funds from the public schools in the District. This is simply false. When it was adopted in Congress, to overcome the argument that it would take money away from the public schools, this program did exactly the opposite. We reached an agreement to get the votes to pass the program that whatever amount of money was given for the OPS, the so-called voucher program in the District of Columbia, exactly that amount of money would be added, not subtracted, to the public school budget of the District of Columbia. They otherwise would not have received that money for the public schools.

Incidentally, a similar amount was appropriated for charter schools in Washington. Why? Because there is no one answer at this moment to the challenge to give every child endowed by our Creator, as the Declaration of Independence says, with an equal right to life, liberty, and the pursuit of happiness which, in our time, is very much equated with the right to an equal education. The fact is, previous Congresses have been prepared to support all three of these ways because they were focused not on a single method of educating our children but on benefiting each and every one of our children.

I know some say these scholarships are not the solution to the problems that beset the DC Public Schools. I agree. They are not the sole solution. But they can and should be part of the solution, certainly, while the reform efforts of the chancellor, Michelle Rhee, are going forward and until they reach a turning point, a tipping point where the schools really have been broadly improved.

I strongly support Chancellor Rhee's efforts to reform and improve the public schools in the District. I strongly support efforts across the Nation to improve our public schools. That is always where we will educate most of our children. That is always where we should put the greatest emphasis.

Chancellor Rhee, with the backing of Mayor Fenty, has moved aggressively to turn around failing schools in the District. She is getting results. She certainly has my full backing when it comes to the reforms she is working to implement. But Chancellor Rhee has said something so honest, so compassionate, so fair, so focused on the well-being of the children in Washington, DC, that, to me, it should end any argument against the amendment we are proposing.

She has said herself, Chancellor Rhee, that the reform effort in the DC Public Schools is making progress but it is not going to happen overnight. As one of the students I just quoted said before our committee, the DC Public Schools did not get to the troubles they are in overnight, and they are not going to get out of the troubles they are in overnight.

But Chancellor Rhee said this is a multiyear process. In the meantime, many District schools are failing our most economically challenged children. For this reason, Chancellor Rhee, Michelle Rhee, the head of the public schools in the District, has said the OSP should continue. I ask my colleagues, why wouldn't we want to use every means at our disposal to provide the best education possible to all children here in Washington, DC?

Chancellor Rhee has been very explicit about this. She said that it may take 5 years to turn around many of the schools that are failing—officially failing—to give a decent education to the students in the District of Columbia. She said, in a very personal and moving way, until she could say to parents of children who are in schools now designated as failing that they were no longer failing and the parents could be confident that their children would receive a good education in those schools, she would support the Opportunity Scholarship Program 5 years. Based on that assessment, our amendment reauthorizes the OSP for 5 years.

Our amendment also continues to ask for a rigorous evaluation of the merits of the program. At the end of the 5 years, we will have better information on both the effectiveness of this scholarship voucher model and the reform effort in the DC Public Schools. I want to suggest to my colleagues, at the end of this 5-year period, we can determine whether we want to continue to provide Federal support for these opportunity scholarship, school choice programs based on conditions at that time.

Our reauthorization proposal includes a number of improvements and enhancements to the program, including many sought by my friend and colleague, Senator DURBIN, the chairman of the Appropriations subcommittee that has in previous years funded the Opportunity Scholarship Program. Specifically, we require that all schools in the program have certificates of occupancy, that core subject matter teachers have appropriate credentials and schools meet the accrediting standards of the DC Public Schools; that regular site inspections be conducted; and that participating students take the same test as students in District of Columbia Public Schools.

There are currently 1,319 students benefiting from opportunity scholarships in the District of Columbia. I repeat that no students have been allowed in for the last 2 years because of congressional inaction. At its peak, 1,930 students were enrolled in the 2007 to 2008 school year. Because no new students can enroll, enrollment declined to 1,721 last year and then 1,319 this year. Last year, 216 students who were offered a scholarship had the offer revoked by the Secretary of Education of the United States because of failure to support the program.

I want to repeat, over 85 percent of students in this program would otherwise be attending a school in need of improvement, corrective action, or restructuring—in other words, a failing school designated under the No Child Left Behind Act.

In closing, I would say this: 1,319 is the number of students benefiting from the Opportunity Scholarship Program. If we do not reauthorize it, at this point there is no one to run the program and it probably will simply die. Those are 1,319 reasons to save this program and offer hope and opportunity to these young boys and girls in this city

who want as much as any child in this country to live a life of success and self-sufficiency and deserve that right as much as any other child in the country.

So I ask my colleagues to consider what we would want for our own children. All of us have the resources to essentially exercise school choice, and that is precisely what many of us do because we want the best for our children. But there are many parents around America—in this case, particularly, who live in our Nation's Capital, the place where we work—who have much more limited resources and also want the best for their children. They want to make a choice, which the Opportunity Scholarship Program allows them to make. So I appeal to my colleagues to take up this amendment. Let's have a vote on it, and let's act favorably on it to preserve this lifeline for a gifted and hopeful group of children in our Nation's Capital.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from West Virginia.

MORNING BUSINESS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Ms. SNOWE. Mr. President, I ask unanimous consent for 10 additional minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. SNOWE. Thank you, Mr. President.

(The remarks of Ms. SNOWE pertaining to the introduction of S. 3103 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from North Dakota.

TAX LOOPHOLES

Mr. DORGAN. Mr. President, earlier today we passed some legislation in the Senate that is important and will create jobs in our country, and I filed an amendment that was not considered. I know that was the case with many amendments on the bill. One of the amendments I filed that was never considered, unfortunately, and I hope will be considered in the future deals with the recommendation the President made during his State of the Union Address.

In the State of the Union Address, the President spoke about jobs and said one of the things we ought to do to try to preserve and keep and create jobs in our country is to shut down or eliminate the tax loophole that rewards companies for moving jobs overseas. The President specifically asked in his State of the Union Address for the Congress to eliminate that tax loophole. I have tried to eliminate that loophole I think on four different occasions on the floor of the Senate. We have had four votes. On each occasion, I have failed.

One might ask, well, how on Earth can you fail on an amendment such as that? Well, there are a lot of big companies and groups in this town—the Chamber of Commerce is an example—that like that loophole and want it retained, and they fight very hard to keep the loophole.

Here is what we have. We actually do have a circumstance where if you are on one side of a street corner and you have a competitor on the other side of the street making the identical product you do, earning the identical income you earn, and you decide you are going to move your plant to China, fire your workers, put a padlock on the front door of your manufacturing plant and move to China, the only difference between you and the person across the street that you used to compete with and still do is that you now have lower labor costs but you also have a tax break given to you by the Federal Government. It is astounding that exists, but regrettably it does. The President's call to eliminate the tax break is very important, and we ought to heed that call.

I filed an amendment on the last bill, the one that passed today. I did not get a vote on it. I intend to file it again on other pieces of legislation because this Congress, at a time when so many millions of people get up in the morning and put on their clothes and go out looking for work and cannot find work, this Congress has a responsibility to deal with this issue.

Think of this issue of trying to find jobs that are necessary to put 17 million people back to work as trying to fill a bathtub. We are working on a faucet to incentivize and create new jobs, but the drain is wide open, the drain of existing jobs going overseas; in fact, going overseas in search of cheap labor because this country actually rewards you if you move your jobs overseas.

This is Hershey's chocolate. Many people have eaten York Peppermint Patties. York Peppermint Patties were made in a Pennsylvania plant but no longer. It is now Mexican food.

This is a newly built plant in Monterey, Mexico, now making York Peppermint Patties. On its Web site, Hershey's says:

> That cool refreshing taste of mint, dipped in dark chocolate will take you miles away.

Apparently meaning even Mexico. So an American brand goes south. That is not terribly unusual.

Hallmark Cards: ''When you care enough to send the very best.'' It is a privately held Kansas City company. It has been around 100 years. It was founded by a high school dropout who started the company in 1910 with a shoe box of postcards he sold while living out of a YMCA. It is an unbelievable success story, Hallmark Cards. The company became far and away the most successful greeting card company in America, with a reputation of treating its workers fairly—a very good company.

But under current management, with annual revenues over $4 billion, they started to move jobs from Kansas City to three plants in China. It moved thousands of jobs overseas, though it is not required to disclose the specific numbers.

What kind of a card do you send to a Hallmark worker whose job is now in China? The very best? We have a right in this country to be concerned about that.

I have talked at length about Radio Flyer, the little red wagon, gone from Illinois to China; Huffy bicycle gone from Ohio to China. I spoke about those at length. But there are new ones as well.

Whirlpool. At a time when we are losing so many jobs because of the deep recession, Whirlpool announced last year it was shutting down a 1,100-worker factory in Evansville, IN, and moving the work to a factory in Mexico. Whirlpool made this decision even though the company accepted a $19.3 million grant by the U.S. Department of Energy as part of the Recovery Act to develop ''smart appliances.''

By the way, this is a picture of a Whirlpool worker walking out of his place of employment, the last walk on the last day. One can wonder what was going through his mind as he understood he was going to have to tell his family he is now out of work. His job still exists, but it exists in a foreign country.

This is Natalie. Natalie worked for Whirlpool. She is 42 years old. She worked at the Whirlpool appliance plant in Evansville for 19 years and in November of last year was told her job is moving to Mexico; $17 an hour was too much to pay, and you can get cheaper labor elsewhere. She described that plant closing ''like a punch in the gut.'' You can imagine what it is like.

I am told local workers and local officials did everything they could to try to keep that Whirlpool plant in Evansville, IN, but they were unsuccessful.

We do see a lot of people wearing football jerseys. This is a Reebok Peyton Manning jersey. My guess is they sell a lot of those things. There is not a better quarterback in professional football. He is quite an extraordinary football player.

Reebok makes this jersey. This jersey is made in El Salvador by a Chinese-owned company. This jersey is sold for $80 in the United States and workers are paid 10 cents for the work they do in El Salvador to make it.

Let me say that again. The workers get 10 cents, one thin dime, and the customers pay $80 for the Peyton Manning Reebok football jersey.

Here is a photograph that shows the conditions of a sweatshop in El Salvador owned by the Chinese. According

to the National Labor Committee that investigates these things, workers are forced to put in 12 to 15 hours of unpaid overtime each week. They earn wages that are 77 percent lower than the basic subsistence wage for the region. This is the photograph of the home of a worker at one of the Chinese-owned sweatshops. You can see the repressive poverty that exists there, and they get a dime for a jersey the company is paid $80 for on the store shelf in the United States.

La-Z-Boy chairs announced it would eliminate 1,050 employees in Dayton, OH, and move production plants to Mexico. I have spoken about La-Z-Boy previously. A few days ago when I talked about jobs, I talked about how La-Z-Boy went to Pennsylvania and bought Pennsylvania House Furniture. Pennsylvania House Furniture is a high-end furniture company, using special Pennsylvania wood to make terrific furniture. They had great craftsmen who worked at that company. La-Z-Boy bought the company. They did not want to have competition for La-Z-Boy in the country, so they moved Pennsylvania House Furniture to China and shipped the Pennsylvania wood to China, put the furniture together, and shipped the furniture back to the United States.

On the last day of work at the Pennsylvania House Factory, a company that had been around for 100 years, on the last day the plant was open, all those craftsmen who were proud of their jobs and proud of their work, when the last piece of Pennsylvania House Furniture came off the assembly line, they turned it over, and on the bottom of that last piece of furniture, every single worker at that plant came over and took the pen and signed their name. Somebody in this country has a piece of furniture that they do not quite understand. It has, on its bottom, the signature of craftsmen who worked for a company that for 100 years made fine furniture in America. They wanted to do that because they wanted to sign their name to a quality piece of furniture made by an American worker who was proud of their job.

La-Z-Boy chairs sent Pennsylvania House Furniture to China. Now we understand La-Z-Boy furniture has announced it will eliminate 1,050 jobs in Dayton, OH, and move the production to a plant in Mexico. They moved other jobs to China. In a statement describing the 2008 layoffs, the company said: We regret the impact these moves will have on families and the lives of employees affected and so on.

I have demonstrated enough. I have a lot of examples of this, and I have, over the years, provided a lot of examples. But I wish to demonstrate that on Wednesday, today, 17 million or so people got up, wanted a job and couldn't find it, struggling to try to figure out how on Earth they can make a living, how they can provide for their family.

Here is part of what is happening. This shows the deepening trade deficits our country is experiencing. All this red demonstrates jobs moving elsewhere—American jobs moving elsewhere.

This is a description of our trade deficit with China, the largest, single bilateral deficit in the history of humankind. I know where some of these jobs have gone. I know where they make Huffy bicycles. I know where they make Radio Flyer little red wagons. I know where they make Etch A Sketch. I know where they went. They went to China, and I know why they went there. Because they can hire people at 50 cents an hour. They can work them 12 to 14 hours a day, 7 days a week.

The people in Ohio are told: You cannot compete with that. We have to pay you $11 an hour to make bicycles; you can't compete; sorry, you are out of here.

The question of a century, when we have developed safe plants, minimum wage, retirement benefits to lift America up, when we developed those standards, retirement programs, health benefits, the question at the end of a century is: Do we decide those standards don't matter, the lifting of those American workers to good jobs that pay well doesn't matter because we are now saying to them: You compete with Third World conditions, you compete with Chinese sweatshops in El Salvador making football jerseys, you compete with people living 12 in a room, sleeping at night, when they do get a chance to sleep, in cinder blocks in China in Shinsen making children's toys; is that what we are saying is the kind of competition with which we want the American people to have to compete? Because they cannot. Nobody can make a living working for 50 cents an hour here. You cannot make a living here if they strip away your retirement and health care and give you 50 cents an hour and tell you to work 7 days a week.

The reason I raise this point is because the President said a month and a half ago, when he spoke to the Nation and spoke to the Congress: Close this tax break that rewards companies that move their jobs overseas.

My position is not antibusiness. I want American businesses to succeed. I want them to make profits and create jobs. I just want an understanding that trade agreements must be fair agreements in order for us to compete. I will give an example.

This is an example of automobiles in Korea. Ninety-eight percent of the automobiles driven on the streets of South Korea are made in South Korea. Is that an accident? Of course not. That is exactly the way the Koreans want it. They want to ship Korean cars to be sold in America, but they don't want American cars to be sold in Korea. That has always been their position. The same is true with China.

We now have an agreement with China by which, in the next couple years, we will have a massive influx of cheap Chinese goods coming into this country in the form of automobiles. They probably want me to say less expensive automobiles from China. We have an agreement that when Chinese automobiles come here, we will impose a 2.5-percent tariff. If we ship cars to China, they will impose a 25-percent tariff, and we agree to that. That is fundamentally ignorant of our economic interests. Those are the kinds of issues we have to address.

If we care about jobs, we need to do two things: One, work on the legislation of the type we are working on. Senator REID, Senator DURBIN, myself, and others have worked very hard on legislation to try to incentivize the creation of new jobs in our country. We passed a bill about a week and a half ago and passed another bill today that is job creating. That is the faucet. We are trying to turn the faucet on to put jobs into this tub here. The problem is, the drain is wide open and we have jobs moving out just as aggressively. We have to plug the drain by saying: Trade matters, fair trade matters most. You must stand for the interests of good jobs that pay well in America. That is a fact.

I will speak more about this issue at another time. I did wish to say I filed the amendment on the bill we finished today and was not able to call it up, as was the case with many amendments. I intend to file it again on another bill. I hope very much we will get a vote on it, and I hope, when we get a vote on it, that given the things I just described that are happening to jobs in America, given the fact the President has said let us at least plug this unbelievably pernicious, ill-advised tax break for companies that ship jobs overseas, let's at least get that done. Let's try to save some jobs in this country. If we can do that, we will have done something very significant for the people who awaken in the morning jobless and who hope to find work at some future date as we restart the engine and start putting American workers back on the payroll again.

I yield the floor.

SMEARING OF JUSTICE DEPARTMENT ATTORNEYS

Mr. LEAHY. Mr. President, it saddens and concerns me that another line has been crossed, moving us further toward partisan excess and incivility. I refer to the calculated, political campaign-style attacks on the loyalty and patriotism of honorable Department of Justice attorneys over the past few weeks.

Self-restraint is a crucial but often neglected value in our democracy. Just because a political attack that can put ''points'' on the board is possible, does not make it right. Misleading appeals to fear, like this one, are corrosive to our system and to the rule of law.

Just as President Lincoln said of leadership generally, we must appeal to our better angels, not to fear and suspicion. Those who have megaphones

made possible by millions of dollars, and who use them to shape public opinion, must lead responsibly and constructively.

Walter Dellinger, a distinguished attorney with a long record of public service, tells from personal experience the story of one attorney who is being smeared in these attacks. The glimpse he offers into this issue is so clear and compelling that I will have printed in the RECORD the full text of his piece, which appeared in the Washington Post on March 5.

This attack is not about transparency, nor about some purported conflict of interest. The Department of Justice set that canard to rest with its February 18 letter. This is about a partisan and personal attack. Many of the forces that have been defending John Yoo and other Bush-Cheney administration lawyers are the very ones seeking to smear these Justice Department attorneys. It is shameful. These American lawyers did what they are supposed to do, and what American lawyers have always done—provide legal counsel no matter what the charge or how unpopular the person. That is what John Adams did when he defended the British. This dedication deserves thanks, not reproach. The military and civilian lawyers who have previously accepted the difficult task of providing representation to individuals who have been detained by the United States in terrorism cases did no wrong and do not deserve this. Ted Olsen and Ken Starr, lawyers from the Reagan and Bush administrations, know that and agree. It is saddening and wrong that shallow partisan operatives would sink so low.

I ask unanimous consent that copies of the Justice Department letter and articles and editorials be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 9, 2010]

'AL-QAEDA 7' SMEAR CAMPAIGN IS AN ASSAULT ON AMERICAN VALUES

(By Eugene Robinson)

The word ''McCarthyism'' is overused, but in this case it's mild. Liz Cheney, the former vice president's ambitious daughter, has in her hand a list of Justice Department lawyers whose ''values'' she has the gall to question. She ought to spend the time examining her own principles, if she can find them.

A group that Liz Cheney co-chairs, called Keep America Safe, has spent the past two weeks scurrilously attacking the Justice Department officials because they ''represented or advocated for terrorist detainees'' before joining the administration. In other words, they did what lawyers are supposed to do in this country: ensure that even the most unpopular defendants have adequate legal representation and that the government obeys the law.

Liz Cheney is not ignorant, and neither are the other co-chairs of her group, advocate Debra Burlingame and pundit William Kristol, who writes a monthly column for The Post. Presumably they know that ''the American tradition of zealous representation of unpopular clients is at least as old as John Adams' representation of the British soldiers charged in the Boston Massacre''—in other words, older than the nation itself.

That quote is from a letter by a group of conservative lawyers—including several former high-ranking officials of the Bush-Cheney administration, legal scholars who have supported draconian detention and interrogation policies, and even Kenneth W. Starr—that blasts the ''shameful series of attacks'' in which Liz Cheney has been the principal mouthpiece. Among the signers are Larry Thompson, who was deputy attorney general under John Ashcroft; Peter Keisler, who was acting attorney general for a time during George W. Bush's second term; and Bradford Berenson, who was an associate White House counsel during Bush's first term.

''To suggest that the Justice Department should not employ talented lawyers who have advocated on behalf of detainees maligns the patriotism of people who have taken honorable positions on contested questions,'' the letter states.

But maligning is apparently the whole point of the exercise. The smear campaign by Cheney, et al., has nothing to do with keeping America safe. It can only be an attempt to inflict political damage on the Obama administration by portraying the Justice Department as somehow ''soft'' on terrorism. Even by Washington's low standards, this is unbelievably dishonest and dishonorable.

''Whose values do they share?'' a video on the group's Web site ominously asks. The answer is obvious: the values enshrined in the U.S. Constitution.

The most prominent of the nine Justice officials, Principal Deputy Solicitor General Neal Katyal, represented Osama bin Laden's driver, Salim Hamdan, in a case that went to the Supreme Court. In a 5–to–3 decision, the court sided with Hamdan and ruled that the Bush administration's military tribunals were unconstitutional. Are Liz Cheney and her pals angry that Katyal was right? Or do they also question the ''values'' and patriotism of the five justices who voted with the majority?

The letter from the conservative lawyers points out that ''in terrorism detentions and trials alike, defense lawyers are playing, and will continue to play, a key role.'' It notes that whether terrorism suspects are tried in civilian or military courts, they will have access to counsel—and that Guantanamo inmates, even if they do not face formal charges, have a right to habeas corpus review of their detention. It is the federal courts—not defense lawyers—that have made all of this crystal clear. If Cheney and her group object, they should prepare a blanket denunciation of the federal judiciary. Or maybe what they really don't like is that pesky old Constitution, with all its checks, balances and guarantees of due process. How inconvenient to live in a country that respects the rule of law.

But there I go again, taking the whole thing seriously. This is really part of a death-by-a-thousand-cuts strategy to wound President Obama politically. The charge of softness on terrorism—or terrorist suspects—is absurd; Obama has brought far more resources and focus to the war against al-Qaeda in Afghanistan than the Bush-Cheney administration cared to summon. Since Obama's opponents can't attack him on substance, they resort to atmospherics. They distort. They insinuate. They sully. They blow smoke.

This time, obviously, they went too far. But the next Big Lie is probably already in the works. Scorched-earth groups like Keep America Safe may just be pretending not to understand our most firmly established and cherished legal principles, but there is one thing they genuinely don't grasp: the concept of shame.

[From the New York Times, Mar. 7, 2010]

ARE YOU OR HAVE YOU EVER BEEN A LAWYER?

In the McCarthy era, demagogues on the right smeared loyal Americans as disloyal and charged that the government was being undermined from within.

In this era, demagogues on the right are smearing loyal Americans as disloyal and charging that the government is being undermined from within.

These voices—often heard on Fox News—are going after Justice Department lawyers who represented Guantánamo detainees when they were in private practice. It is not nearly enough to say that these lawyers did nothing wrong. In fact, they upheld the highest standards of their profession and advanced the cause of democratic justice. The Justice Department is right to stand up to this ugly bullying.

Senator Charles Grassley, Republican of Iowa, has been pressing Attorney General Eric Holder Jr. since November to reveal the names of lawyers on his staff who have done legal work for Guantánamo detainees. The Justice Department said last month that there were nine political appointees who had represented the detainees in challenges to their confinement. The department said that they were following all of the relevant conflict-of-interest rules. It later confirmed their names when Fox News figured out who they were.

It did not take long for the lawyers to become a conservative target, branded the ''Gitmo 9'' by a group called Keep America Safe, run by Liz Cheney, daughter of former Vice President Dick Cheney, and William Kristol, a conservative activist (who wrote a Times Op-Ed column in 2008). The group released a video that asks, in sinister tones, ''Whose values do they share?''

On Fox News, Ms. Cheney lashed out at lawyers who ''voluntarily represented terrorists.'' She said it was important to look at who these terrorists are, including Salim Ahmed Hamdan, who had served as Osama bin Laden's driver. Let's do that.

Mr. Hamdan was the subject of a legal battle that went all the way to the Supreme Court. Ms. Cheney conveniently omitted that the court ruled in favor of his claim that the military commissions system being used to try detainees like him was illegal. Republican senators then sponsored legislation to fix the tribunals. They did not do the job well, but the issue might never have arisen without the lawyers who argued on behalf of Mr. Hamdan, some of whom wore military uniforms.

In order to attack the government lawyers, Ms. Cheney and other critics have to twist the role of lawyers in the justice system. In representing Guantánamo detainees, they were in no way advocating for terrorism. They were ensuring that deeply disliked individuals were able to make their case in court, even ones charged with heinous acts—and that the Constitution was defended.

It is not the first time that the right has tried to distract Americans from the real issues surrounding detention policy by attacking lawyers. Charles Stimson, the deputy assistant secretary of defense for detainee affairs under George W. Bush, urged corporations not to do business with leading law firms that were defending Guantánamo detainees. He resigned soon after that.

If lawyers who take on controversial causes are demonized with impunity, it will be difficult for unpopular people to get legal representation—and constitutional rights that protect all Americans will be weakened. That is a high price to pay for scoring cheap political points.

[From the Washington Post, Mar. 5, 2010]

A SHAMEFUL ATTACK ON THE U.S. LEGAL SYSTEM

(By Walter Dellinger)

It never occurred to me on the day that Defense Department lawyer Rebecca Snyder and Lt. Cmdr. William Kuebler of the Navy appeared in my law firm's offices to ask for our assistance in carrying out their duties as military defense lawyers that the young lawyer who worked with me on that matter would be publicly attacked for having done so. And yet this week that lawyer and eight other Justice Department attorneys have been attacked in a video released by a group called Keep America Safe (whose board members include William Kristol and Elizabeth Cheney) for having provided legal assistance to detainees before joining the department. The video questions their loyalty to the United States, asking: ''DOJ: Department of Jihad?'' and ''Who are these government officials? . . . Whose values do they share?''

Here, in brief, is the story of one of those lawyers.

In June 2007, I was at a federal judicial conference when I received an urgent message to call the Defense Department. The caller was Lt. Cmdr. Kuebler, a uniformed Navy officer who had been detailed to the Office of Military Commissions. As part of his military duties, Kuebler had been assigned to represent Omar Khadr, a Guantanamo detainee who was to be tried before a military commission. Kuebler told me that the U.S. Supreme Court had agreed that day to review the case of another detainee who had been a part of the same lower court proceeding as Khadr. Because Kuebler's client had not sought review at the Supreme Court, this situation raised some complex questions of court practice with which Kuebler was unfamiliar. Kuebler's military superior suggested he call me and ask whether I could assist him in analyzing the applicable Supreme Court rule.

It was a Friday night. I called Karl Thompson, a lawyer at my firm who had previously been a Supreme Court law clerk, and asked whether he could look into the question over the weekend. I told Thompson that the military lawyers assigned to these cases had a very burdensome workload and that it seemed that Kuebler could really use our help. Even though Thompson was extremely busy with other work at the firm, he said he would somehow find time for this as well.

Over the next several months, Thompson (in addition to his other firm work) provided assistance to Kuebler and his Defense Department colleague in their briefing before the Supreme Court and, in Khadr's case, the lower courts. Khadr's case raises important questions, including the legal status of juvenile detainees (he was 15 years old at the time of capture). In 2009, Thompson left our firm to join the Office of Legal Counsel at the Justice Department.

Thompson's assistance to the military officers who had been assigned to Khadr's case seemed to me to be not only part of a lawyer's professional obligation but a small act of patriotism as well. The other Justice Department lawyers named in this week's attack came to provide assistance to detainees in a number of ways, but they all deserve our respect and gratitude for fulfilling the professional obligations of lawyers. This sentiment is widely shared across party and ideological lines by leaders of the bar. As former Solicitor General Ted Olson wrote in response to previous attacks on detainee lawyers, ''The ethos of the bar is built on the idea that lawyers will represent both the popular and the unpopular, so that everyone has access to justice. Despite the horrible Sept. 11, 2001, attacks, this is still proudly held as a basic tenet of our profession.''

That those in question would have their patriotism, loyalty and values attacked by reputable public figures such as Elizabeth Cheney and journalists such as Kristol is as depressing a public episode as I have witnessed in many years. What has become of our civic life in America? The only word that can do justice to the personal attacks on these fine lawyers—and on the integrity of our legal system—is shameful. Shameful.

TRIBUTE TO JAKE BURTON

Mr. LEAHY. Mr. President, I am pleased to have the opportunity to honor a dear friend and true entrepreneur, Jake Burton. As founder and owner of Burton Snowboards, a company whose name has become synonymous with the successes of this popular winter sport, Jake Burton has built an empire from the ground up starting, first in his Londonderry, VT, garage. His is a true tale of perseverance and triumph over obstacles great and small; where others saw only insurmountable challenges, Jake saw possibility.

As a young man starting out with a vision, Jake sought to set the world of winter sports on fire. He did so in true Vermont fashion, paying personal visits to ski areas hesitant to embrace snowboarding. To this day, Jake makes a point of personally testing each of his products on the slopes before putting them on the market. His commitment to quality and his investment in his employees continues to pay off. Jake recognizes the value of a homegrown company and takes nothing for granted. His competitive edge and style set him apart from the others in his line of work and serve him well as he continues to define the future of snowboarding. Marcelle and I have been fortunate to call Jake and his wife Donna our friends for many years. They are admirable Vermonters and examples of how the pursuit of a dream through honest hard work is still the cornerstone of American business.

On February 15, 2010, the Burlington Free Press published an article entitled ''Jake Burton: Chairman of the (snow)Board'' about Jake's career. I ask unanimous consent that the text of this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Feb. 15, 2010]

JAKE BURTON: CHAIRMAN OF THE (SNOW)BOARD

(By Bruce Horovitz, USA Today)

His office has no desk. No inbox. Not even a wastebasket.

But it does have a sprawling wooden table for mounting bindings onto snowboards, a sofa the size of a small living room and a golden retriever named Maia, who's made the couch her bed.

This is Jake Burton's life—a major cool one.

As the founder, cultural guru and chief prankster of the world's largest snowboard company—and the guy who almost single-handedly turned snowboarding into a multi-billion-dollar sport—he's got a lot to do. Like snowboard 100 days a year. And surf for another 50, or so.

His mountaintop home in Stowe has an a outdoor hockey rink, an indoor soccer field and a two-story treehouse with electricity.

With the Winter Olympics under way in Vancouver, Burton will soon join his team of Olympic snowboarders there and probably cause a Burton-esque ruckus.

For one thing, the competition uniform Burton's company designed for the U.S. snowboard team is raising eyebrows before the torch is even lit. It's made from high-tech, waterproof Gore-Tex material—but looks like a pair of ripped blue jeans and a loose flannel shirt. Not necessarily what buttoned-up Olympic officials had in mind.

''That the outfit has created a controversy is fitting,'' says Burton, 55, with a trademark smirk. ''If it's unpatriotic, you should throw everyone wearing blue jeans and flannel shirts out of the country.''

Still, the ride has been bumpy lately in snowboard land. The sport of free spirits is under greater scrutiny since 22-year-old Kevin Pearce, one of its stars and a Burton rider, was almost killed in an accident while training for the Olympics.

Even as Pearce heals, other problems for Burton's company—and for all winter snowsports businesses in this economy—are festering.

Sales of winter sports equipment fell 8 percent last year, and orders for 2010 are down 25 percent, reports the SnowSports Industries America trade group. By one estimate, nearly 10 small snowboard shops went belly-up every week in 2009. Although ski resort visits were up slightly overall for the 2008–2009 season, several regions suffered steep declines, and many resorts built visits with specials and discounted lift tickets.

TOUGH YEAR

Burton Snowboards, the industry kingpin, saw sales fall by double-digits last year and had to take the unusual step of laying off nearly 20 of its roughly 1,000 employees last March. The company announced last week it was laying off 15 more from its Burlington facility.

''Nothing like a tough year to make you forget how far Burton has come,'' Burton said.

But even in a tough year, Burton Snowboards' success is impressive. The privately held company holds 40 percent of the world's snowboard market. Sales are not reported, but are believed to reach almost $700 million.

Thanks to diversification into surfing and skateboarding and the opening of several brand stores, Burton could be a $1 billion company within five years. ''I'm not hung up on that number,'' said Burton, whose tousled salt-and-pepper hair and red cheeks are evidence of the morning snowboard run from which he's just returned. ''I'm not the kind of guy who gets up every morning and says, 'We have to get to $1 billion.' ''

Even non-snowboarders are becoming familiar with the brand. The uber-presence of Burton boards and clothing in the 2006 Winter Games earned it an estimated $33 million in free exposure. The company now makes more money selling apparel, often to folks who've never been on a board, than it makes from snowboard equipment.

But the Olympic participation is more about image than sales, because the Games come at the tail of the season. ''The timing of the Olympics from a business perspective is awkward,'' he says. ''You're not affecting consumer buying in mid-February.''

Viewers who go gaga over the team's tattered-blue-jean look won't be able to buy it. ''It would not be our style to sell Olympic uniforms,'' Burton said. ''We, as a company, are not about uniforms.''

What Burton, the company, is about is ''cool.'' While the company is as synonymous

with snowboarding as Kleenex is with tissue, the hard part is staying cool. It helps, Burton said, that Burton Snowboards' decisions aren't dictated by Wall Street, ''but are made by a guy and his family who snowboard 100 days a year.''

His leadership style includes traits such as:

He can't stand losing. Terje Haakonsen, a Burton athlete widely regarded as the world's top snowboarder, says Burton constantly challenges him at everything from snowboarding to swimming. ''Jake just doesn't want to lose,'' he says.

He can't stand shoddy quality. During his 100 days of snowboarding, Burton isn't goofing off. He tests most of the company's equipment—from boards to gloves—before it goes to market, and he makes detailed notes on index cards. Designers wince when they receive one of the cards, Burton's CEO Laurent Potdevin said. ''He has no patience for anything that jeopardizes the riding experience.''

He can't stand boredom. One morning five years ago at a sales meeting in New Zealand, Burton asked Dave Downing, who does outside marketing for Burton, if he was up for surfing and boarding—the same day. The two sneaked out of the meeting and took a chartered helicopter to a beach to surf then to a mountain to snowboard.

He can't stand leaving things alone. Burton will test any product the design team sends him, says Chris Doyle, who oversees product development. He was the first—and last—to test pants with an internal fan ventilation system controlled by a pocket switch. He gave the all-clear to a glove, a hot seller this year, that comes with a beer-can holder. Even after designers work months on new products, Burton has turned them upside-down—or even nixed them—based on a suggestion from a teenage boarder on a ski lift.

He can't stand serious. At a recent roundtable with top executives and team riders, Burton broke it into ''a no-holds-barred wrestling match,'' said Greg Dacyshyn, company creative director. ''Jake will take on anyone at anything.''

He can't stand still. Shaun White, the Burton rider who is an Olympic gold medalist and one of the U.S. team's great hopes in Vancouver, says there's no stopping Burton on a slope. ''When he's in the trees, he does ripping turns. He's a wild man.''

He can't stand combs. Jake's wife, Donna, who helps run the company and has been married to Jake for 22 years since meeting him at a ski resort bar, remembers her mother's comment after first meeting him: ''I don't think he combs his hair.''

INAUSPICIOUS BEGINNING

That he got this far in business surprises no one more than the guy who was born Jake Burton Carpenter, but goes by just Jake Burton. ''I was a punk. I got kicked out of boarding school at 15.''

For one thing, he was a self-described ''loser'' in shop class. But wanting to improve the design of ''Snuffer'' snowboards that were briefly popular when he was a kid, he made a new kind of board in his Londonderry, Vt., garage.

He created his first business plan to sell snowboards on an index card. He figured if he could make and sell 50 boards a day, he'd be rich. He sold just 350 the entire first year and ran up debt that nearly wiped him out.

But when he sold 700 boards the next year, he decided he was onto something. Until the next setback, that is. His bank cut off financing in 1984 when its executives decided snowboarding was a passing fad.

He persevered, becoming a one-man cheerleading squad. He visited hundreds of ski hills that had banned snowboarding, trying to coax reluctant resort owners into allowing it. Many equated snowboarding with rowdiness, or worse. But one by one, they relented.

''He took on all the ski resorts,'' said John Horan, publisher of Sporting Goods Intelligence newsletter. ''He's absolutely the father of the sport.''

The sport has become so big that Burton Snowboards has attracted acquisition interest from the sportswear giants. Burton won't say who and insists, ''Everybody knows that Burton is not for sale.''

The headquarters is in an industrial area here, a funky building that looks more like a winter playground than a workplace. There's a snowboarding park out front—with jumps. Employees are free to use it at any time. Many workers are accompanied by their dogs—they are encouraged to bring them to work. Employees can warm up with company-supplied coffee or hot chocolate at a giant, wood-burning fireplace in the lobby.

Each also gets a free season lift pass to a nearby resort. Anytime it snows more than 2 feet, the place shuts down and everyone gets to go boarding.

There are worse things than to work for Jake Burton, but there may not be many better.

95TH ANNIVERSARY OF THE AMERICAN MEDICAL WOMEN'S ASSOCIATION

Mrs. BOXER. Mr. President, I take this opportunity to recognize the 95th anniversary of the American Medical Women's Association, AMWA. AMWA is the Nation's oldest and largest multispecialty organization for women in medicine.

The American Medical Women's Association was founded in 1915 in Chicago by Dr. Bertha Van Hoosen. At the time, women physicians were a minority, representing only 5 to 6 percent of all physicians in the United States. With the creation of AMWA, Dr. Van Hoosen intended ''to bring Medical Women into communication with each other for their mutual advantage, and to encourage social and harmonious relations within and without the profession.''

Since its inception 95 years ago, AMWA's membership has grown significantly. With more than 13,000 members today, AMWA has become a strong and trusted voice for women's health and the advancement of women in medicine at the local, national, and international level. For nearly a century, AMWA has empowered its members to be leaders in improving health for all, within a model that reflects the unique perspective of women.

AMWA's members include physicians, residents, medical students, and health care professionals, all of whom are engaged in making a difference in the communities they serve. AMWA's charitable program, the American Women's Hospital Service, has provided international relief for more than 90 years, supporting clinics all over the world. The Journal of Women's Health, AMWA's medical journal, is a trusted resource for research and information on a wide range of women's health issues, and has been cited by the New York Times, Wall Street Journal, US News and World Report, and MSNBC.com. Through its many educational programs, support and mentorship of young women physicians, health care advocacy, and the promotion of excellence in medicine and scientific research, AMWA's members are truly champions for women's health.

Since 1915, the American Medical Women's Association has served as the vision and voice of women in medicine. On its 95th anniversary, I commend the American Medical Women's Association for its tireless efforts to advance women in medicine, and look forward to its many future successes.

NEBRASKA OLYMPIAN

Mr. NELSON of Nebraska. Mr. President, I rise today to congratulate Curt Tomasevicz of Shelby, NE, and his teammates who won the gold medal in the four-man bobsled at the Winter Olympic games in Vancouver, British Columbia, Canada. It was the first gold medal for the United States in this event since the 1948 St. Moritz, Switzerland, games more than 60 years ago.

After blistering the course with back-to-back track records, the U.S. sled only needed to post a solid fourth run to give the United States a gold medal. The Americans made it through the course in 51.52 seconds, resulting in a total time of 3:24.46, 0.38 seconds ahead of second place.

Curt got his start in sports at Shelby High School, where he helped the football team to the State semifinals and was an all-conference pick as both a linebacker and a fullback. After high school, Curt attended the University of Nebraska, where he continued his football career as a Cornhusker.

In 2004, Curt began bobsledding; and just 2 years later, he earned a spot on the U.S. Olympic team competing in Torino, Italy. Since then, he has continued to compete in international bobsledding events and took home a World Cup gold medal in two-man sledding in 2007.

Curt's dedication and hard work is an inspiration to all Nebraskans. He showed what can be accomplished through determination and teamwork. Congratulations, Curt, on your inspiring achievement of Olympic gold. It is a tremendous accomplishment and instills pride in all Nebraska.

ADDITIONAL STATEMENTS

REMEMBERING DORIS HADDOCK

• Mr. FEINGOLD. Mr. President, today I pay tribute to Doris Haddock, who passed away on March 9. Doris was an extraordinary American who showed all of us the meaning of dedication and conviction.

Known to so many of her admirers as Granny D, Doris walked across the country, from California to Washington DC, to push for passage of the

McCain-Feingold bill. That coast-to-coast trek would be a tremendous accomplishment at any age, to be sure, but Doris did it in her 90th year. I had the pleasure of meeting Doris and walking with her through Nashville, TN, many months into her trip. As we walked together through the streets of Nashville, shouts of ''Go, Granny Go'' came from every corner—from drivers in their cars, pedestrians on the sidewalk and construction workers on the job.

It was an honor to walk alongside her on her incredible journey, where she endured so much—intense desert heat, bone-chilling cold, and uncertainty about where she would find shelter along the way. Yet she walked all that way, and as she did she inspired countless Americans to stand up for our democracy. She truly had the courage of her convictions, and that is something she proved with every step she took.

I will always be proud to have had Doris's support for the Bipartisan Campaign Reform Act. Doris and Americans like her made all the difference as we worked to ban soft money and curb the power of wealthy interests in our democracy. And it turned out that with her walk across the country, Doris was just getting started. She continued to work as a dedicated activist, wrote books and, at age 94, ran for the Senate in her home state of New Hampshire. Her energy and determination, at an age that most of us can only hope to reach, were truly incredible.

After I sent Doris a letter on her 100th birthday in January, I received a very kind note from her in response. In it she said that she was ''working on plans for the future,'' which I thought was an absolutely wonderful thing to say at such an advanced age. Doris was very unhappy with the Supreme Court's decision in the Citizens United case, and that was going to be a focus of her formidable energy going forward. After a century, Doris seemed to be just getting started, and that was one of the many wonderful qualities that brought her so many fans and admirers. In the wake of the Supreme Court's decision allowing corporate cash to flood our elections, we will remember her efforts as we fight to ensure all Americans are heard on election day, not just the rich and powerful.

My thoughts today are with Doris's family, and all who were lucky enough to know her. Our country is a better place because Doris Haddock was constantly working on plans for the future, and on ways to build a better future for our country. I am personally deeply grateful for her many efforts, and I am proud to pay tribute to her memory today.●

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.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED ON MARCH 15, 1995, WITH RESPECT TO IRAN—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2010.

The crisis between the United States and Iran resulting from actions and policies of the Government of Iran that led to the declaration of a national emergency on March 15, 1995, has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *March 10, 2010*.

MESSAGES FROM THE HOUSE

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the ''Captain Luther H. Smith, U.S. Army Air Forces Post Office''.

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hartge Post Office''.

The message also announced that pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381), as amended by Public Law 111–114, the Speaker and Minority Leader of the House of Representatives, with the Majority and Minority Leaders of the United States Senate, jointly reappoint the following private individuals each to a 5-year term on the Board of Directors of the Office of Compliance: Mr. Alan V. Friedman of California, Ms. Susan S. Robfogel of New York, and Ms. Barbara Childs Wallace of Mississippi; and jointly designate as Chair, Ms. Barbara L. Camens of Washington, D.C.

At 12:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4786. An act to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.

At 1:05 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4783. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

ENROLLED BILL SIGNED

At 6:48 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. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the ''Captain Luther H. Smith, U.S. Army Air Forces Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the ''SPC Nicholas Scott Hartge Post Office''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3092. A bill to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the ''Joseph A. Ryan Post Office Building''.

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–5021. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Low Pathogenic Avian Influenza; Voluntary Control Program and Payment of Indemnity'' (Docket No. APHIS–2005–0109) received in the Office of the President of the Senate on March 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5022. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Honey Packers and Importers Research, Promotion, Consumer Education and Industry Information Order and Suspension of Assessments Under the Honey Research, Promotion, and Consumer Information Order'' (Docket Nos. AMS–FV–06–0176; FV–03–704–FR) received in the Office of the President of the Senate on March 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5023. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Installations and Environment), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC–5024. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Civil Works), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC–5025. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Army, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC–5026. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to the National Defense Authorization Bill for fiscal year 2011, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC–5027. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Native American Graves Protection and Repatriation Act Regulations—Disposition of Culturally Unidentifiable Human Remains'' (RIN1024–AD68) received in the Office of the President of the Senate on March 8, 2010; to the Committee on Energy and Natural Resources.

EC–5028. 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 ''Safe Harbor Failed Section 1031 Exchanges'' (Rev. Proc. 2010–14) received in the Office of the President of the Senate on March 8, 2010; to the Committee on Finance.

EC–5029. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Researcher Identification Card'' (RIN3095–AB59) received in the Office of the President of the Senate on March 9, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–5030. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Report of the Administration of the Government in the Sunshine Act for Calendar Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–5031. A communication from the Federal Communications Commission, transmitting, pursuant to law, the Commission's fiscal year 2009 Annual Performance Report; to the Committee on Homeland Security and Governmental Affairs.

EC–5032. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of important international agreements concerning nuclear terrorism and nuclear materials; to the Committee on the Judiciary.

EC–5033. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of treaties concerning maritime terrorism and the maritime transportation of weapons of mass destruction; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 443. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes (Rept. No. 111—161).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

Patrick K. Nakamura, of Alabama, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2010.

Patrick K. Nakamura, of Alabama, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2016.

Gary Blumenthal, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Chester Alonzo Finn, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Ari Ne'eman, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Dongwoo Joseph Pak, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Carol Jean Reynolds, of Colorado, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Fernando Torres-Gill, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Jonathan M. Young, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Gwendolyn E. Boyd, of Maryland, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2014.

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring June 5, 2012.

Sharon L. Browne, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13 , 2010.

Charles Norman Wiltse Keckler, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2010.

Victor B. Maddox, of Kentucky, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13 , 2010.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. BENNETT:

S. 3096. A bill to prevent an economic disaster by providing budget reform; to the Committee on the Budget.

By Mr. WICKER:

S. 3097. A bill to correct an error in the enrollment of the Consolidated Appropriations Act, 2010; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. BROWN of Ohio, and Mrs. SHAHEEN):

S. 3098. A bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3099. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir; to the Committee on Energy and Natural Resources.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3100. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3101. A bill to reduce barriers to entry in Federal contracting, and for other purposes;

to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. JOHNSON, Mr. LUGAR, Mr. BENNET, and Mr. GRAHAM):

S. 3102. A bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE:

S. 3103. A bill to help small businesses create new jobs and drive our Nation's economic recovery; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. Con. Res. 53. A concurrent resolution recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Services Memorial; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself, Mr. MCCAIN, Mr. KERRY, Mr. MENENDEZ, Mr. DODD, and Mr. LEMIEUX):

S. Con. Res. 54. A concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 78

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 78, a bill to amend the Internal Revenue Code of 1986 to provide a full exclusion for gain from certain small business stocks.

S. 557

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mr. PRYOR) 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. 582

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 582, a bill to amend the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 634

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1137

At the request of Mr. FEINGOLD, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1256

At the request of Ms. CANTWELL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1256, a bill to amend title XIX of the Social Security Act to establish financial incentives for States to expand the provision of long-term services and supports to Medicaid beneficiaries who do not reside in an institution, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1273, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1558

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1558, a bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

S. 1584

At the request of Mr. MERKLEY, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1584, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1604

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1604, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses.

S. 1681

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1744

At the request of Mr. SCHUMER, the names of the Senator from Idaho (Mr. RISCH), the Senator from Illinois (Mr. BURRIS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the names of the Senator from California (Mrs. BOXER) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Hawaii (Mr. AKAKA), the Senator from South Dakota (Mr. JOHNSON), the Senator from North Dakota (Mr. DORGAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2960

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2960, a bill to exempt aliens who are admitted as refugees or granted asylum and are employed overseas by the Federal Government from the 1-year physical presence requirement for adjustment of status to that of aliens lawfully admitted for permanent residence, and for other purposes.

S. 2994

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) 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. 3036

At the request of Mr. BAYH, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3056

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of 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.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of 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.

S. 3095

At the request of Mr. INHOFE, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER), the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CORNYN), the Senator from Nevada (Mr. ENSIGN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Massachusetts (Mr. BROWN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. COBURN), the Senator from Nebraska (Mr. JOHANNS), the Senator from Kansas (Mr. ROBERTS), the Senator from Kentucky (Mr. BUNNING), the Senator from Arizona (Mr. KYL), the Senator from South Dakota (Mr. THUNE) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 3095, a bill to reduce the deficit by establishing discretionary caps for nonsecurity spending.

S. RES. 412

At the request of Mrs. GILLIBRAND, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. Res. 412, a resolution designating September 2010 as ''National Childhood Obesity Awareness Month''.

AMENDMENT NO. 3447

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of amendment No. 3447 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. BENNETT:

S. 3096. A bill to prevent an economic disaster by providing budget reform; to the Committee on the Budget.

Mr. BENNETT. Mr. President, as I move around the State of Utah to talk to my constituents, I find, with all of the other specifics they are concerned about, the one thing just about everybody is concerned about is our long-term fiscal situation. They are worried about debt. They are worried about the deficit in this year that is adding to the debt. They say to me: What can we do about it? They listen to the pundits who talk on the air about this particular project or that particular project that sounds outrageous. Many times the projects are, in fact, legitimate, but they make good copy.

I say, if you add up all of these projects together—the good ones and the bad ones—and eliminated them all, you would reduce the Federal deficit by less than 1 percent. Let's talk about where the money lies. Let's talk about where the challenge is. So I present to my constituents a series of charts that I will present here that outline where the challenge is.

One of the things that becomes clear, as we go into this debate, is it is not just our financial situation that is in trouble. The pressures created by our debt are crossing over into the area of national security. We cannot maintain our military or our diplomatic initiatives with the kinds of pressures continually increasing.

So a little bit of history, which I share with my constituents and that I share here as the background for the bill I am introducing today.

This is a very simple pie chart that shows the components of Federal spending back in 1966. I ask my constituents: Why do I pick 1966 as the year to start? Some of them know the answer; some of them do not. But in 1966, mandatory spending constituted 26 percent of the budget, and interest on the national debt another 7 percent. You have to pay the interest on the bonds, so that is mandatory spending as well. So the government is committed for a third of the budget before the Congress ever gets around to appropriating any money.

In 1966, the biggest portion of mandatory spending was Social Security. The combination of Social Security and other mandatory programs, and the interest cost, was one-third of the budget. The other two-thirds was available to the Congress. Of that spending, defense spending was 44 percent of the total. Defense spending, obviously, dominated nondefense discretionary spending.

Where are we today? What has happened in the years since 1966 and today? Here are the components of Federal spending in fiscal 2008. I picked that year, before the tsunami hit us—the financial tsunami that caused the meltdown and all of the problems—as

perhaps a demonstration of what is happening structurally within the budget, not affected by any particular emergency.

Mandatory spending has now grown to 54 percent. Interest costs are from 7 to 8 percent. So the two of them constitute roughly two-thirds of the budget. From 1966 to 2008, mandatory spending now is twice as big in its proportion of the budget than it used to be. Defense spending has shrunk to a half of what it was back in the 1960s, and nondefense discretionary spending is about the same.

All right. Now back to the question: Why did I pick 1966 as the year to start with? Because that is the year the Federal Government got into the medical business and enacted Medicare. Since then, we have added Medicaid. So today, when you talk about mandatory spending, Social Security is no longer the dominant factor. It is a combination of Social Security, Medicare, and Medicaid.

I will leave aside the issue of the value of those programs. I am just talking about the money we are spending here. Today, as we argue over congressional spending, we only have a third of the budget to talk about, and half of that, roughly, is defense spending.

Let's go to fiscal year 2009. Mandatory spending has grown to 59 percent. The interest cost is 5 percent. Defense will have shrunk, nondefense will have shrunk. The reason the interest costs are shrinking is because we are borrowing money at a lower rate by virtue of the things that have happened with the financial tsunami.

But now let's go out 10 years to 2020 and see where we will be. In 10 years, mandatory spending will have grown to 58 percent. The interest costs will have grown to 13 percent, and defense and nondefense together will constitute only 30 percent. If defense is shrunk to 15 percent of the budget, it begins to bite very seriously into America's role in national security around the world.

One author I have looked at who has talked about America's role in the world in a very thoughtful way looks ahead to this, and he says the greatest threat to America's position in the world is not China, it is not India, it is not North Korea. It is Medicare. The greatest threat to America's ability to sustain itself and its national security is coming from the growth of mandatory spending.

If we spend all of our time arguing over those tiny things that make good copy in newspapers and on television and do not address this inexorable growth, we will discover that the Congress has become irrelevant. Three-fourths of the budget of Congress will already be spent before the Congress even meets, and only one-fourth will be left for us to talk about, and that one-fourth will have to include our spending for national security, and you will see how everything else will get squeezed out.

I had that hit me directly as we had the debate last year on the budget resolution for fiscal year 2010. Standing at this very place, I looked down at the bill that was presented and sitting here on a podium, and it projected Federal revenues for fiscal year 2010 at $2.2 trillion—down because of the challenges we had with the economic meltdown. Then on the next page it said: mandatory spending, $2.2 trillion. That meant everything we do in government in fiscal year 2010, other than mandatory spending—the Defense Department, the war in Afghanistan, the FAA which controls the airplanes, the national parks, our embassies overseas, the FBI, all of our law enforcement, the border security—everything, every single dime we spend in government, other than mandatory spending, in fiscal year 2010 had to be borrowed. We did not have a single dime of tax revenue available to pay for anything in government because it was all taken up in mandatory spending.

All right. What does this do to us long term as a nation?

People keep talking about the national debt and how it is growing and growing and growing. Actually, the national debt has not been growing and growing and growing over the years. Here is a chart that shows the national debt measured in the way it should be measured, as a percentage of the gross domestic product, the size of the national debt with respect to the size of the economy.

To illustrate why this is the way to do it—I have often used this example on the Senate floor—I ran a company before I came here. When I became the CEO of that company it was very small. It had a debt of $75,000. When I stepped down to retire prior to running for the Senate, the debt was $7.5 million. One might say: Well, BOB BENNETT, you are not a very good manager if you ran the debt up from $75,000 to $7.5 million. Then you look at the debt the way you should look at it.

At the time I became the CEO of that company, they were doing under $300,000 a year in total revenue. They had no margin at all. Every dime they took in, in revenue, was eaten up with costs, and they could not make the payments on the $75,000 debt. The $75,000 debt threatened the survival of the company. When we had a $7.5 million debt, the company was doing over $80 million in business, and we had a 15-percent margin on sales. We were earning more per year than the whole debt we had, and the only reason we didn't pay it off is because we had some prepayment penalties built into the mortgages we had established. So I wasn't such a bad steward after all, if you make the measure totally on the basis of the size of the debt. I was a good steward if you make it on the measure of the debt in relationship to the size of the enterprise.

That is what this chart shows: the national debt as a percentage of the size of the enterprise, to use business terms; in this case, the size of the economy.

We see that just after the Second World War our national debt was well over 100 percent of GDP, and in the two decades after the Second World War, we come from 1945 to 1965, the debt had shrunk from over 100 percent of GDP to close to 30 percent of GDP. Even though it was going up in nominal dollars, it was coming down as a percentage because the economy was growing so rapidly. Then, once again, we add to our entitlement spending, we add Medicare, and we see this is the trough. It begins to grow and it begins to grow.

When we get to the end of the Cold War, it turns down again because of two things: No. 1, our defense spending goes down and the economy booms. We get tremendous growth as a result of the end of the Cold War. It was at 46.9 percent when Medicare and Medicaid got started, and not much different in 1989 by the end of the Cold War, 53.1 percent. This shows the historic level it has been.

OK. Now, this is the history, and the blue line shows the projections that the Obama administration has given us as to what will happen under their spending plan. One thing we know about projections is that they are always wrong. We don't know whether they are wrong on the high side or the low side, but we know they are always wrong. What usually happens is that the projections are always optimistic and circumstances come in with a result that is less than we had hoped for.

So if we take this as an optimistic projection, we are saying when we get to 2020, which is only a decade away—only 10 years away—the national debt will be back up very close to what it was at the end of the Second World War. That is unacceptable. Everyone in this Chamber knows that entitlement spending is the driving force behind all of this. Everyone in this Chamber knows shaving back a little on this program or cutting out a particular grant on another program will have no real impact on this if we don't have the courage to deal with entitlement spending.

So today I am introducing a bill to deal with entitlement spending. I have no illusions that it is going to pass in this Congress, but I wish to lay it down so we at least have a marker from which to begin. I have already done that with Social Security.

Several years ago, when I was chairman of the Joint Economic Committee, I held a series of hearings on Social Security and discovered that we can indeed solve the Social Security problem. We can move numbers around a little and say to everyone who is currently drawing Social Security: You will continue to draw Social Security throughout your lifetime, adjusted for inflation. Nothing will happen to it. Furthermore, your children can draw the same level of Social Security benefits that you draw adjusted for inflation through their lifetimes without any

danger to it, and their children can draw Social Security throughout their lifetimes at exactly the same level adjusted for inflation, without a tax increase.

How is that possible? The way it is possible is to say we are only going to allow Social Security benefits to grow as rapidly as inflation grows. We already have built into the program that we are going to pay Social Security plus inflation, plus a nice little kicker along the way. That nice little kicker along the way over 10 years, and then 20 years, then 30 years pretty soon gets us into the kind of trouble I have described. If we say, no, we will allow it to grow with respect to inflation, but we will not allow it to grow any more rapidly than that, then the kind of thing that happened here can happen again. As the economy grows more rapidly than the inflation rate, we will see the national debt begin to come down, we will see the pressure on national security begin to ease, and we will see the great concern that Americans have about the financial situation begin to be addressed in the way it was addressed in the years after the Second World War.

I am not saying we abolish entitlement programs. There are some of my constituents who say that is the thing to do: just abolish Medicare; abolish Social Security. I say, yes, we want to abolish these things but keep the taxes because that is what we would have to do if we are going to get the financial circumstance we like. No, over time, we can do this without abolishing these programs, but we have to see to it they do not grow.

So here is what my bill will do. It will control the growth of entitlement spending by reinstating spending limits and saying entitlement programs cannot grow at a rate faster than the inflation rate. That will mean to the future Congresses, if they adopt this bill: OK, we can still spend for Medicare, we can still spend for Medicaid, we can still do Social Security, but we can't add things to it in such a way that will cause it to grow more rapidly than inflation, No. 1. No. 2, do the same thing with all nondefense discretionary spending. We will allow it to grow each year in accordance with the inflation rate, but we will not allow increases in nondefense discretionary spending more rapidly than the inflation rate. Then, No. 3, enforce the spending caps with automatic spending reductions and budget points of order, the details of the kind of thing we get into around here all the time.

The bill is very simple, very straightforward, but it gives the kind of direction that many of the solutions that have been proposed around here don't do. Many of the solutions we have around here sound great, and they are very complicated—this point of order lies here, and that situation there—but, overall, we are turning our backs on two-thirds of the Federal spending. We say we would not address them because these programs are popular, and we don't want to offend the voters by saying something has to be done with the most popular programs in America.

I find the voters are saying we have to deal with this. We have to have the courage to deal with it, which means we have to have the courage to deal with entitlement spending and not just focus on nondefense discretionary spending.

The final thing my bill will do is to prohibit the creation of any new mandatory spending programs, which is, again, part of the problem we have had.

I close by repeating a question I ask my constituents as I am making this presentation to them. I say: How many of you know who Willie Sutton was? Most of my audience is young enough not to know the answer to that question, but there are a few who say Willie Sutton was a bank robber, and that is true. He wasn't a very good bank robber because he kept getting caught. Each time he would serve his sentence and then he would go out after he had been released from prison and he would rob another bank.

Finally, somebody said to him—and this is why we remember Willie Sutton, not for being a bad bank robber but for the comment he made. Somebody said: Willie, why do you keep robbing banks?

He said: Because that is where the money is.

We look at the national debt, we look at the problems we face, and we ask the question: Where is the money? We have to rein in the entitlement spending because that is where the money is. It is two-thirds of the budget now, three-fourths of the budget within 10 years. If we continue to ignore the growth of entitlement spending and focus entirely on the rest of it, that makes good press but not good policy. We will find our financial situation is up here, our national debt will be as high as it was with the percentage of GDP as it was after the Second World War, and our national security will be threatened to the point that our entire posture around the world will be changed, simply because we would not be able to afford it.

It is for that reason that I send to the desk an act that may be cited as the Economic Disaster Prevention Act of 2010 that deals with spending limits on entitlement programs as well as spending limits on discretionary spending, and the prohibition of any new mandatory spending programs.

By Mr. MERKLEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. BROWN of Ohio, and Mrs. SHAHEEN):

S. 3098. A bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LEVIN. Mr. President, I would like to relay a story that says a great deal about how the worst financial crisis since the Great Depression came to be.

In 2006, a bond trader at Lehman Brothers struck up a conversation with one of the firm's college interns. When the trader asked this intern, who had not yet begun his senior year, what he was doing on his winter vacation, the young man replied that he would be trading derivatives for Lehman. That was a surprise, but the shock came when the intern said the firm had given him $150 million of its own money for this college student to bet on risky derivatives.

Now, one college junior and his $150 million trading account did not bring the entire financial system close to collapse. But it is just this brand of recklessness that led to the need for multibillion-dollar bailouts and to the worst recession in decades, one that has left millions of Americans without a job.

The losses that Lehman and other large financial firms racked up, trading on their own account and not on the behalf of investors, helped build the bonfire that nearly engulfed our entire financial system.

That is why I have joined Senators MERKLEY, KAUFMAN, SHERROD BROWN, and SHAHEEN to introduce the Protect our Recovery Through Oversight of Proprietary Trading Act, or PROP Trading Act. With this legislation, we attempt to rein in some of the reckless practices that led to economic catastrophe, the proprietary trading and hedge-fund operations that lost billions of dollars, caused the collapse of some of our biggest financial institutions, and pushed other major financial firms to the brink of collapse.

This legislation would accomplish several important goals to ensure that the abuses of recent years don't lead to another crisis. It would ban taxpayer insured banks, and their affiliates and subsidiaries, from engaging in proprietary trading that is, trading on their own behalf and not that of their customers. It would ban taxpayer insured banks from investing in or sponsoring hedge funds or private equity funds. Nonbank institutions that are critically important to the systemic health of the financial system, i.e., those that have been deemed ''too big to fail,'' would be subject to new capital requirements and limits on their ability to trade on their own behalf or invest in hedge funds or private equity funds. Federal regulators would set those requirements and limits. And our legislation would prohibit underwriters of asset-backed securities from engaging in transactions that create a conflict of interest with respect to the securities they package and sell.

The reaction of Wall Street has been swift. Proprietary trading, they tell us, was not a large factor in creating the financial crisis. And restrictions on proprietary trading would have no effect in preventing the next crisis.

On both points, they are wrong. Here is why.

While Wall Street claims that proprietary trading was a tiny part of its operations before the crisis, their financial reports during the boom years tell a different story. Firms such as Goldman Sachs and Lehman Brothers earned as much as half their revenue on proprietary trades when markets were booming. Bank of America reported in a 2008 regulatory filing that losses in ''large proprietary trading and investment positions'' had ''a direct and large negative impact on our earnings.'' JP Morgan Chase warned in its 10K filing for 2008 that it held large ''positions in securities in markets that lack pricing transparency or liquidity,'' presumably proprietary positions. Likewise, Goldman Sachs told regulators that the collapse of proprietary asset values ''have had a direct and large negative impact'' on its earnings.

What these firms are saying in the dry, lawyerly language of SEC filings is that they had been betting big, and losing big, and those failed bets had done them serious harm.

How much harm? By August of 2008, according to one estimate, the nation's largest financial firms had suffered $230 billion in losses from proprietary trading. Only a Wall Street trader could dismiss such losses as immaterial; in fact, that total is about one-third the size of the Wall Street rescue package we were forced to approve. Nearly every major financial institution suffered major losses in proprietary trades. Lehman Brothers, whose bankruptcy was a major contributor to the financial crisis, in 2006 derived more than half its revenue from proprietary trades. By 2007, its proprietary holdings totaled $313 billion. But the firm lost $32 billion on such trades in 2007 and 2008, nearly double the value of the firm's common equity. Bear Stearns collapsed and was bought by JP Morgan Chase with federal aid in large part because of the collapse of its hedge funds. Morgan Stanley, JP Morgan Chase, Merrill Lynch, Goldman Sachs, each suffered major losses as a result of the risky bets they placed on securities that plummeted in value.

There also is a need to prevent financial institutions that create asset-backed securities from engaging in transactions connected to those securities that present a conflict of interest. As has been widely reported, some institutions at the height of the boom in asset-backed securities were creating these securities, selling them to investors, and then placing bets that their product would fail. Phil Angelides, the chairman of the Financial Crisis Inquiry Commission, has likened this practice to selling customers a car with faulty brakes, and then buying life insurance on the driver. It is an abusive practice, it should stop, and our legislation would stop it.

It would be irresponsible of us to allow such risk and abuse to remain present in our financial system, lying dormant until the day we are once again on the brink of financial catastrophe, and once again the need to rescue financial firms who refuse to prudently manage their risks. This legislation is urgently important, and I urge my colleagues to carefully consider the consequences of failing to act.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. JOHNSON, Mr. LUGAR, Mr. BENNET, and Mr. GRAHAM):

S. 3102. A bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. MERKLEY. Mr. President, I rise today to introduce legislation that will create jobs and lower energy bills for families and small businesses in rural communities by promoting energy-saving home renovations.

I am honored to be joined in this effort by a bipartisan group of colleagues that includes Senator SHAHEEN, Senator LUGAR, Senator GRAHAM, Senator JOHNSON, and Senator BENNET of Colorado. Our colleagues in the other chamber are introducing companion legislation sponsored by Representatives CLYBURN, PERRIELLO, WHITFIELD, and SPRATT.

Our proposed Rural Energy Savings Program would assist rural electric co-operatives in offering ''on-bill'' financing to their customers. This concept offers two clear and important benefits for consumers, including homeowners and owners of commercial or industrial property.

First, it addresses the challenge of the up-front cost of building renovations. Energy efficiency measures almost always make business sense in the long term, because they lower the energy bill for the family or business. But often, the family or business cannot afford the upfront cost of the renovation. By offering low-cost financing, we can let families and businesses pay for the cost of the renovation on the same time frame that they are getting savings on their energy bill.

Second, we avoid complicating consumers' lives with another loan payment by offering a very simple repayment mechanism: under ''on-bill'' financing, the consumer repays the loan through a charge on their electric bill.

This bill offers these benefits to Americans across the country by using existing structures in place to provide federal assistance to rural electric co-operatives. Specifically, the Rural Utilities Service will offer loans at zero percent interest to rural co-operatives, who can then offer on-bill financing to their customers at no more than three percent interest. The difference can be used to pay the local nonprofit co-operatives' overhead expenses or to establish a loan loss reserve. There are more than 900 electric co-operatives serving 42 million Americans, so we expect this program to create jobs and help lower energy bills in rural communities all over the country.

For our rural communities to recover and thrive in the wake of the economic crisis, we need to put people back to work and lower families' expenses, and the Rural Energy Savings Program does both.

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. 3102

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 ''Rural Energy Savings Program Act''.

SEC. 2. RURAL ENERGY SAVINGS PROGRAM.

Title VI of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 note et seq.) is amended by adding the following new section:

''SEC. 6407. RURAL ENERGY SAVINGS PROGRAM.

''(a) PURPOSE.—The purpose of this section is to create and save jobs by providing loans to qualified consumers that will use the loan proceeds to implement energy efficiency measures to achieve significant reductions in energy costs, energy consumption, or carbon emissions.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) any public power district, public utility district, or similar entity, or any electric cooperative described in sections 501(c)(12) or 1381(a)(2)(C) of the Internal Revenue Code of 1986, that borrowed and repaid, prepaid, or is paying an electric loan made or guaranteed by the Rural Utilities Service (or any predecessor agency); or

''(B) any entity primarily owned or controlled by an entity or entities described in subparagraph (A).

''(2) ENERGY EFFICIENCY MEASURES.—The term 'energy efficiency measures' means, for or at property served by an eligible entity, structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

''(3) QUALIFIED CONSUMER.—The term 'qualified consumer' means a consumer served by an eligible entity that has the ability to repay a loan made under subsection (d), as determined by an eligible entity.

''(4) QUALIFIED ENTITY.—The term 'qualified entity' means a non-governmental, not-for-profit organization that the Secretary determines has significant experience, on a national basis, in providing eligible entities with—

''(A) energy, environmental, energy efficiency, and information research and technology;

''(B) training, education, and consulting;

''(C) guidance in energy and operational issues and rural community and economic development;

''(D) advice in legal and regulatory matters affecting electric service and the environment; and

''(E) other relevant assistance.

''(5) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Rural Utilities Service.

''(c) LOANS AND GRANTS TO ELIGIBLE ENTITIES.—

''(1) LOANS AUTHORIZED.—Subject to paragraph (2), the Secretary shall make loans to eligible entities that agree to use the loan funds to make loans to qualified consumers as described in subsection (d) for the purpose of implementing energy efficiency measures.

''(2) LIST, PLAN, AND MEASUREMENT AND VERIFICATION REQUIRED.—

''(A) IN GENERAL.—As a condition to receiving a loan or grant under this subsection, an eligible entity shall—

''(i) establish a list of energy efficiency measures that is expected to decrease energy use or costs of qualified consumers;

''(ii) prepare an implementation plan for use of the loan funds; and

''(iii) provide for appropriate measurement and verification to ensure the effectiveness of the energy efficiency loans made by the eligible entity and that there is no conflict of interest in the carrying out of this section.

''(B) REVISION OF LIST OF ENERGY EFFICIENCY MEASURES.—An eligible entity may update the list required under subparagraph (A)(i) to account for newly available efficiency technologies, subject to the approval of the Secretary.

''(C) EXISTING ENERGY EFFICIENCY PROGRAMS.—An eligible entity that, on or before the date of the enactment of this section or within 60 days after such date, has already established an energy efficiency program for qualified consumers may use an existing list of energy efficiency measures, implementation plan, or measurement and verification system of that program to satisfy the requirements of subparagraph (A) if the Secretary determines the list, plans, or systems are consistent with the purposes of this section.

''(3) NO INTEREST.—A loan under this subsection shall bear no interest.

''(4) REPAYMENT.—A loan under this subsection shall be repaid not more than 10 years from the date on which an advance on the loan is first made to the eligible entity.

''(5) LOAN FUND ADVANCES.—The Secretary shall provide eligible entities with a schedule of not more than ten years for advances of loan funds, except that any advance of loan funds to an eligible entity in any single year shall not exceed 50 percent of the approved loan amount.

''(6) JUMP-START GRANTS.—The Secretary shall make grants available to eligible entities selected to receive a loan under this subsection in order to assist an eligible entity to defray costs, including costs of contractors for equipment and labor, except that no eligible entity may receive a grant amount that is greater than four percent of the loan amount.

''(d) LOANS TO QUALIFIED CONSUMERS.—

''(1) TERMS OF LOANS.—Loans made by an eligible entity to qualified consumers using loan funds provided by the Secretary under subsection (c)—

''(A) may bear interest, not to exceed three percent, to be used for purposes that include establishing a loan loss reserve and to offset personnel and program costs of eligible entities to provide the loans;

''(B) shall finance energy efficiency measures for the purpose of decreasing energy usage or costs of the qualified consumer by an amount such that a loan term of not more than ten years will not pose an undue financial burden on the qualified consumer, as determined by the eligible entity;

''(C) shall not be used to fund energy efficiency measures made to personal property unless the personal property—

''(i) is or becomes attached to real property as a fixture; or

''(ii) is a manufactured home;

''(D) shall be repaid through charges added to the electric bill of the qualified consumer; and

''(E) shall require an energy audit by an eligible entity to determine the impact of proposed energy efficiency measures on the energy costs and consumption of the qualified consumer.

''(2) CONTRACTORS.—In addition to any other qualified general contractor, eligible entities may serve as general contractors.

''(e) CONTRACT FOR MEASUREMENT AND VERIFICATION, TRAINING, AND TECHNICAL ASSISTANCE.—

''(1) CONTRACT REQUIRED.—Not later than 60 days after the date of enactment of this section, the Secretary shall enter into one or more contracts with a qualified entity for the purposes of—

''(A) providing measurement and verification activities, including—

''(i) developing and completing a recommended protocol for measurement and verification for the Rural Utilities Service;

''(ii) establishing a national measurement and verification committee consisting of representatives of eligible entities to assist the contractor in carrying out this section;

''(iii) providing measurement and verification consulting services to eligible entities that receive loans under this section; and

''(iv) providing training in measurement and verification; and

''(B) developing a program to provide technical assistance and training to the employees of eligible entities to carry out this section.

''(2) USE OF SUBCONTRACTORS AUTHORIZED.—A qualified entity that enters into a contract under paragraph (1) may use subcontractors to assist the qualified entity in performing the contract.

''(f) FAST START DEMONSTRATION PROJECTS.—

''(1) DEMONSTRATION PROJECTS REQUIRED.—The Secretary shall enter into agreements with eligible entities (or groups of eligible entities) that have energy efficiency programs described in subsection (c)(2)(C) to establish an energy efficiency loan demonstration projects consistent with the purposes of this section that—

''(A) implement approaches to energy audits and investments in energy efficiency measures that yield measurable and predictable savings;

''(B) use measurement and verification processes to determine the effectiveness of energy efficiency loans made by eligible entities;

''(C) include training for employees of eligible entities, including any contractors of such entities, to implement or oversee the activities described in subparagraphs (A) and (B);

''(D) provide for the participation of a majority of eligible entities in a State;

''(E) reduce the need for generating capacity;

''(F) provide efficiency loans to—

''(i) not fewer than 20,000 consumers, in the case of a single eligible entity; or

''(ii) not fewer than 80,000 consumers, in the case of a group of eligible entities; and

''(G) serve areas where a large percentage of consumers reside—

''(i) in manufactured homes; or

''(ii) in housing units that are more than 50 years old.

''(2) DEADLINE FOR IMPLEMENTATION.—The agreements required by paragraph (1) shall be entered into not later than 90 days after the date of enactment of this section.

''(3) EFFECT ON AVAILABILITY OF LOANS NATIONALLY.—Nothing in this subsection shall delay the availability of loans to eligible entities on a national basis beginning not later than 180 days after the date of enactment of this section.

''(4) ADDITIONAL DEMONSTRATION PROJECT AUTHORITY.—The Secretary may conduct demonstration projects in addition to the project required by paragraph (1). The additional demonstration projects may be carried out without regard to subparagraphs (D), (F), or (G) of paragraph (1).

''(g) ADDITIONAL AUTHORITY.—The authority provided in this section is in addition to any authority of the Secretary to offer loans or grants under any other law.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Secretary in fiscal year 2010 $993,000,000 to carry out this section. Notwithstanding paragraph (2), amounts appropriated pursuant to this authorization of appropriations shall remain available until expended.

''(2) AMOUNTS FOR LOANS, GRANTS, STAFFING.—Of the amounts appropriated pursuant to the authorization of appropriations in paragraph (1), the Secretary shall make available—

''(A) $755,000,000 for the purpose of covering the cost of direct loans to eligible entities under subsection (c) to subsidize gross obligations in the principal amount of not to exceed $4,900,000,000;

''(B) $25,000,000 for measurement and verification activities under subsection (e)(1)(A);

''(C) $2,000,000 for the contract for training and technical assistance authorized by subsection (e)(1)(B);

''(D) $200,000,000 for jump-start grants authorized by subsection (c)(6); and

''(E) $1,100,000 for each of fiscal years 2010 through 2019 for ten additional employees of the Rural Utilities Service to carry out this section.

''(i) EFFECTIVE PERIOD.—Subject to subsection (h)(1) and except as otherwise provided in this section, the loans, grants, and other expenditures required to be made under this section are authorized to be made during each of fiscal years 2010 through 2014.

''(j) REGULATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate such regulations as are necessary to implement this section.

''(2) PROCEDURE.—The promulgation of the regulations and administration of this section shall be made without regard to—

''(A) chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'); and

''(B) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

''(3) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

''(4) INTERIM REGULATIONS.—Notwithstanding paragraphs (1) and (2), to the extent regulations are necessary to carry out any provision of this section, the Secretary shall implement such regulations through the promulgation of an interim rule.''.

By Ms. SNOWE:

S. 3103. A bill to help small businesses create new jobs and drive our Nation's economic recovery; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise this evening to speak to the urgent imperative of job creation in our country

and impress upon my colleagues that if we are serious about assisting our Nation's small businesses—the very catalysts that will lead us out of the longest and deepest recession since World War II—we cannot devolve once again into more delays. To that end, I filed an amendment to the tax extenders legislation before this Chamber which included a package of six bipartisan, achievable policy reforms designed to facilitate an entrepreneurial environment under which our Nation's almost 30 million small business firms can create new jobs. I had hoped to offer this amendment, which I am introducing today as a freestanding bill called the Small Business Job Creation Act, but after talking with the majority leader at length last week, I decided to forgo that opportunity, as the leader indicated to me personally—and to the entire Senate—that he, too, is anxious to address a small business jobs bill in the coming weeks.

Now that we have cleared the tax extenders package today and are taking up the long overdue Federal Aviation Administration reauthorization legislation, I hope the Senate as well will consider the jobs package that will include small business initiatives that are so vital and imperative to the well-being of small businesses throughout the country and that we can address this issue before the Easter recess.

As ranking member of the Senate Small Business Committee, I want to begin by taking a moment to tout the work our committee has accomplished in this Congress.

As one of the most bipartisan panels in the Congress, I appreciate the chair, Senator LANDRIEU, who has built on the foundation of 22 hearings and roundtables and reported out a series of bipartisan bills on topics ranging from access to capital, to exporting, and, just last week, small business contracting reform. I truly appreciate Chair LANDRIEU's approach in building a collaboration in the committee on these key issues. Most of the provisions I am championing here tonight originated from the work we have accomplished together in the committee as well.

When it comes to this jobs agenda, I would have preferred a different approach to advancing it—one that was more comprehensive and robust, frankly. This kind of piecemeal strategy is not one I would embrace. It is not one the New York Times approves of, either, for that matter. In fact, an editorial of theirs this week contained the following observation:

> [T]he danger is that with stopgap measures boosting the headline job numbers, Congress and the Administration will avoid the heavy lifting that is required to clear away the wreckage of the recession.

So it is not enough to say jobs, jobs, jobs are the new mantra. They must be the new singular mission of this Congress that deserves rigorous action, not just in dribs and drabs but as the full-tilt agenda of this institution.

Make no mistake, time is of the essence if we are to assist our Nation's small businesses. Nowhere is the test of meeting that challenge more immediate than with our Nation's small businesses, which at each turn and in every sector are having to struggle, not only at their own expense but at the expense of job creation and reversing our dire economic downturn.

Based on what I have heard firsthand from numerous small business forums in Maine that I have held, not only this year but last year, throughout the entire year of 2009, business owners are desperate for relief, and they want answers to the pervasive uncertainty they are confronted with on so many levels.

For example, as indicated on this chart, in an economic climate devoid of continuity on tax policy, skyrocketing health care costs, onerous regulations, or volatile energy prices, how can small businesses expect to hire a new employee, buy additional equipment, expand operations, or accurately forecast their operating costs? The regrettable fact is, they cannot as long as they remain not just unsure but understandably anxious about whether or when Washington will exact another tax, levy a new mandate, promulgate another regulation, or create more bureaucracy.

A solid foundational starting point would be enacting the provisions in the amendment I filed, many of which I underscored in a letter I sent to both the majority leader and the Republican leader. Frankly, there is such wide agreement on so many of these ideas. In fact, the Small Business Committee has approved many of these provisions unanimously, and the President has called for them to be included in a jobs package. So I think most people would be shocked to learn that they are not already enacted into law.

Getting back to the original proposition, it is the fact that there is uncertainty with respect to the policies that are emanating from Washington that creates a lot of anxiety and disenchantment about the direction we are taking but more importantly anxiety about their cost of doing business. What is it going to do to increase the cost of doing business, whether or not they are prepared to hire a new employee or make investments in capital and equipment, if they do not know the certainty of the propositions that come from Washington that could add to their costs of doing business? For example, if the centerpiece of any jobs agenda is assisting the best known job creators we have—our small businesses—then bringing some certitude to the expensing provisions in the Tax Code is unquestionably the place to begin.

I know the Senate has already enacted this legislation, extending what had been part of the stimulus plan to increase expensing immediately for small businesses to write off up to $250,000. That expired at the end of last year, and we have extended that proposition for the remaining 10 months in this year. But then again, it will expire. So at that point, in 2011, then small businesses will only be able to write off up to $25,000. So that is a $225,000 decline. Exactly how does that contribute to greater confidence for small business owners? How are they supposed to look to the future in the face of a Draconian measure of that magnitude? So, really, it is important to extend the small business expensing level of $250,000 not just for 10 months but at least for 5 years.

As we see in this chart I am showing in the Chamber this evening, between Republicans and Democrats and the administration, they support extending small business expensing, they support enacting a zero-percent capital gains rate for small businesses. So we have bipartisan solutions across the board with respect to these initiatives.

It is also important to make sure there is continuity in these policies, which is really the troubling point because it is so important to make sure they can look down the road. They might not be making a decision within the next 5 or 6 months or 10 months, but it is important for them to be able to see down the road beyond the 10 months that there is certitude with respect to the policies we are enacting, especially regarding tax relief and tax policy—the types of initiatives that, frankly, are going to be instrumental in making a difference in job creation.

So we have two initiatives here; that is, extending the small business expensing and enacting a zero-percent capital gains rate for small businesses, of which I joined with Senator KERRY in introducing that legislation. So it is true we can reach an agreement on some issues. That is important. And we are moving forward. But we have to give more longevity to these tax policies given the severity of the downturn, given the severity of the economic situation we face today, that it is a jobless recovery. We need to create jobs. If we are going to create jobs, then we have to create more permanent tax relief.

We have seen that with the credit crisis. Why can we not join forces and address this stifling credit crunch that is placing a perilous choke hold on our economy across the country? Why can we not agree on doing something viable and bold to confront such a universally acknowledged problem? It remains an unmitigated outrage, frankly, that the Federal Reserve's January Senior Loan Officer Opinion Survey found the percentage of banks easing credit terms for small businesses was an astonishing zero percent—zero percent. The same was true in October, the last time they conducted the survey.

So if you wanted not just to freeze credit but fossilize it, that would be the way to do it. This is not a recipe for recovery. After all, lending is critical. It is a lifeline to our economy, it is the lifeblood, and it is certainly a

lifeline for small businesses if they are going to be able to have jobs, to preserve jobs, or to make investments in the future.

But here again is another area where we could take immediate action right here and now, where we can turn this deplorable trend around beginning with boosting the SBA's access to credit. My provisions include key lending provisions from the bill I introduced in the Small Business Committee with Chair LANDRIEU which was reported out of our committee with a vote of 17 to 1—overwhelmingly bipartisan—to increase the maximum limits for the SBA 7(a) program and the 504 loan program from $2 million to $5 million, raising the maximum microloan limit from $35,000 to $50,000, and allowing for the refinancing of conventional small business loans through the SBA 504 program. Now, if fully utilized, the loan limit increases would create and retain up to an estimated 211,000 jobs.

I would note that enhancing SBA loans has already paid tremendous dividends, as in the stimulus bill, because we included these provisions which have been credited with increasing loan volumes by a remarkable 86 percent nationwide and in my own State of Maine, 227 percent. That is all as a result of what we included in the stimulus package last year in increasing and expanding the loan volumes under these programs. So it obviously is indicative of what can be accomplished.

So with numbers such as these, not to mention the endorsement of 80 business organizations, it is essential that we give these critical programs the ability to grow more small businesses.

Just as there is much we can do right away domestically, how about finally taking action to help our small businesses compete globally? Given that fewer than 1 percent of our small businesses export, it is all the more vital that we take advantage of this untapped market and help those enterprises sell their goods and services to 95 percent of the world's customers who live outside our borders.

In the State of the Union Address, President Obama made clear that we must double our exports over the next 5 years, and small businesses are a critical component of the administration's strategy and our national competitiveness. For this reason, my provisions were included in the small business exporting legislation I introduced with Chair LANDRIEU.

As this chart reveals, the provisions in the bill—larger SBA export loan limits, expanded export technical assistance, and enhanced assistance for trade promotion—had bipartisan support. They were reported unanimously by our panel and passed unanimously last December—unanimously. They have the administration's support. They have been endorsed by the U.S. Chamber of Commerce. So we have solidarity on this initiative, and for good reason, because it could create roughly 36,000 new American jobs in the year after enactment and 170,000 jobs over the next 5 years. So there is no reason on Earth why we cannot move on this bill today.

Whether we are debating trade or health care, a jobs bill or climate change, whatever the issue, it is also time we retool our thinking so that in every matter before us we are striving to create a climate in which our job creators cannot only survive but thrive. For example, for years we have had environmental impact statements. Well, in 2010, it is high time we require job impact statements. Consider that in 2009 alone, there were close to 70,000 pages in the Federal Register, and the annual cost of Federal regulations now totals more than $1.1 trillion, with small firms bearing the brunt.

There are enough built-in impediments to starting a small business, not to mention sustaining one, without the Federal Government compounding the problem. That is why I have included language in my legislation I introduced last month with Senator PRYOR requiring the Congressional Budget Office to provide such job impact statements for every single major initiative before Congress to evaluate its effect, positive and negative, on job creation, job losses, job preservation.

We didn't stop there. Our bill would also require Federal agencies to fully analyze the cost of regulations on small businesses which too often undermine and usurp the entrepreneurial spirit that has defined every generation of Americans.

Our bill is strongly supported by groups including the NFIB, the U.S. Chamber of Commerce, and the National Small Business Association.

My provisions include $50 million in funding for the Small Business Development Centers which, again, provide critical technical assistance and counseling to small businesses at over 1,000 locations nationwide. The SBDC program has a proven track record of job creation, and according to an annual report by Dr. James Chrisman of Mississippi State University, between 2007 and 2008, employment levels of SBDC clients have increased 10 percent more than for businesses in general. As a result of the additional funding I am pressing for, Dr. Chrisman estimates that over 20,000 new jobs would be created, while tens of thousands more will be saved.

Finally, while it is paramount that we move forward with the initiatives I have just described, we must simultaneously be mindful of their cost. I have also included an offset for this legislation. I do happen to think it is important that we provide offsets. I think we have to reexamine the stimulus package we enacted last year, much of which has been meritorious, much of which has worked, but there are other parts of it that have yet to be implemented or expended, and I think that is the point.

The fact is, with a projected $1.6 trillion deficit this year alone, it is essential that we look at ways in which we can pay for legislation, especially targeted toward job creation, that can be accomplished immediately. That is why I am proposing to fully offset the cost of my provision with unspent, unobligated funds that we appropriated as part of the stimulus.

I understand some of my colleagues oppose using unobligated stimulus funds as an offset, citing Congressional Budget Office data that the Recovery Act has added up to 2.1 million jobs and has preserved many jobs across this country. At the same time, I also believe it is our obligation to continually assess and reassess whether the Recovery Act is working because, after all, stimulus is supposed to be timely, targeted, and temporary. In two of the three instances it has not met those goals. In fact, as we have noted in this following chart, just $288 billion of the $787 billion that was enacted last February—only 37 percent of the total—has actually been spent. When you consider just the $275 billion of the stimulus's appropriated funding for expenditures such as contracts, grants, and loans, just $81.6 billion, or 30 percent, has been paid out.

That is where I think we need to reassess the three critical criteria of timely, targeted, and temporary. Obviously, for timeliness and being targeted, we have not met those goals. That is why I think we should redirect some of these stimulus funds to other purposes that are more effective, more immediate to do the job.

That is where our small businesses enter the equation, with these initiatives I have identified that are absolutely paramount to helping small businesses to create jobs across this country. After all, we are depending on small businesses to lead us out of this economic downturn. They have been the job generators in the past. They have created two-thirds of all the net new jobs in America.

We need to create millions and millions of jobs. We have 100,000 new entrants in the market every month, so we have to move expeditiously. That is the point here tonight.

I have an array of initiatives that are very critical and vital to small business and job generation. One, we have to do it immediately. Two, we have to be focused and we have to provide continuity of policy and certainty so that small businesses can look down the road and see what types of policies are emanating from Washington, DC.

As I said to the Secretary of the Treasury recently, would you take a risk in making investments today? Would you take a risk knowing what you are hearing in Washington? Since we will see more costs as a result of potential health care legislation, adding more costs to small businesses—and there is no question that with the Medicare payroll tax that is embedded in that legislation, that really is another hidden tax, just as the alternative minimum tax. It will raise taxes

62 percent, and it is not indexed for inflation. So we know what the exponential growth in that tax will become for small businesses. That is an example. Ten months does not make a policy of certainty with respect to tax relief.

We need to provide continuity of that policy with respect to tax relief, and small business expensing is certainly part of it. We can expand the loan limits under the SBA's programs, and 7(a) and 504 already demonstrated they can work. They did work in the year in which we expanded those programs. It has been demonstrated nationwide and certainly conclusively in my State. So why not move expeditiously to address those issues?

Finally, we can pay for it. We can redirect the stimulus. I think that is the most conservative, effective approach to paying for this legislation because, after all, if we have only spent 30 percent of the appropriated funds under stimulus and only 37 percent overall of the stimulus, we may not even spend $600 billion at the end of this year; we need to spend it now. That is the point, is spending it now. What are we waiting for?

There is no question that there is a sense of despair across the landscape in looking at the unemployment numbers. We are not creating jobs; we are losing jobs every month. Albeit it has improved in terms of the number of jobs lost, the fact is, we need to create millions and millions of jobs in addition to offsetting the new entrants into the market every month. We have a 9.7-percent unemployment rate. That means we have to get to work, and the only way we can do that is helping small businesses, and the only way we can do that is to put these initiatives to work before the Easter recess. Let's not delay and defer. We have time to do it now. It has broad unanimous support in the Small Business Committee. There is no reason we cannot accomplish this goal now.

I appreciate the majority leader's indication and commitment that he will bring a small business package to the floor. I urge the leader and I urge all Members of the Senate to support doing that before the Easter recess because we need to adopt it now, not months from now, because people depend on these jobs. There is uncertainty, and people are looking on their Main Streets in their communities, and what are they seeing is trouble. They are wondering whether the hardware store is going to stay open, or the barbershop. That creates either certainty or uncertainty; that is what creates either despair or hope.

So I hope we would move and that we would move with a sense of urgency with respect to small businesses. If we are depending on them, then we have to get to work now. There is no reason, no rationale, no excuse for not taking action in this Chamber in this Congress that can be signed by the President and that we can move forward on. So we should strive with every fiber of our beings to help these longtime beacons of our economy, which is going to give hope to all Americans. What they deserve is to see action that will create the kind of certainty, give them the kinds of resources that they deserve, and do it in a fiscally responsible manner.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 53—RECOGNIZING AND CONGRATULATING THE CITY OF COLORADO SPRINGS, COLORADO, AS THE NEW OFFICIAL SITE OF THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL SERVICE AND THE NATIONAL EMERGENCY MEDICAL SERVICES MEMORIAL

Mr. BENNET (for himself and Mr. UDALL of Colorado) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 53

Whereas in 1928, Julian Stanley Wise founded the first volunteer rescue squad in the United States, the Roanoke Life Saving and First Aid Crew, and Virginia subsequently took the lead in honoring the thousands of people nationwide who give their time and energy to community rescue squads;

Whereas in 1993, to further recognize the selfless contributions of emergency medical service (referred to in this preamble as ''EMS'') personnel nationwide, the Virginia Association of Volunteer Rescue Squads, Inc., and the Julian Stanley Wise Foundation organized the first annual National Emergency Medical Services Memorial Service in Roanoke, Virginia, to honor EMS personnel from across the country who died in the line of duty;

Whereas the National Emergency Medical Services Memorial Service is the annual memorial service to honor all air and ground EMS providers, including first responders, search and rescue personnel, emergency medical technicians, paramedics, nurses, and pilots;

Whereas the annual National Emergency Medical Services Memorial Service captures national attention by annually honoring and remembering EMS personnel who have given their lives in the line of duty;

Whereas the annual National Emergency Medical Services Memorial Service is devoted to the families, colleagues, and loved ones of those EMS personnel;

Whereas the singular devotion of EMS personnel to the safety and welfare of their fellow citizens is worthy of the highest praise;

Whereas the annual National Emergency Medical Services Memorial Service is a fitting reminder of the bravery and sacrifice of EMS personnel nationwide;

Whereas EMS personnel stand ready 24 hours a day, every day, to assist and serve people in the United States with life-saving medical attention and compassionate care;

Whereas the National Emergency Medical Services Memorial Service Board sought and selected a new city to host the annual National Emergency Medical Services Memorial Service;

Whereas the city of Colorado Springs, Colorado, was chosen to host the National Emergency Medical Services Memorial, the annual National Emergency Medical Services Memorial Service, and the families of our fallen EMS personnel;

Whereas ''Flight for Life'' in Colorado was founded in 1972 as the first civilian-based helicopter medical evacuation system established in the United States;

Whereas ambulance systems in Colorado provide care and transport to approximately 375,000 residents and visitors each year;

Whereas approximately 60 percent of the licensed ambulance services in Colorado are staffed by volunteers that serve the vast rural and frontier communities of Colorado; and

Whereas the life of every person in the United States will be affected, directly or indirectly, by the uniquely skilled and dedicated efforts of EMS personnel who work bravely and tirelessly to preserve the greatest resource in the United States, the people: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognizes and congratulates the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Services Memorial.

SENATE CONCURRENT RESOLUTION 54—RECOGNIZING THE LIFE OF ORLANDO ZAPATA TAMAYO, WHO DIED ON FEBRUARY 23, 2010, IN THE CUSTODY OF THE GOVERNMENT OF CUBA, AND CALLING FOR A CONTINUED FOCUS ON THE PROMOTION OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS, LISTED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, IN CUBA

Mr. NELSON of Florida (for himself, Mr. MCCAIN, Mr. KERRY, Mr. MENENDEZ, Mr. DODD, and Mr. LEMIEUX) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 54

Whereas Orlando Zapata Tamayo (referred to in this preamble as ''Zapata''), a 42-year-old plumber and bricklayer and a member of the Alternative Republican Movement and the National Civic Resistance Committee, died on February 23, 2010, in the custody of the Government of Cuba after conducting a hunger strike for more than 80 days;

Whereas on February 24, 2010, the Foreign Ministry of Cuba issued a rare statement on the death of Zapata, stating, ''Raul Castro laments the death of Cuban prisoner Orlando Zapata Tamayo, who died after conducting a hunger strike.'';

Whereas Reina Luisa Tamayo has asserted that her son Orlando Zapata Tamayo was tortured and denied water during his incarceration and has called ''on the world to demand the freedom of the other prisoners and brothers unfairly sentenced so that what happened to my boy, my second child, who leaves behind no physical legacy, no child or wife, does not happen again'';

Whereas Zapata began a hunger strike on December 9, 2009, to demand respect for his personal safety and to protest his inhumane treatment by the prison authorities in Cuba;

Whereas according to his supporters, Zapata was denied water during stages of his hunger strike at Kilo 8 Prison in Camagüey, was then transferred to Havana's Combinado del Este prison, and was finally admitted to the Hermanos Ameijeiras Hospital on February 23, 2010, in critical condition, where he

was administered fluids intravenously and died hours later;

Whereas on February 25, 2010, Freedom House condemned the Government of Cuba for ''the deplorable prison conditions, torture, and lack of medical attention that led to the death of political prisoner Orlando Zapata Tamayo'';

Whereas Zapata was arrested in 2003 on charges of contempt for authority, public disorder, and disobedience, and was initially sentenced to 3 years in prison;

Whereas Zapata was later convicted of additional ''acts of defiance'' while in prison and was resentenced to a total of 36 years;

Whereas in 2003, Zapata and approximately 75 other dissidents and peaceful supporters of the Varela Project were arrested during the ''Black Spring'' and were sentenced to harsh prison terms;

Whereas more than 25,000 Cubans have signed on to the Varela Project, which seeks a referendum on civil liberties, including freedom of speech, amnesty for political prisoners, support for private business, a new electoral law, and a general election;

Whereas in 2003, Amnesty International designated Zapata as a prisoner of conscience;

Whereas the Government of the United States raised the plight of Zapata during migration talks on February 19, 2010, and urged the Government of Cuba to provide all necessary medical care;

Whereas on February 25, 2010, Secretary of State Hillary Clinton said in response to the death of Zapata, ''We send our condolences to his family and we also reiterate our strong objection to the actions of the Cuban government. This is a prisoner of conscience who was imprisoned for years for speaking his mind, for seeking democracy, for standing on the side of values that are universal, who engaged in a hunger strike.'';

Whereas following the death of Zapata, the Inter-American Commission on Human Rights reported that at least 50 dissidents were detained or forced to remain in their houses to prevent them from attending the wake and funeral for Zapata;

Whereas the Department of State's 2009 Country Report on Human Rights states that Cuba is a totalitarian state with a government that continues to deny its citizens basic human rights and continues to commit numerous serious human rights abuses;

Whereas Human Rights Watch states, ''Cuba remains the one country in Latin America that represses virtually all forms of political dissent. The government continues to enforce political conformity using criminal prosecutions, long- and short-term detention, harassment, denial of employment, and travel restrictions.''; and

Whereas in a 2008 annual report, the Inter-American Commission on Human Rights reported that ''restrictions on political rights, on freedom of expression, and on the dissemination of ideas, the failure to hold elections, and the absence of an independent judiciary in Cuba combine to create a permanent panorama of breached basic rights for the Cuban citizenry'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the life of Orlando Zapata Tamayo, whose death on February 23, 2010, highlights the lack of democracy in Cuba and the injustice of the brutal treatment of more than 200 political prisoners by the Government of Cuba;

(2) calls for the immediate release of all political prisoners detained in Cuba;

(3) pays tribute to the courageous citizens of Cuba who are suffering abuses merely for engaging in peaceful efforts to exercise their basic human rights;

(4) supports freedom of speech and the rights of journalists and bloggers in Cuba to express their views without repression by government authorities and denounces the use of intimidation, harassment, or violence by the Government of Cuba to restrict and suppress freedom of speech, freedom of expression, freedom of assembly, and freedom of the press;

(5) desires that the people of Cuba be able to enjoy due process and the right to a fair trial; and

(6) calls on the United States to continue policies that focus on respect for the fundamental tenets of freedom, democracy, and human rights in Cuba and encourage peaceful democratic change consistent with the aspirations of the people of Cuba.

Mr. NELSON of Florida. Mr. President, today I am submitting a concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in Cuban custody, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba.

Mr. Zapata was a political prisoner facing 36 years in prison for defying the Cuban regime. Originally arrested during the ''Black Spring'' of 2003, along with other peaceful supporters of the Varela Project, Zapata was originally sentenced to three years in prison but was later convicted of additional ''acts of defiance'' and resentenced to a total of 36 years. In 2003, Amnesty International declared Zapata a ''prisoner of conscience'' in recognition of his extraordinary courage.

Mr. Zapata went on a hunger strike in December 2009 to demand respect for his personal safety and to protest his inhumane treatment by the prison authorities in Cuba. According to Zapata's mother, Reina Luisa Tamayo, her son was beaten repeatedly, tortured, and denied water during his incarceration. While in prison, Mr. Zapata courageously demanded basic dignities and resisted the regime's repression. In the end, he was prohibited from receiving medical attention and lost his life in what Freedom House has called Cuba's ''deplorable prison conditions.''

To Orlando Zapata Tamayo's mother, family and friends, the United States Senate sends our sincere condolences for your loss. To Mr. Zapata's former colleagues and freedom fighters, we stand in solidarity with you in your struggle against the forces of repression and totalitarianism.

While there has been disagreement within this body in the past over the most effective way for the U.S. to help the Cuban people, I think we can all agree that the United States must continue to support policies that focus on respect for the fundamental tenets of freedom, democracy, and human rights in Cuba. This resolution reaffirms those principles. When we talk about the promotion of internationally recognized human rights in Tehran and Pyongyang, we must never forget the political prisoners suffering in the cells of Camagüey and Havana.

According to Human Rights Watch, ''Cuba remains the one country in Latin America that represses virtually all forms of political dissent. The government continues to enforce political conformity using criminal prosecutions, long- and short-term detention, harassment, denial of employment, and travel restrictions.'' A Human Rights Watch report on Cuban prisoners last year documented how critics of the regime who report violations are subjected to extended periods of solitary confinement and beatings, and denied medical treatment, family visits and telephone calls.

This resolution calls for the immediate release of all political prisoners detained in Cuba and the rights of all Cubans to be able to enjoy due process and the right to a fair trial. It also denounces the use of intimidation, harassment, or violence by the regime to restrict and suppress freedom of speech, freedom of expression, freedom of assembly, and freedom of the press. This resolution underscores our support for freedom of speech and the rights of journalists and bloggers in Cuba to express their views without repression by government authorities. These rights are universal, but are all but absent in the Cuba of today.

Orlando Zapata Tamayo's death is a sad reminder of the tragic cost of oppression and a dictatorship that devalues human life. At the same time, it's a reminder that the Cuban people continue to fight for their freedom. Courageous Cubans like Mr. Zapata continue to suffer abuses merely for engaging in peaceful efforts to exercise their basic human rights. We have seen the regime crackdown on other dissidents and political prisoners in the wake of Zapata's death.

Orlando Zapata Tamayo did not die in vain. Freedom-loving people everywhere must hold the Cuban regime responsible for the fate of Orlando Zapata Tamayo and for all the political prisoners and dissidents in custody in Cuba.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3452. Mr. ROCKEFELLER proposed an amendment to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients.

SA 3453. Mr. SESSIONS (for himself and Mrs. MCCASKILL) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3454. Mr. DEMINT (for himself, Mr. MCCAIN, Mr. COBURN, Mr. GRASSLEY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3455. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3456. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra.

SA 3457. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3458. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3459. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, to commend the American Sail Training Association for advancing international goodwill and character building under sail.

SA 3460. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, supra.

SA 3461. Mr. DORGAN (for Mr. FEINGOLD) proposed an amendment to the bill S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

SA 3462. Mr. BENNETT (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table.

SA 3463. Mr. BENNETT (for himself, Mr. HATCH, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3464. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

SA 3465. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3452. Mr. ROCKEFELLER proposed an amendment to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''FAA Air Transportation Modernization and Safety Improvement Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Amendments to title 49, United States Code.
Sec. 3. Effective date.

TITLE I—AUTHORIZATIONS

Sec. 101. Operations.
Sec. 102. Air navigation facilities and equipment.
Sec. 103. Research and development.
Sec. 104. Airport planning and development and noise compatibility planning and programs.
Sec. 105. Other aviation programs.
Sec. 106. Delineation of Next Generation Air Transportation System projects.
Sec. 107. Funding for administrative expenses for airport programs.

TITLE II—AIRPORT IMPROVEMENTS

Sec. 201. Reform of passenger facility charge authority.
Sec. 202. Passenger facility charge pilot program.
Sec. 203. Amendments to grant assurances.
Sec. 204. Government share of project costs.
Sec. 205. Amendments to allowable costs.
Sec. 206. Sale of private airport to public sponsor.
Sec. 207. Government share of certain air project costs.
Sec. 208. Miscellaneous amendments.
Sec. 209. State block grant program.
Sec. 210. Airport funding of special studies or reviews.
Sec. 211. Grant eligibility for assessment of flight procedures.
Sec. 212. Safety-critical airports.
Sec. 213. Environmental mitigation demonstration pilot program.
Sec. 214. Allowable project costs for airport development program.
Sec. 215. Glycol recovery vehicles.
Sec. 216. Research improvement for aircraft.
Sec. 217. United States Territory minimum guarantee.
Sec. 218. Merrill Field Airport, Anchorage, Alaska.

TITLE III—AIR TRAFFIC CONTROL MODERNIZATION AND FAA REFORM

Sec. 301. Air Traffic Control Modernization Oversight Board.
Sec. 302. NextGen management.
Sec. 303. Facilitation of next generation air traffic services.
Sec. 304. Clarification of authority to enter into reimbursable agreements.
Sec. 305. Clarification to acquisition reform authority.
Sec. 306. Assistance to other aviation authorities.
Sec. 307. Presidential rank award program.
Sec. 308. Next generation facilities needs assessment.
Sec. 309. Next generation air transportation system implementation office.
Sec. 310. Definition of air navigation facility.
Sec. 311. Improved management of property inventory.
Sec. 312. Educational requirements.
Sec. 313. FAA personnel management system.
Sec. 314. Acceleration of NextGen technologies.
Sec. 315. ADS–B development and implementation.
Sec. 316. Equipage incentives.
Sec. 317. Performance metrics.
Sec. 318. Certification standards and resources.
Sec. 319. Unmanned aerial systems.
Sec. 320. Surface Systems Program Office.
Sec. 321. Stakeholder coordination.
Sec. 322. FAA task force on air traffic control facility conditions.
Sec. 323. State ADS–B equipage bank pilot program.
Sec. 324. Implementation of Inspector General ATC recommendations.
Sec. 325. Definitions.

TITLE IV—AIRLINE SERVICE AND SMALL COMMUNITY AIR SERVICE IMPROVEMENTS

SUBTITLE A—CONSUMER PROTECTION

Sec. 401. Airline customer service commitment.
Sec. 402. Publication of customer service data and flight delay history.
Sec. 403. Expansion of DOT airline consumer complaint investigations.
Sec. 404. Establishment of advisory committee for aviation consumer protection.
Sec. 405. Disclosure of passenger fees.
Sec. 406. Disclosure of air carriers operating flights for tickets sold for air transportation.

SUBTITLE B—ESSENTIAL AIR SERVICE; SMALL COMMUNITIES

Sec. 411. EAS connectivity program.
Sec. 412. Extension of final order establishing mileage adjustment eligibility.
Sec. 413. EAS contract guidelines.
Sec. 414. Conversion of former EAS airports.
Sec. 415. EAS reform.
Sec. 416. Small community air service.
Sec. 417. EAS marketing.
Sec. 418. Rural aviation improvement.

SUBTITLE C—MISCELLANEOUS

Sec. 431. Clarification of air carrier fee disputes.
Sec. 432. Contract tower program.
Sec. 433. Airfares for members of the Armed Forces.

TITLE V—SAFETY

SUBTITLE A—AVIATION SAFETY

Sec. 501. Runway safety equipment plan.
Sec. 502. Judicial review of denial of airman certificates.
Sec. 503. Release of data relating to abandoned type certificates and supplemental type certificates.
Sec. 504. Design organization certificates.
Sec. 505. FAA access to criminal history records or database systems.
Sec. 506. Pilot fatigue.
Sec. 507. Increasing safety for helicopter and fixed wing emergency medical service operators and patients.
Sec. 508. Cabin crew communication.
Sec. 509. Clarification of memorandum of understanding with OSHA.
Sec. 510. Acceleration of development and implementation of required navigation performance approach procedures.
Sec. 511. Improved safety information.
Sec. 512. Voluntary disclosure reporting process improvements.
Sec. 513. Procedural improvements for inspections.
Sec. 514. Independent review of safety issues.
Sec. 515. National review team.
Sec. 516. FAA Academy improvements.
Sec. 517. Reduction of runway incursions and operational errors.
Sec. 518. Aviation safety whistleblower investigation office.
Sec. 519. Modification of customer service initiative.
Sec. 520. Headquarters review of air transportation oversight system database.
Sec. 521. Inspection of foreign repair stations.
Sec. 522. Non-certificated maintenance providers.

SUBTITLE B—FLIGHT SAFETY

Sec. 551. FAA pilot records database.
Sec. 552. Air carrier safety management systems.
Sec. 553. Secretary of Transportation responses to safety recommendations.
Sec. 554. Improved Flight Operational Quality Assurance, Aviation Safety Action, and Line Operational Safety Audit programs.
Sec. 555. Re-evaluation of flight crew training, testing, and certification requirements.
Sec. 556. Flightcrew member mentoring, professional development, and leadership.
Sec. 557. Flightcrew member screening and qualifications.
Sec. 558. Prohibition on personal use of certain devices on flight deck.
Sec. 559. Safety inspections of regional air carriers.
Sec. 560. Establishment of safety standards with respect to the training, hiring, and operation of aircraft by pilots.

Sec. 561. Oversight of pilot training schools.
Sec. 562. Enhanced training for flight attendants and gate agents.
Sec. 563. Definitions.

TITLE VI—AVIATION RESEARCH

Sec. 601. Airport cooperative research program.
Sec. 602. Reduction of noise, emissions, and energy consumption from civilian aircraft.
Sec. 603. Production of alternative fuel technology for civilian aircraft.
Sec. 604. Production of clean coal fuel technology for civilian aircraft.
Sec. 605. Advisory committee on future of aeronautics.
Sec. 606. Research program to improve airfield pavements.
Sec. 607. Wake turbulence, volcanic ash, and weather research.
Sec. 608. Incorporation of unmanned aircraft systems into FAA plans and policies.
Sec. 609. Reauthorization of center of excellence in applied research and training in the use of advanced materials in transport aircraft.
Sec. 610. Pilot program for zero emission airport vehicles.
Sec. 611. Reduction of emissions from airport power sources.
Sec. 612. Siting of windfarms near FAA navigational aides and other assets.
Sec. 613. Research and development for equipment to clean and monitor the engine and APU bleed air supplied on pressurized aircraft.

TITLE VII—MISCELLANEOUS

Sec. 701. General authority.
Sec. 702. Human intervention management study.
Sec. 703. Airport program modifications.
Sec. 704. Miscellaneous program extensions.
Sec. 705. Extension of competitive access reports.
Sec. 706. Update on overflights.
Sec. 707. Technical corrections.
Sec. 708. FAA technical training and staffing.
Sec. 709. Commercial air tour operators in national parks.
Sec. 710. Phaseout of Stage 1 and 2 aircraft.
Sec. 711. Weight restrictions at Teterboro Airport.
Sec. 712. Pilot program for redevelopment of airport properties.
Sec. 713. Transporting musical instruments.
Sec. 714. Recycling plans for airports.
Sec. 715. Disadvantaged Business Enterprise Program adjustments.
Sec. 716. Front line manager staffing.
Sec. 717. Study of helicopter and fixed wing air ambulance services.
Sec. 718. Repeal of certain limitations on Metropolitan Washington Airports Authority.
Sec. 719. Study of aeronautical mobile telemetry.
Sec. 720. Flightcrew member pairing and crew resource management techniques.
Sec. 721. Consolidation or elimination of obsolete, redundant, or otherwise unnecessary reports; use of electronic media format.
Sec. 722. Line check evaluations.

TITLE VIII—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

Sec. 800. Amendment of 1986 Code.
Sec. 801. Extension of taxes funding Airport and Airway Trust Fund.
Sec. 802. Extension of Airport and Airway Trust Fund expenditure authority.
Sec. 803. Modification of excise tax on kerosene used in aviation.
Sec. 804. Air traffic control system modernization account.
Sec. 805. Treatment of fractional aircraft ownership programs.
Sec. 806. Termination of exemption for small aircraft on nonestablished lines.
Sec. 807. Transparency in passenger tax disclosures.

TITLE IX—BUDGETARY EFFECTS

Sec. 901. Budgetary effects.

SEC. 2. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. EFFECTIVE DATE.

Except as otherwise expressly provided, this Act and the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—AUTHORIZATIONS

SEC. 101. OPERATIONS.

Section 106(k)(1) is amended by striking subparagraphs (A) through (E) and inserting the following:

''(A) $9,336,000,000 for fiscal year 2010; and

''(B) $9,620,000,000 for fiscal year 2011.''.

SEC. 102. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) is amended by striking paragraphs (1) through (5) and inserting the following:

''(1) $3,500,000,000 for fiscal year 2010, of which $500,000,000 is derived from the Air Traffic Control System Modernization Account of the Airport and Airways Trust Fund; and

''(2) $3,600,000,000 for fiscal year 2011, of which $500,000,000 is derived from the Air Traffic Control System Modernization Account of the Airport and Airways Trust Fund.''.

SEC. 103. RESEARCH AND DEVELOPMENT.

Section 48102 is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Not more than the following amounts may be appropriated to the Secretary of Transportation out of the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502) for conducting civil aviation research and development under sections 44504, 44505, 44507, 44509, and 44511 through 44513 of this title:

''(1) $200,000,000 for fiscal year 2010.

''(2) $206,000,000 for fiscal year 2011.'';

(2) by striking subsections (c) through (h); and

(3) by adding at the end the following:

''(c) RESEARCH GRANTS PROGRAM INVOLVING UNDERGRADUATE STUDENTS.—The Administrator of the Federal Aviation Administration shall establish a program to utilize undergraduate and technical colleges, including Historically Black Colleges and Universities, Hispanic Serving Institutions, tribally controlled colleges and universities, and Alaska Native and Native Hawaiian serving institutions in research on subjects of relevance to the Federal Aviation Administration. Grants may be awarded under this subsection for—

''(1) research projects to be carried out at primarily undergraduate institutions and technical colleges;

''(2) research projects that combine research at primarily undergraduate institutions and technical colleges with other research supported by the Federal Aviation Administration;

''(3) research on future training requirements on projected changes in regulatory requirements for aircraft maintenance and power plant licensees; or

''(4) research on the impact of new technologies and procedures, particularly those related to aircraft flight deck and air traffic management functions, and on training requirements for pilots and air traffic controllers.''.

SEC. 104. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

Section 48103 is amended by striking paragraphs (1) through (6) and inserting the following:

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

''(2) $4,100,000,000 for fiscal year 2011.''.

SEC. 105. OTHER AVIATION PROGRAMS.

Section 48114 is amended—

(1) by striking ''2007'' in subsection (a)(1)(A) and inserting ''2011'';

(2) by striking ''2007,'' in subsection (a)(2) and inserting ''2011,''; and

(3) by striking ''2007'' in subsection (c)(2) and inserting ''2011''.

SEC. 106. DELINEATION OF NEXT GENERATION AIR TRANSPORTATION SYSTEM PROJECTS.

Section 44501(b) is amended—

(1) by striking ''and'' after the semicolon in paragraph (3);

(2) by striking ''defense.'' in paragraph (4) and inserting ''defense; and''; and

(3) by adding at the end thereof the following:

''(5) a list of projects that are part of the Next Generation Air Transportation System and do not have as a primary purpose to operate or maintain the current air traffic control system.''.

SEC. 107. FUNDING FOR ADMINISTRATIVE EXPENSES FOR AIRPORT PROGRAMS.

(a) IN GENERAL.—Section 48105 is amended to read as follows:

''§ 48105. Airport programs administrative expenses

''Of the amount made available under section 48103 of this title, the following may be available for administrative expenses relating to the Airport Improvement Program, passenger facility charge approval and oversight, national airport system planning, airport standards development and enforcement, airport certification, airport-related environmental activities (including legal services), and other airport-related activities (including airport technology research), to remain available until expended—

''(1) for fiscal year 2010, $94,000,000; and

''(2) for fiscal year 2011, $98,000,000.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 481 is amended by striking the item relating to section 48105 and inserting the following:

''48105. Airport programs administrative expenses''.

TITLE II—AIRPORT IMPROVEMENTS

SEC. 201. REFORM OF PASSENGER FACILITY CHARGE AUTHORITY.

(a) PASSENGER FACILITY CHARGE STREAMLINING.—Section 40117(c) is amended to read as follows:

''(c) PROCEDURAL REQUIREMENTS FOR IMPOSITION OF PASSENGER FACILITY CHARGE.—

''(1) IN GENERAL.—An eligible agency must submit to those air carriers and foreign air carriers operating at the airport with a significant business interest, as defined in paragraph (3), and to the Secretary and make available to the public annually a report, in the form required by the Secretary, on the status of the eligible agency's passenger facility charge program, including—

''(A) the total amount of program revenue held by the agency at the beginning of the 12 months covered by the report;

''(B) the total amount of program revenue collected by the agency during the period covered by the report;

''(C) the amount of expenditures with program revenue made by the agency on each eligible airport-related project during the period covered by the report;

''(D) each airport-related project for which the agency plans to collect and use program revenue during the next 12-month period covered by the report, including the amount of revenue projected to be used for such project;

''(E) the level of program revenue the agency plans to collect during the next 12-month period covered by the report;

''(F) a description of the notice and consultation process with air carriers and foreign air carriers under paragraph (3), and with the public under paragraph (4), including a copy of any adverse comments received and how the agency responded; and

''(G) any other information on the program that the Secretary may require.

''(2) IMPLEMENTATION.—Subject to the requirements of paragraphs (3), (4), (5), and (6), the eligible agency may implement the planned collection and use of passenger facility charges in accordance with its report upon filing the report as required in paragraph (1).

''(3) CONSULTATION WITH CARRIERS FOR NEW PROJECTS.—

''(A) An eligible agency proposing to collect or use passenger facility charge revenue for a project not previously approved by the Secretary or not included in a report required by paragraph (1) that was submitted in a prior year shall provide to air carriers and foreign air carriers operating at the airport reasonable notice, and an opportunity to comment on the planned collection and use of program revenue before providing the report required under paragraph (1). The Secretary shall prescribe by regulation what constitutes reasonable notice under this paragraph, which shall at a minimum include—

''(i) that the eligible agency provide to air carriers and foreign air carriers operating at the airport written notice of the planned collection and use of passenger facility charge revenue;

''(ii) that the notice include a full description and justification for a proposed project;

''(iii) that the notice include a detailed financial plan for the proposed project; and

''(iv) that the notice include the proposed level for the passenger facility charge.

''(B) An eligible agency providing notice and an opportunity for comment shall be deemed to have satisfied the requirements of this paragraph if the eligible agency provides such notice to air carriers and foreign air carriers that have a significant business interest at the airport. For purposes of this subparagraph, the term 'significant business interest' means an air carrier or foreign air carrier that—

''(i) had not less than 1.0 percent of passenger boardings at the airport in the prior calendar year;

''(ii) had at least 25,000 passenger boardings at the airport in the prior calendar year; or

''(iii) provides scheduled service at the airport.

''(C) Not later than 45 days after written notice is provided under subparagraph (A), each air carrier and foreign air carrier may provide written comments to the eligible agency indicating its agreement or disagreement with the project or, if applicable, the proposed level for a passenger facility charge.

''(D) The eligible agency may include, as part of the notice and comment process, a consultation meeting to discuss the proposed project or, if applicable, the proposed level for a passenger facility charge. If the agency provides a consultation meeting, the written comments specified in subparagraph (C) shall be due not later than 30 days after the meeting.

''(4) PUBLIC NOTICE AND COMMENT.—

''(A) An eligible agency proposing to collect or use passenger facility charge revenue for a project not previously approved by the Secretary or not included in a report required by paragraph (1) that was filed in a prior year shall provide reasonable notice and an opportunity for public comment on the planned collection and use of program revenue before providing the report required in paragraph (1).

''(B) The Secretary shall prescribe by regulation what constitutes reasonable notice under this paragraph, which shall at a minimum require—

''(i) that the eligible agency provide public notice of intent to collect a passenger facility charge so as to inform those interested persons and agencies that may be affected;

''(ii) appropriate methods of publication, which may include notice in local newspapers of general circulation or other local media, or posting of the notice on the agency's Internet website; and

''(iii) submission of public comments no later than 45 days after the date of the publication of the notice.

''(5) OBJECTIONS.—

''(A) Any interested person may file with the Secretary a written objection to a proposed project included in a notice under this paragraph provided that the filing is made within 30 days after submission of the report specified in paragraph (1).

''(B) The Secretary shall provide not less than 30 days for the eligible agency to respond to any filed objection.

''(C) Not later than 90 days after receiving the eligible agency's response to a filed objection, the Secretary shall make a determination whether or not to terminate authority to collect the passenger facility charge for the project, based on the filed objection. The Secretary shall state the reasons for any determination. The Secretary may only terminate authority if—

''(i) the project is not an eligible airport related project;

''(ii) the eligible agency has not complied with the requirements of this section or the Secretary's implementing regulations in proposing the project;

''(iii) the eligible agency has been found to be in violation of section 47107(b) of this title and has failed to take corrective action, prior to the filing of the objection; or

''(iv) in the case of a proposed increase in the passenger facility charge level, the level is not authorized by this section.

''(D) Upon issuance of a decision terminating authority, the public agency shall prepare an accounting of passenger facility revenue collected under the terminated authority and restore the funds for use on other authorized projects.

''(E) Except as provided in subparagraph (C), the eligible agency may implement the planned collection and use of a passenger facility charge in accordance with its report upon filing the report as specified in paragraph (1)(A).

''(6) APPROVAL REQUIREMENT FOR INCREASED PASSENGER FACILITY CHARGE OR INTERMODAL GROUND ACCESS PROJECT.—

''(A) An eligible agency may not collect or use a passenger facility charge to finance an intermodal ground access project, or increase a passenger facility charge, unless the project is first approved by the Secretary in accordance with this paragraph.

''(B) The eligible agency may submit to the Secretary an application for authority to impose a passenger facility charge for an intermodal ground access project or to increase a passenger facility charge. The application shall contain information and be in the form that the Secretary may require by regulation but, at a minimum, must include copies of any comments received by the agency during the comment period described by subparagraph (C).

''(C) Before submitting an application under this paragraph, an eligible agency must provide air carriers and foreign air carriers operating at the airport, and the public, reasonable notice of and an opportunity to comment on a proposed intermodal ground access project or the increased passenger facility charge. Such notice and opportunity to comment shall conform to the requirements of paragraphs (3) and (4).

''(D) After receiving an application, the Secretary may provide air carriers, foreign air carriers and other interested persons notice and an opportunity to comment on the application. The Secretary shall make a final decision on the application not later than 120 days after receiving it.''.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCES.—

(A) Section 40117(a) is amended—

(i) by striking ''FEE'' in the heading for paragraph (5) and inserting ''CHARGE''; and

(ii) by striking ''fee'' each place it appears in paragraphs (5) and (6) and inserting ''charge''.

(B) Subsections (b), and subsections (d) through (m), of section 40117 are amended—

(i) by striking ''fee'' or ''fees'' each place either appears and inserting ''charge'' or ''charges'', respectively; and

(ii) by striking ''FEE'' in the subsection caption for subsection (1), and ''FEES'' in the subsection captions for subsections (e) and (m), and inserting ''CHARGE'' and ''CHARGES'', respectively.

(C) The caption for section 40117 is amended to read as follows:

''§ 40117. Passenger facility charges''.

(D) The table of contents for chapter 401 is amended by striking the item relating to section 40117 and inserting the following:

''40117. Passenger facility charges''.

(2) LIMITATIONS ON APPROVING APPLICATIONS.—Section 40117(d) is amended—

(A) by striking ''subsection (c) of this section to finance a specific'' and inserting ''subsection (c)(6) of this section to finance an intermodal ground access'';

(B) by striking ''specific'' in paragraph (1);

(C) by striking paragraph (2) and inserting the following:

''(2) the project is an eligible airport-related project; and'';

(D) by striking ''each of the specific projects; and'' in paragraph (3) and inserting ''the project.''; and

(E) by striking paragraph (4).

(3) LIMITATIONS ON IMPOSING CHARGES.—Section 40117(e)(1) is amended to read as follows: ''(1) An eligible agency may impose a passenger facility charge only subject to terms the Secretary may prescribe to carry out the objectives of this section.''.

(4) LIMITATIONS ON CONTRACTS, LEASES, AND USE AGREEMENTS.—Section 40117(f)(2) is amended by striking ''long-term''.

(5) COMPLIANCE.—Section 40117(h) is amended—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

''(3) The Secretary may, on complaint of an interested person or on the Secretary's own initiative, conduct an investigation into an eligible agency's collection and use of

passenger facility charge revenue to determine whether a passenger facility charge is excessive or that passenger facility revenue is not being used as provided in this section. The Secretary shall prescribe regulations establishing procedures for complaints and investigations. The regulations may provide for the issuance of a final agency decision without resort to an oral evidentiary hearing. The Secretary shall not accept complaints filed under this paragraph until after the issuance of regulations establishing complaint procedures.''.

(6) PILOT PROGRAM FOR PFC AT NONHUB AIRPORTS.—Section 40117(l) is amended—

(A) by striking ''(c)(2)'' in paragraph (2) and inserting ''(c)(3)''; and

(B) by striking ''October 1, 2009.'' in paragraph (7) and inserting ''the date of issuance of regulations to carry out subsection (c) of this section, as amended by the FAA Air Transportation Modernization and Safety Improvement Act.''.

(7) PROHIBITION ON APPROVING PFC APPLICATIONS FOR AIRPORT REVENUE DIVERSION.—Section 47111(e) is amended by striking ''sponsor'' the second place it appears in the first sentence and all that follows and inserting ''sponsor. A sponsor shall not propose collection or use of passenger facility charges for any new projects under paragraphs (3) through (6) of section 40117(c) unless the Secretary determines that the sponsor has taken corrective action to address the violation and the violation no longer exists.''.

SEC. 202. PASSENGER FACILITY CHARGE PILOT PROGRAM.

(a) IN GENERAL.—Section 40117 is amended by adding at the end thereof the following:

''(n) ALTERNATIVE PASSENGER FACILITY CHARGE COLLECTION PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish and conduct a pilot program at not more than 6 airports under which an eligible agency may impose a passenger facility charge under this section without regard to the dollar amount limitations set forth in paragraph (1) or (4) of subsection (b) if the participating eligible agency meets the requirements of paragraph (2).

''(2) COLLECTION REQUIREMENTS.—

''(A) DIRECT COLLECTION.—An eligible agency participating in the pilot program—

''(i) may collect the charge from the passenger at the facility, via the Internet, or in any other reasonable manner; but

''(ii) may not require or permit the charge to be collected by an air carrier or foreign air carrier for the flight segment.

''(B) PFC COLLECTION REQUIREMENT NOT TO APPLY.—Subpart C of part 158 of title 14, Code of Federal Regulations, does not apply to the collection of the passenger facility charge imposed by an eligible agency participating in the pilot program.''.

(b) GAO STUDY OF ALTERNATIVE MEANS OF COLLECTING PFCS.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of alternative means of collection passenger facility charges imposed under section 40117 of title 49, United States Code, that would permit such charges to be collected without being included in the ticket price. In the study, the Comptroller General shall consider, at a minimum—

(A) collection options for arriving, connecting, and departing passengers at airports;

(B) cost sharing or fee allocation methods based on passenger travel to address connecting traffic; and

(C) examples of airport fees collected by domestic and international airports that are not included in ticket prices.

(2) REPORT.—No later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report on the study to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure containing the Comptroller General's findings, conclusions, and recommendations.

SEC. 203. AMENDMENTS TO GRANT ASSURANCES.

Section 47107 is amended—

(1) by striking ''made;'' in subsection (a)(16)(D)(ii) and inserting ''made, except that, if there is a change in airport design standards that the Secretary determines is beyond the owner or operator's control that requires the relocation or replacement of an existing airport facility, the Secretary, upon the request of the owner or operator, may grant funds available under section 47114 to pay the cost of relocating or replacing such facility;'';

(2) by striking ''purpose;'' in subsection (c)(2)(A)(i) and inserting ''purpose, which includes serving as noise buffer land;'';

(3) by striking ''paid to the Secretary for deposit in the Fund if another eligible project does not exist.'' in subsection (c)(2)(B)(iii) and inserting ''reinvested in another project at the airport or transferred to another airport as the Secretary prescribes.''; and

(4) by redesignating paragraph (3) of subsection (c) as paragraph (4) and inserting after paragraph (2) the following:

''(3) In approving the reinvestment or transfer of proceeds under paragraph (2)(C)(iii), the Secretary shall give preference, in descending order, to—

''(i) reinvestment in an approved noise compatibility project;

''(ii) reinvestment in an approved project that is eligible for funding under section 47117(e);

''(iii) reinvestment in an airport development project that is eligible for funding under section 47114, 47115, or 47117 and meets the requirements of this chapter;

''(iv) transfer to the sponsor of another public airport to be reinvested in an approved noise compatibility project at such airport; and

''(v) payment to the Secretary for deposit in the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986 (26 U.S.C. 9502).''.

SEC. 204. GOVERNMENT SHARE OF PROJECT COSTS.

(a) FEDERAL SHARE.—Section 47109 is amended—

(1) by striking ''subsection (b) or subsection (c)'' in subsection (a) and inserting ''subsection (b), (c), or (e)''; and

(2) by adding at the end the following:

''(e) SPECIAL RULE FOR TRANSITION FROM SMALL HUB TO MEDIUM HUB STATUS.—If the status of a small hub primary airport changes to a medium hub primary airport, the United States Government's share of allowable project costs for the airport may not exceed 95 percent for 2 fiscal years following such change in hub status.''.

(b) TRANSITIONING AIRPORTS.—Section 47114(f)(3)(B) is amended by striking ''year 2004.'' and inserting ''years 2010 and 2011.''.

SEC. 205. AMENDMENTS TO ALLOWABLE COSTS.

Section 47110 is amended—

(1) by striking subsection (d) and inserting the following:

''(d) RELOCATION OF AIRPORT-OWNED FACILITIES.—The Secretary may determine that the costs of relocating or replacing an airport-owned facility are allowable for an airport development project at an airport only if—

''(1) the Government's share of such costs is paid with funds apportioned to the airport sponsor under sections 47114(c)(1) or 47114(d)(2);

''(2) the Secretary determines that the relocation or replacement is required due to a change in the Secretary's design standards; and

''(3) the Secretary determines that the change is beyond the control of the airport sponsor.'';

(2) by striking ''facilities, including fuel farms and hangars,'' in subsection (h) and inserting ''facilities, as defined by section 47102,''; and

(3) by adding at the end the following:

''(i) BIRD-DETECTING RADAR SYSTEMS.—Within 180 days after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Administrator shall analyze the conclusions of ongoing studies of various types of commercially-available bird radar systems, based upon that analysis, if the Administrator determines such systems have no negative impact on existing navigational aids and that the expenditure of such funds is appropriate, the Administrator shall allow the purchase of bird-detecting radar systems as an allowable airport development project costs subject to subsection (b). If a determination is made that such radar systems will not improve or negatively impact airport safety, the Administrator shall issue a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on why that determination was made.''.

SEC. 206. SALE OF PRIVATE AIRPORT TO PUBLIC SPONSOR.

Section 47133(b) is amended—

(1) by resetting the text of the subsection as an indented paragraph 2 ems from the left margin;

(2) by inserting ''(1)'' before ''Subsection''; and

(3) by adding at the end thereof the following:

''(2) In the case of a privately owned airport, subsection (a) shall not apply to the proceeds from the sale of the airport to a public sponsor if—

''(A) the sale is approved by the Secretary;

''(B) funding is provided under this title for the public sponsor's acquisition; and

''(C) an amount equal to the remaining unamortized portion of the original grant, amortized over a 20-year period, is repaid to the Secretary by the private owner for deposit in the Trust Fund for airport acquisitions.

''(3) This subsection shall apply to grants issued on or after October 1, 1996.''.

SEC. 207. GOVERNMENT SHARE OF CERTAIN AIR PROJECT COSTS.

Notwithstanding section 47109(a) of title 49, United States Code, the Federal Government's share of allowable project costs for a grant made in fiscal year 2008, 2009, 2010, or 2011 under chapter 471 of that title for a project described in paragraph (2) or (3) of that section shall be 95 percent.

SEC. 208. MISCELLANEOUS AMENDMENTS.

(a) TECHNICAL CHANGES TO NATIONAL PLAN OF INTEGRATED AIRPORT SYSTEMS.—Section 47103 is amended—

(1) by striking ''each airport to—'' in subsection (a) and inserting ''the airport system to—'';

(2) by striking ''system in the particular area;'' in subsection (a)(1) and inserting ''system, including connection to the surface transportation network; and'';

(3) by striking ''aeronautics; and'' in subsection (a)(2) and inserting ''aeronautics.'';

(4) by striking subsection (a)(3);

(5) by inserting ''and'' after the semicolon in subsection (b)(1);

(6) by striking paragraph (2) of subsection (b) and redesignating paragraph (3) as paragraph (2);

(7) by striking ''operations, Short Takeoff and Landing/Very Short Takeoff and Landing aircraft operations,'' in subsection (b)(2), as redesignated, and inserting ''operations''; and

(8) by striking ''status of the'' in subsection (d).

(b) UPDATE VETERANS PREFERENCE DEFINITION.—Section 47112(c) is amended—

(1) by striking ''separated from'' in paragraph (1)(B) and inserting ''discharged or released from active duty in'';

(2) by adding at the end of paragraph (1) the following:

''(C) 'Afghanistan-Iraq war veteran' means an individual who served on active duty, as defined by section 101(21) of title 38, at any time in the armed forces for a period of more than 180 consecutive days, any part of which occurred during the period beginning on September 11, 2001, and ending on the date prescribed by Presidential proclamation or by law as the last date of Operation Iraqi Freedom.'';

(3) by striking ''veterans and'' in paragraph (2) and inserting ''veterans, Afghanistan-Iraq war veterans, and''; and

(4) by adding at the end the following:

''(3) A contract involving labor for carrying out an airport development project under a grant agreement under this subchapter must require that a preference be given to the use of small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) owned and controlled by disabled veterans.''.

(c) ANNUAL REPORT.—Section 47131(a) is amended—

(1) by striking ''April 1'' and inserting ''June 1''; and

(2) by striking paragraphs (1) through (4) and inserting the following:

''(1) a summary of airport development and planning completed;

''(2) a summary of individual grants issued;

''(3) an accounting of discretionary and apportioned funds allocated; and

''(4) the allocation of appropriations; and''.

(d) SUNSET OF PROGRAM.—Section 47137 is repealed effective September 30, 2008.

(e) CORRECTION TO EMISSION CREDITS PROVISION.—Section 47139 is amended—

(1) by striking ''47102(3)(F),'' in subsection (a);

(2) by striking ''47102(3)(F), 47102(3)(K), 47102(3)(L), or 47140'' in subsection (b) and inserting ''47102(3)(K) or 47102(3)(L)''; and

(3) by striking ''40117(a)(3)(G), 47103(3)(F), 47102(3)(K), 47102(3)(L), or 47140,'' in subsection (b) and inserting ''40117(a)(3)(G), 47102(3)(K), or 47102(3)(L),''; and

(f) CORRECTION TO SURPLUS PROPERTY AUTHORITY.—Section 47151(e) is amended by striking ''(other than real property that is subject to section 2687 of title 10, section 201 of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note), or section 2905 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note),''.

(g) AIRPORT CAPACITY BENCHMARK REPORTS; DEFINITION OF JOINT USE AIRPORT.—Section 47175 is amended—

(1) by striking ''Airport Capacity Benchmark Report 2001.'' in paragraph (2) and inserting ''2001 and 2004 Airport Capacity Benchmark Reports or of the most recent Benchmark report, Future Airport Capacity Task Report, or other comparable FAA report.''; and

(2) by adding at the end thereof the following:

''(7) JOINT USE AIRPORT.—The term 'joint use airport' means an airport owned by the United States Department of Defense, at which both military and civilian aircraft make shared use of the airfield.''.

(h) USE OF APPORTIONED AMOUNTS.—Section 47117(e)(1)(A) is amended—

(1) by striking ''35 percent'' in the first sentence and inserting ''$300,000,000'';

(2) by striking ''and'' after ''47141,'';

(3) by striking ''et seq.).'' and inserting ''et seq.), and for water quality mitigation projects to comply with the Act of June 30, 1948 (33 U.S.C. 1251 et seq.), approved in an environmental record of decision for an airport development project under this title.''; and

(4) by striking ''such 35 percent requirement is'' in the second sentence and inserting ''the requirements of the preceding sentence are''.

(i) USE OF PREVIOUS FISCAL YEAR'S APPORTIONMENT.—Section 47114(c)(1) is amended—

(1) by striking ''and'' after the semicolon in subparagraph (E)(ii);

(2) by striking ''airport.'' in subparagraph (E)(iii) and inserting ''airport; and'';

(3 by adding at the end of subparagraph (E) the following:

''(iv) the airport received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14, Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) and the Secretary determines that the airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.'';

(4) in subparagraph (G)—

(A) by striking ''FISCAL YEAR 2006'' in the heading and inserting ''FISCAL YEARS 2008 THROUGH 2011'';

(B) by striking ''fiscal year 2006'' and inserting ''fiscal years 2008 through 2011'';

(C) by striking clause (i) and inserting the following:

''(i) the average annual passenger boardings at the airport for calendar years 2004 through 2006 were below 10,000 per year;''; and

(D) by striking ''2000 or 2001;'' in clause (ii) and inserting ''2003;''; and

(5) by adding at the end thereof the following:

''(H) SPECIAL RULE FOR FISCAL YEARS 2010 AND 2011.—Notwithstanding subparagraph (A), for an airport that had more than 10,000 passenger boardings and scheduled passenger aircraft service in calendar year 2007, but in either calendar years 2008 or 2009, or both years, the number of passenger boardings decreased to a level below 10,000 boardings per year at such airport, the Secretary may apportion in fiscal years 2010 or 2011 to the sponsor of such an airport an amount equal to the amount apportioned to that sponsor in fiscal year 2009.''.

(j) MOBILE REFUELER PARKING CONSTRUCTION.—Section 47102(3) is amended by adding at the end the following:

''(M) construction of mobile refueler parking within a fuel farm at a nonprimary airport meeting the requirements of section 112.8 of title 40, Code of Federal Regulations.''.

(k) DISCRETIONARY FUND.—Section 47115(g)(1) is amended by striking ''of—'' and all that follows and inserting ''of $520,000,000. The amount credited is exclusive of amounts that have been apportioned in a prior fiscal year under section 47114 of this title and that remain available for obligation.''.

SEC. 209. STATE BLOCK GRANT PROGRAM.

Section 47128 is amended—

(1) by striking ''regulations'' each place it appears in subsection (a) and inserting ''guidance'';

(2) by striking ''grant;'' in subsection (b)(4) and inserting ''grant, including Federal environmental requirements or an agreed upon equivalent;'';

(3) by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following:

''(c) PROJECT ANALYSIS AND COORDINATION REQUIREMENTS.—Any Federal agency that must approve, license, or permit a proposed action by a participating State shall coordinate and consult with the State. The agency shall utilize the environmental analysis prepared by the State, provided it is adequate, or supplement that analysis as necessary to meet applicable Federal requirements.''; and

(4) by adding at the end the following:

''(e) PILOT PROGRAM.—The Secretary shall establish a pilot program for up to 3 States that do not participate in the program established under subsection (a) that is consistent with the program under subsection (a).''.

SEC. 210. AIRPORT FUNDING OF SPECIAL STUDIES OR REVIEWS.

Section 47173(a) is amended by striking ''project.'' and inserting ''project, or to conduct special environmental studies related to a federally funded airport project or for special studies or reviews to support approved noise compatibility measures in a Part 150 program or environmental mitigation in a Federal Aviation Administration Record of Decision or Finding of No Significant Impact.''.

SEC. 211. GRANT ELIGIBILITY FOR ASSESSMENT OF FLIGHT PROCEDURES.

Section 47504 is amended by adding at the end the following:

''(e) GRANTS FOR ASSESSMENT OF FLIGHT PROCEDURES.—

''(1) The Secretary is authorized in accordance with subsection (c)(1) to make a grant to an airport operator to assist in completing environmental review and assessment activities for proposals to implement flight procedures that have been approved for airport noise compatibility planning purposes under subsection (b).

''(2) The Administrator of the Federal Aviation Administration may accept funds from an airport sponsor, including funds provided to the sponsor under paragraph (1), to hire additional staff or obtain the services of consultants in order to facilitate the timely processing, review and completion of environmental activities associated with proposals to implement flight procedures submitted and approved for airport noise compatibility planning purposes in accordance with this section. Funds received under this authority shall not be subject to the procedures applicable to the receipt of gifts by the Administrator.''.

SEC. 212. SAFETY-CRITICAL AIRPORTS.

Section 47118(c) is amended—

(1) by striking ''or'' after the semicolon in paragraph (1);

(2) by striking ''delays.'' in paragraph (2) and inserting ''delays; or''; and

(3) by adding at the end the following:

''(3) be critical to the safety of commercial, military, or general aviation in transoceanic flights.''.

SEC. 213. ENVIRONMENTAL MITIGATION DEMONSTRATION PILOT PROGRAM.

(a) PILOT PROGRAM.—Subchapter I of chapter 471 is amended by adding at the end thereof the following:

''§ 47143. Environmental mitigation demonstration pilot program

''(a) IN GENERAL.—The Secretary of Transportation shall carry out a pilot program involving not more than 6 projects at public-use airports under which the Secretary may make grants to sponsors of such airports from funds apportioned under paragraph 47117(e)(1)(A) for use at such airports for environmental mitigation demonstration projects that will measurably reduce or mitigate aviation impacts on noise, air quality or water quality in the vicinity of the airport. Notwithstanding any other provision of

this subchapter, an environmental mitigation demonstration project approved under this section shall be treated as eligible for assistance under this subchapter.

''(b) PARTICIPATION IN PILOT PROGRAM.—A public-use airport shall be eligible for participation in the pilot.

''(c) SELECTION CRITERIA.—In selecting from among applicants for participation in the pilot program, the Secretary may give priority consideration to environmental mitigation demonstration projects that—

''(1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis, or on a per-dollar-of-funds expended basis; and

''(2) will be implemented by an eligible consortium.

''(d) FEDERAL SHARE.—Notwithstanding any other provision of this subchapter, the United States Government's share of the costs of a project carried out under this section shall be 50 percent.

''(e) MAXIMUM AMOUNT.—Not more than $2,500,000 may be made available by the Secretary in grants under this section for any single project.

''(f) IDENTIFYING BEST PRACTICES.—The Administrator may develop and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, or water quality in the vicinity of airports, based on the projects carried out under the pilot program.

''(g) DEFINITIONS.—In this section:

''(1) ELIGIBLE CONSORTIUM.—The term 'eligible consortium' means a consortium that comprises 2 or more of the following entities:

''(A) Businesses operating in the United States.

''(B) Public or private educational or research organizations located in the United States.

''(C) Entities of State or local governments in the United States.

''(D) Federal laboratories.

''(2) ENVIRONMENTAL MITIGATION DEMONSTRATION PROJECT.—The term 'environmental mitigation demonstration project' means a project that—

''(A) introduces new conceptual environmental mitigation techniques or technology with associated benefits, which have already been proven in laboratory demonstrations;

''(B) proposes methods for efficient adaptation or integration of new concepts to airport operations; and

''(C) will demonstrate whether new techniques or technology for environmental mitigation identified in research are—

''(i) practical to implement at or near multiple public use airports; and

''(ii) capable of reducing noise, airport emissions, or water quality impacts in measurably significant amounts.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47142 the following:

''47143. Environmental mitigation demonstration pilot program''.

SEC. 214. ALLOWABLE PROJECT COSTS FOR AIRPORT DEVELOPMENT PROGRAM.

Section 47110(c) is amended—

(1) by striking ''; or'' in paragraph (1) and inserting a semicolon;

(2) by striking ''project.'' in paragraph (2) and inserting ''project; or''; and

(3) by adding at the end the following:

''(3) necessarily incurred in anticipation of severe weather.''.

SEC. 215. GLYCOL RECOVERY VEHICLES.

Section 47102(3)(G) is amended by inserting ''including acquiring glycol recovery vehicles,'' after ''aircraft,''.

SEC. 216. RESEARCH IMPROVEMENT FOR AIRCRAFT.

Section 44504(b) is amended—

(1) by striking ''and'' after the semicolon in paragraph (6);

(2) by striking ''aircraft.'' in paragraph (7) and inserting ''aircraft; and''; and

(3) by adding at the end thereof the following:

''(8) to conduct research to support programs designed to reduce gases and particulates emitted.''.

SEC. 217. UNITED STATES TERRITORY MINIMUM GUARANTEE.

Section 47114(e) is amended—

(1) by inserting ''AND ANY UNITED STATES TERRITORY'' after ''ALASKA'' in the subsection heading; and

(2) by adding at the end thereof the following:

''(5) UNITED STATES TERRITORY MINIMUM GUARANTEE.—In any fiscal year in which the total amount apportioned to airports in a United States Territory under subsections (c) and (d) is less than 1.5 percent of the total amount apportioned to all airports under those subsections, the Secretary may apportion to the local authority in any United States Territory responsible for airport development projects in that fiscal year an amount equal to the difference between 1.5 percent of the total amounts apportioned under subsections (c) and (d) in that fiscal year and the amount otherwise apportioned under those subsections to airports in a United States Territory in that fiscal year.''.

SEC. 218. MERRILL FIELD AIRPORT, ANCHORAGE, ALASKA.

(a) IN GENERAL.—Notwithstanding any other provision of law, including the Federal Airport Act (as in effect on August 8, 1958), the United States releases, without monetary consideration, all restrictions, conditions, and limitations on the use, encumbrance, or conveyance of certain land located in the municipality of Anchorage, Alaska, more particularly described as Tracts 22 and 24 of the Fourth Addition to the Town Site of Anchorage, Alaska, as shown on the plat of U.S. Survey No. 1456, accepted June 13, 1923, on file in the Bureau of Land Management, Department of Interior.

(b) GRANTS.—Notwithstanding any other provision of law, the municipality of Anchorage shall be released from the repayment of any outstanding grant obligations owed by the municipality to the Federal Aviation Administration with respect to any land described in subsection (a) that is subsequently conveyed to or used by the Department of Transportation and Public Facilities of the State of Alaska for the construction or reconstruction of a federally subsidized highway project.

TITLE III—AIR TRAFFIC CONTROL MODERNIZATION AND FAA REFORM

SEC. 301. AIR TRAFFIC CONTROL MODERNIZATION OVERSIGHT BOARD.

Section 106(p) is amended to read as follows:

''(p) AIR TRAFFIC CONTROL MODERNIZATION OVERSIGHT BOARD.—

''(1) ESTABLISHMENT.—Within 90 days after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall establish and appoint the members of an advisory Board which shall be known as the Air Traffic Control Modernization Oversight Board.

''(2) MEMBERSHIP.—The Board shall be comprised of the individual appointed or designated under section 302 of the FAA Air Transportation Modernization and Safety Improvement Act (who shall serve ex officio without the right to vote) and 9 other members, who shall consist of—

''(A) the Administrator and a representative from the Department of Defense;

''(B) 1 member who shall have a fiduciary responsibility to represent the public interest; and

''(C) 6 members representing aviation interests, as follows:

''(i) 1 representative that is the chief executive officer of an airport.

''(ii) 1 representative that is the chief executive officer of a passenger or cargo air carrier.

''(iii) 1 representative of a labor organization representing employees at the Federal Aviation Administration that are involved with the operation of the air traffic control system.

''(iv) 1 representative with extensive operational experience in the general aviation community.

''(v) 1 representative from an aircraft manufacturer.

''(vi) 1 representative of a labor organization representing employees at the Federal Aviation Administration who are involved with maintenance of the air traffic control system.

''(3) APPOINTMENT AND QUALIFICATIONS.—

''(A) Members of the Board appointed under paragraphs (2)(B) and (2)(C) shall be appointed by the President, by and with the advice and consent of the Senate.

''(B) Members of the Board appointed under paragraph (2)(B) shall be citizens of the United States and shall be appointed without regard to political affiliation and solely on the basis of their professional experience and expertise in one or more of the following areas and, in the aggregate, should collectively bring to bear expertise in—

''(i) management of large service organizations;

''(ii) customer service;

''(iii) management of large procurements;

''(iv) information and communications technology;

''(v) organizational development; and

''(vi) labor relations.

''(C) Of the members first appointed under paragraphs (2)(B) and (2)(C)—

''(i) 2 shall be appointed for terms of 1 year;

''(ii) 1 shall be appointed for a term of 2 years;

''(iii) 1 shall be appointed for a term of 3 years; and

''(iv) 1 shall be appointed for a term of 4 years.

''(4) FUNCTIONS.—

''(A) IN GENERAL.—The Board shall—

''(i) review and provide advice on the Administration's modernization programs, budget, and cost accounting system;

''(ii) review the Administration's strategic plan and make recommendations on the nonsafety program portions of the plan, and provide advice on the safety programs of the plan;

''(iii) review the operational efficiency of the air traffic control system and make recommendations on the operational and performance metrics for that system;

''(iv) approve procurements of air traffic control equipment in excess of $100,000,000;

''(v) approve by July 31 of each year the Administrator's budget request for facilities and equipment prior to its submission to the Office of Management and budget, including which programs are proposed to be funded from the Air Traffic control system Modernization Account of the Airport and Airway Trust Fund;

''(vi) approve the Federal Aviation Administration's Capital Investment Plan prior to its submission to the Congress;

''(vii) annually review and make recommendations on the NextGen Implementation Plan;

''(viii) approve the Administrator's selection of the Chief NextGen Officer appointed

or designated under section 302(a) of the FAA Air Transportation Modernization and Safety Improvement Act; and

''(ix) approve the selection of the head of the Joint Planning and Development Office.

''(B) MEETINGS.—The Board shall meet on a regular and periodic basis or at the call of the Chairman or of the Administrator.

''(C) ACCESS TO DOCUMENTS AND STAFF.—The Administration may give the Board appropriate access to relevant documents and personnel of the Administration, and the Administrator shall make available, consistent with the authority to withhold commercial and other proprietary information under section 552 of title 5, cost data associated with the acquisition and operation of air traffic control systems. Any member of the Board who receives commercial or other proprietary data from the Administrator shall be subject to the provisions of section 1905 of title 18, pertaining to unauthorized disclosure of such information.

''(5) FEDERAL ADVISORY COMMITTEE ACT NOT TO APPLY.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board or such rulemaking committees as the Administrator shall designate.

''(6) ADMINISTRATIVE MATTERS.—

''(A) TERMS OF MEMBERS.—Except as provided in paragraph (3)(C), members of the Board appointed under paragraph (2)(B) and (2)(C) shall be appointed for a term of 4 years.

''(B) REAPPOINTMENT.—No individual may be appointed to the Board for more than 8 years total.

''(C) VACANCY.—Any vacancy on the Board shall be filled in the same manner as the original position. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for a term of 4 years.

''(D) CONTINUATION IN OFFICE.—A member of the Board whose term expires shall continue to serve until the date on which the member's successor takes office.

''(E) REMOVAL.—Any member of the Board appointed under paragraph (2)(B) or (2)(C) may be removed by the President for cause.

''(F) CLAIMS AGAINST MEMBERS OF THE BOARD.—

''(i) IN GENERAL.—A member appointed to the Board shall have no personal liability under State or Federal law with respect to any claim arising out of or resulting from an act or omission by such member within the scope of service as a member of the Board.

''(ii) EFFECT ON OTHER LAW.—This subparagraph shall not be construed—

''(I) to affect any other immunity or protection that may be available to a member of the Board under applicable law with respect to such transactions;

''(II) to affect any other right or remedy against the United States under applicable law; or

''(III) to limit or alter in any way the immunities that are available under applicable law for Federal officers and employees.

''(G) ETHICAL CONSIDERATIONS.—Each member of the Board appointed under paragraph (2)(B) must certify that the member—

''(i) does not have a pecuniary interest in, or own stock in or bonds of, an aviation or aeronautical enterprise, except an interest in a diversified mutual fund or an interest that is exempt from the application of section 208 of title 18;

''(ii) does not engage in another business related to aviation or aeronautics; and

''(iii) is not a member of any organization that engages, as a substantial part of its activities, in activities to influence aviation-related legislation.

''(H) CHAIRMAN; VICE CHAIRMAN.—The Board shall elect a chair and a vice chair from among its members, each of whom shall serve for a term of 2 years. The vice chair shall perform the duties of the chairman in the absence of the chairman.

''(I) COMPENSATON.—No member shall receive any compensation or other benefits from the Federal Government for serving on the Board, except for compensation benefits for injuries under subchapter I of chapter 81 of title 5 and except as provided under subparagraph (J).

''(J) EXPENSES.—Each member of the Board shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5.

''(K) BOARD RESOURCES.—From resources otherwise available to the Administrator, the Chairman shall appoint such staff to assist the board and provide impartial analysis, and the Administrator shall make available to the Board such information and administrative services and assistance, as may reasonably be required to enable the Board to carry out its responsibilities under this subsection.

''(L) QUORUM AND VOTING.—A simple majority of members of the Board duly appointed shall constitute a quorum. A majority vote of members present and voting shall be required for the Committee to take action.

''(7) AIR TRAFFIC CONTROL SYSTEM DEFINED.—In this subsection, the term 'air traffic control system' has the meaning given that term in section 40102(a).''.

SEC. 302. NEXTGEN MANAGEMENT.

(a) IN GENERAL.—The Administrator shall appoint or designate an individual, as the Chief NextGen Officer, to be responsible for implementation of all Administration programs associated with the Next Generation Air Transportation System.

(b) SPECIFIC DUTIES.—The individual appointed or designated under subsection (a) shall—

(1) oversee the implementation of all Administration NextGen programs;

(2) coordinate implementation of those NextGen programs with the Office of Management and Budget;

(3) develop an annual NextGen implementation plan;

(4) ensure that Next Generation Air Transportation System implementation activities are planned in such a manner as to require that system architecture is designed to allow for the incorporation of novel and currently unknown technologies into the System in the future and that current decisions do not bias future decisions unfairly in favor of existing technology at the expense of innovation; and

(5) oversee the Joint Planning and Development Office's facilitation of cooperation among all Federal agencies whose operations and interests are affected by implementation of the NextGen programs.

SEC. 303. FACILITATION OF NEXT GENERATION AIR TRAFFIC SERVICES.

Section 106(l) is amended by adding at the end the following:

''(7) AIR TRAFFIC SERVICES.—In determining what actions to take, by rule or through an agreement or transaction under paragraph (6) or under section 44502, to permit non-Government providers of communications, navigation, surveillance or other services to provide such services in the National Airspace System, or to require the usage of such services, the Administrator shall consider whether such actions would—

''(A) promote the safety of life and property;

''(B) improve the efficiency of the National Airspace System and reduce the regulatory burden upon National Airspace System users, based upon sound engineering principles, user operational requirements, and marketplace demands;

''(C) encourage competition and provide services to the largest feasible number of users; and

''(D) take into account the unique role served by general aviation.''.

SEC. 304. CLARIFICATION OF AUTHORITY TO ENTER INTO REIMBURSABLE AGREEMENTS.

Section 106(m) is amended by striking ''without'' in the last sentence and inserting ''with or without''.

SEC. 305. CLARIFICATION TO ACQUISITION REFORM AUTHORITY.

Section 40110(c) is amended—

(1) by inserting ''and'' after the semicolon in paragraph (3);

(2) by striking paragraph (4); and

(3) by redesignating paragraph (5) as paragraph (4).

SEC. 306. ASSISTANCE TO OTHER AVIATION AUTHORITIES.

Section 40113(e) is amended—

(1) by inserting ''(whether public or private)'' in paragraph (1) after ''authorities'';

(2) by striking ''safety.'' in paragraph (1) and inserting ''safety or efficiency. The Administrator is authorized to participate in, and submit offers in response to, competitions to provide these services, and to contract with foreign aviation authorities to provide these services consistent with the provisions under section 106(l)(6) of this title. The Administrator is also authorized, notwithstanding any other provision of law or policy, to accept payments in arrears.''; and

(3) by striking ''appropriation from which expenses were incurred in providing such services.'' in paragraph (3) and inserting ''appropriation current when the expenditures are or were paid, or the appropriation current when the amount is received.''.

SEC. 307. PRESIDENTIAL RANK AWARD PROGRAM.

Section 40122(g)(2) is amended—

(1) by striking ''and'' after the semicolon in subparagraph (G);

(2) by striking ''Board.'' in subparagraph (H) and inserting ''Board; and''; and

(3) by inserting at the end the following new subparagraph:

''(I) subsections (b), (c), and (d) of section 4507 (relating to Meritorious Executive or Distinguished Executive rank awards), and subsections (b) and (c) of section 4507a (relating to Meritorious Senior Professional or Distinguished Senior Professional rank awards), except that—

''(i) for purposes of applying such provisions to the personnel management system—

''(I) the term 'agency' means the Department of Transportation;

''(II) the term 'senior executive' means a Federal Aviation Administration executive;

''(III) the term 'career appointee' means a Federal Aviation Administration career executive; and

''(IV) the term 'senior career employee' means a Federal Aviation Administration career senior professional;

''(ii) receipt by a career appointee of the rank of Meritorious Executive or Meritorious Senior Professional entitles such individual to a lump-sum payment of an amount equal to 20 percent of annual basic pay, which shall be in addition to the basic pay paid under the Federal Aviation Administration Executive Compensation Plan; and

''(iii) receipt by a career appointee of the rank of Distinguished Executive or Distinguished Senior Professional entitles the individual to a lump-sum payment of an amount equal to 35 percent of annual basic pay, which shall be in addition to the basic pay paid under the Federal Aviation Administration Executive Compensation Plan.''.

SEC. 308. NEXT GENERATION FACILITIES NEEDS ASSESSMENT.

(a) FAA CRITERIA FOR FACILITIES REALIGNMENT.—Within 9 months after the date of enactment of this Act, the Administrator, after providing an opportunity for public comment, shall publish final criteria to be used in making the Administrator's recommendations for the realignment of services and facilities to assist in the transition to next generation facilities and help reduce capital, operating, maintenance, and administrative costs with no adverse effect on safety.

(b) REALIGNMENT RECOMMENDATIONS.—Within 9 months after publication of the criteria, the Administrator shall publish a list of the services and facilities that the Administrator recommends for realignment, including a justification for each recommendation and a description of the costs and savings of such transition, in the Federal Register and allow 45 days for the submission of public comments to the Board. In addition, the Administrator upon request shall hold a public hearing in any community that would be affected by a recommendation in the report.

(c) STUDY BY BOARD.—The Air Traffic Control Modernization Oversight Board established by section 106(p) of title 49, United States Code, shall study the Administrator's recommendations for realignment and the opportunities, risks, and benefits of realigning services and facilities of the Administration to help reduce capital, operating, maintenance, and administrative costs with no adverse effect on safety.

(d) REVIEW AND RECOMMENDATIONS.—

(1) Based on its review and analysis of the Administrator's recommendations and any public comment it may receive, the Board shall make its independent recommendations for realignment of aviation services or facilities and submit its recommendations in a report to the President, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure.

(2) The Board shall explain and justify in its report any recommendation made by the Board that is different from the recommendations made by the Administrator pursuant to subsection (b).

(3) The Administrator may not realign any air traffic control facilities or regional offices until the Board's recommendations are complete, unless for each proposed realignment the Administrator and each exclusive bargaining representative certified under section 7114 of title 5, United States Code, of affected employees execute a written agreement regarding the proposed realignment.

(e) REALIGNMENT DEFINED.—In this section, the term ''realignment''—

(1) means a relocation or reorganization of functions, services, or personnel positions, including a facility closure, consolidation, deconsolidation, collocation, decombining, decoupling, split, or inter-facility or inter-regional reorganization that requires a reassignment of employees; but

(2) does not include a reduction in personnel resulting from workload adjustments.

SEC. 309. NEXT GENERATION AIR TRANSPORTATION SYSTEM IMPLEMENTATION OFFICE.

(a) IMPROVED COOPERATION AND COORDINATION AMONG PARTICIPATING AGENCIES.—Section 709 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended—

(1) by inserting ''strategic and cross-agency'' after ''manage'' in subsection (a)(1);

(2) by adding at the end of subsection (a)(1) ''The office shall be headed by a Director, who shall report to the Chief NextGen Officer appointed or designated under section 302(a) of the FAA Air Transportation Modernization and Safety Improvement Act.'';

(3) by inserting ''(A)'' after ''(3)'' in subsection (a)(3);

(4) by inserting after subsection (a)(3) the following:

''(B) The Administrator, the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the Secretary of Commerce, the Secretary of Homeland Security, and the head of any other Department or Federal agency from which the Secretary of Transportation requests assistance under subparagraph (A) shall designate an implementation office to be responsible for—

''(i) carrying out the Department or agency's Next Generation Air Transportation System implementation activities with the Office;

''(ii) liaison and coordination with other Departments and agencies involved in Next Generation Air Transportation System activities; and

''(iii) managing all Next Generation Air Transportation System programs for the Department or agency, including necessary budgetary and staff resources, including, for the Federal Aviation Administration, those projects described in section 44501(b)(5) of title 49, United States Code).

''(C) The head of any such Department or agency shall ensure that—

''(i) the Department's or agency's Next Generation Air Transportation System responsibilities are clearly communicated to the designated office; and

''(ii) the performance of supervisory personnel in that office in carrying out the Department's or agency's Next Generation Air Transportation System responsibilities is reflected in their annual performance evaluations and compensation decisions.

''(D)(i) Within 6 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the head of each such Department or agency shall execute a memorandum of understanding with the Office and with the other Departments and agencies participating in the Next Generation Air Transportation System project that—

''(I) describes the respective responsibilities of each such Department and agency, including budgetary commitments; and

''(II) the budgetary and staff resources committed to the project.

''(ii) The memorandum shall be revised as necessary to reflect any changes in such responsibilities or commitments and be reflected in each Department or agency's budget request.'';

(5) by striking ''beyond those currently included in the Federal Aviation Administration's operational evolution plan'' in subsection (b);

(6) by striking ''research and development roadmap'' in subsection (b)(3) and inserting ''implementation plan'';

(7) by striking ''and'' after the semicolon in subsection (b)(3)(B);

(8) by inserting after subsection (b)(3)(C) the following:

''(D) a schedule of rulemakings required to issue regulations and guidelines for implementation of the Next Generation Air Transportation System within a timeframe consistent with the integrated plan; and'';

(9) by inserting ''and key technologies'' after ''concepts'' in subsection (b)(4);

(10) by striking ''users'' in subsection (b)(4) and inserting ''users, an implementation plan,'';

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

''Within 6 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Administrator shall develop the implementation plan described in paragraph (3) of this subsection and shall update it annually thereafter.''; and

(12) by striking ''2010.'' in subsection (e) and inserting ''2011.''.

(b) SENIOR POLICY COMMITTEE MEETINGS.—Section 710(a) of such Act (49 U.S.C. 40101 note) is amended by striking ''Secretary.'' and inserting ''Secretary and shall meet at least once each quarter.''.

SEC. 310. DEFINITION OF AIR NAVIGATION FACILITY.

Section 40102(a)(4) is amended—

(1) by striking subparagraph (B) and inserting the following:

''(B) runway lighting and airport surface visual and other navigation aids;'';

(2) by striking ''weather information, signaling, radio-directional finding, or radio or other electromagnetic communication; and'' in subparagraph (C) and inserting ''aeronautical and meteorological information to air traffic control facilities or aircraft, supplying communication, navigation or surveillance equipment for air-to-ground or air-to-air applications;'';

(3) by striking ''another structure'' in subparagraph (D) and inserting ''any structure, equipment,'';

(4) by striking ''aircraft.'' in subparagraph (D) and inserting ''aircraft; and''; and

(5) by adding at the end the following:

''(E) buildings, equipment, and systems dedicated to the National Airspace System.''.

SEC. 311. IMPROVED MANAGEMENT OF PROPERTY INVENTORY.

Section 40110(a)(2) is amended by striking ''compensation; and'' and inserting ''compensation, and the amount received may be credited to the appropriation current when the amount is received; and''.

SEC. 312. EDUCATIONAL REQUIREMENTS.

The Administrator shall make payments to the Department of Defense for the education of dependent children of those Administration employees in Puerto Rico and Guam as they are subject to transfer by policy and practice and meet the eligibility requirements of section 2164(c) of title 10, United States Code.

SEC. 313. FAA PERSONNEL MANAGEMENT SYSTEM.

Section 40122(a)(2) is amended to read as follows:

''(2) DISPUTE RESOLUTION.—

''(A) MEDIATION.—If the Administrator does not reach an agreement under paragraph (1) or subsection (g)(2)(C) with the exclusive bargaining representatives, the services of the Federal Mediation and Conciliation Service shall be used to attempt to reach such agreement in accordance with part 1425 of title 29, Code of Federal Regulations. The Administrator and bargaining representatives may by mutual agreement adopt procedures for the resolution of disputes or impasses arising in the negotiation of a collective-bargaining agreement.

''(B) BINDING ARBITRATION.—If the services of the Federal Mediation and Conciliation Service under subparagraph (A) do not lead to an agreement, the Administrator and the bargaining representatives shall submit their issues in controversy to the Federal Service Impasses Panel in accordance with section 7119 of title 5. The Panel shall assist the parties in resolving the impasse by asserting jurisdiction and ordering binding arbitration by a private arbitration board consisting of 3 members in accordance with section 2471.6(a)(2)(ii) of title 5, Code of Federal Regulations. The executive director of the Panel shall request a list of not less than 15

names of arbitrators with Federal sector experience from the director of the Federal Mediation and Conciliation Service to be provided to the Administrator and the bargaining representatives. Within 10 days after receiving the list, the parties shall each select 1 person. The 2 arbitrators shall then select a third person from the list within 7 days. If the 2 arbitrators are unable to agree on the third person, the parties shall select the third person by alternately striking names from the list until only 1 name remains. If the parties do not agree on the framing of the issues to be submitted, the arbitration board shall frame the issues. The arbitration board shall give the parties a full and fair hearing, including an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel, or by other representative as they may elect. Decisions of the arbitration board shall be conclusive and binding upon the parties. The arbitration board shall render its decision within 90 days after its appointment. The Administrator and the bargaining representative shall share costs of the arbitration equally. The arbitration board shall take into consideration the effect of its arbitration decisions on the Federal Aviation Administration's ability to attract and retain a qualified workforce and the Federal Aviation Administration's budget.

''(C) EFFECT.—Upon reaching a voluntary agreement or at the conclusion of the binding arbitration under subparagraph (B) above, the final agreement, except for those matters decided by the arbitration board, shall be subject to ratification by the exclusive representative, if so requested by the exclusive representative, and approval by the head of the agency in accordance with subsection (g)(2)(C).

''(D) ENFORCEMENT.—Enforcement of the provisions of this paragraph shall be in the United States District Court for the District of Columbia.''.

SEC. 314. ACCELERATION OF NEXTGEN TECHNOLOGIES.

(a) OEP AIRPORT PROCEDURES.—

(1) IN GENERAL.—Within 6 months after the date of enactment of this Act, the Administrator shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, air carriers, general aviation representatives, and aircraft manufacturers that includes the following:

(A) RNP/RNAV OPERATIONS.—The required navigation performance and area navigation operations, including the procedures to be developed, certified, and published and the air traffic control operational changes, to maximize the efficiency and capacity of NextGen commercial operations at the 35 Operational Evolution Partnership airports identified by the Administration.

(B) COORDINATION AND IMPLEMENTATION ACTIVITIES.—A description of the activities and operational changes and approvals required to coordinate and utilize those procedures at those airports.

(C) IMPLEMENTATION PLAN.—A plan for implementing those procedures that establishes—

(i) clearly defined budget, schedule, project organization, and leadership requirements;

(ii) specific implementation and transition steps; and

(iii) baseline and performance metrics for measuring the Administration's progress in implementing the plan, including the percentage utilization of required navigation performance in the National Airspace System.

(D) COST/BENEFIT ANALYSIS FOR THIRD-PARTY USAGE.—An assessment of the costs and benefits of using third parties to assist in the development of the procedures.

(E) ADDITIONAL PROCEDURES.—A process for the identification, certification, and publication of additional required navigation performance and area navigation procedures that may be required at such airports in the future.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 30 percent of the required procedures within 18 months after the date of enactment of this Act;

(B) 60 percent of the procedures within 36 months after the date of enactment of this Act; and

(C) 100 percent of the procedures before January 1, 2014.

(b) EXPANSION OF PLAN TO OTHER AIRPORTS.—

(1) IN GENERAL.—No later than January 1, 2014, the Administrator shall publish a report, after consultation with representatives of appropriate Administration employee groups, airport operators, and air carriers, that includes a plan for applying the procedures, requirements, criteria, and metrics described in subsection (a)(1) to other airports across the Nation.

(2) IMPLEMENTATION SCHEDULE.—The Administrator shall certify, publish, and implement—

(A) 25 percent of the required procedures at such other airports before January 1, 2015;

(B) 50 percent of the procedures at such other airports before January 1, 2016;

(C) 75 percent of the procedures at such other airports before January 1, 2017; and

(D) 100 percent of the procedures before January 1, 2018.

(c) ESTABLISHMENT OF PRIORITIES.—The Administrator shall extend the charter of the Performance Based Navigation Aviation Rulemaking Committee as necessary to authorize and request it to establish priorities for the development, certification, publication, and implementation of the navigation performance and area navigation procedures based on their potential safety and congestion benefits.

(d) COORDINATED AND EXPEDITED REVIEW.—Navigation performance and area navigation procedures developed, certified, published, and implemented under this section shall be presumed to be covered by a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations) under chapter 3 of FAA Order 1050.1E unless the Administrator determines that extraordinary circumstances exist with respect to the procedure.

(e) DEPLOYMENT PLAN FOR NATIONWIDE DATA COMMUNICATIONS SYSTEM.—Within 1 year after the date of enactment of this Act, the Administrator shall submit a plan for implementation of a nationwide communications system to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure. The plan shall include—

(1) clearly defined budget, schedule, project organization, and leadership requirements;

(2) specific implementation and transition steps; and

(3) baseline and performance metrics for measuring the Administration's progress in implementing the plan.

(f) IMPROVED PERFORMANCE STANDARDS.—Within 90 days after the date of enactment of this Act, the Administrator shall submit a report to the Senate committee on commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that—

(1) evaluates whether utilization of ADS–B, RNP, and other technologies as part of the NextGen Air Transportation System implementation plan will display the position of aircraft more accurately and frequently so as to enable a more efficient use of existing airspace and result in reduced consumption of aviation fuel and aircraft engine emissions;

(2) evaluates the feasibility of reducing aircraft separation standards in a safe manner as a result of implementation of such technologies; and

(3) if the Administrator determines that such standards can be reduced safely, includes a timetable for implementation of such reduced standards.

SEC. 315. ADS–B DEVELOPMENT AND IMPLEMENTATION.

(a) IN GENERAL.—

(1) REPORT REQUIRED.—Within 90 days after the date of enactment of this Act, the Administrator shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure detailing the Administration's program and schedule for integrating ADS–B technology into the National Airspace System. The report shall include—

(A) a clearly defined budget, schedule, project organization, leadership, and the specific implementation or transition steps required to achieve these ADS–B ground station installation goals;

(B) a transition plan for ADS–B that includes date-specific milestones for the implementation of new capabilities into the National Airspace System;

(C) identification of any potential operational or workforce changes resulting from deployment of ADS–B;

(D) detailed plans and schedules for implementation of advanced operational procedures and ADS–B air-to-air applications; and

(E) baseline and performance metrics in order to measure the agency's progress.

(2) IDENTIFICATION AND MEASUREMENT OF BENEFITS.—In the report required by paragraph (1), the Administrator shall identify actual benefits that will accrue to National Airspace System users from deployment of ADS–B and provide and explanation of the metrics used to quantify those benefits.

(b) RULEMAKINGS.—

(1) ADS–B OUT.—Not later than 45 days after the date of enactment of this Act the Administrator shall—

(A) complete the initial rulemaking proceeding (Docket No. FAA–2007–29305; Notice No. 07–15; 72 FR 56947) to issue guidelines and regulations for ADS–B Out technology that—

(i) identify the ADS–B Out technology that will be required under NextGen;

(ii) subject to paragraph (3), require all aircraft to be equipped with such technology by 2015; and

(iii) identify—

(I) the type of such avionics required of aircraft for all classes of airspace;

(II) the expected costs associated with the avionics; and

(III) the expected uses and benefits of the avionics; and

(B) initiate a rulemaking proceeding to issue any additional guidelines and regulations for ADS–B Out technology not addressed in the initial rulemaking.

(2) ADS–B IN.—Not later than 45 days after the date of enactment of this Act the Administrator shall initiate a rulemaking proceeding to issue guidelines and regulations for ADS–B In technology that—

(A) identify the ADS–B In technology that will be required under NextGen;

(B) subject to paragraph (3), require all aircraft to be equipped with such technology by 2018; and

(C) identify—

(i) the type of such avionics required of aircraft for all classes of airspace;

(ii) the expected costs associated with the avionics; and

(iii) the expected uses and benefits of the avionics.

(3) READINESS VERIFICATION.—Before the date on which all aircraft are required to be equipped with ADS–B technology pursuant to rulemakings under paragraphs (1) and (2), the Air Traffic Control Modernization Oversight Board shall verify that—

(A) the necessary ground infrastructure is installed and functioning properly;

(B) certification standards have been approved; and

(C) appropriate operational platforms interface safely and efficiently.

(c) USES.—Within 18 months after the date of enactment of this Act, the Administrator shall develop, in consultation with appropriate employee groups, a plan for the use of ADS–B technology for surveillance and active air traffic control by 2015. The plans shall—

(1) include provisions to test the use of ADS–B prior to the 2015 deadline for surveillance and active air traffic control in specific regions of the country with the most congested airspace;

(2) identify the equipment required at air traffic control facilities and the training required for air traffic controllers;

(3) develop procedures, in consultation with appropriate employee groups, to conduct air traffic management in mixed equipage environments; and

(4) establish a policy in these test regions, with consultation from appropriate employee groups, to provide incentives for equipage with ADS–B technology by giving priority to aircraft equipped with such technology before the 2015 and 2018 equipage deadlines.

SEC. 316. EQUIPAGE INCENTIVES.

(a) IN GENERAL.—The Administrator shall issue a report that—

(1) identifies incentive options to encourage the equipage of aircraft with NextGen technologies, including a policy that gives priority to aircraft equipped with ADS–B technology;

(2) identifies the costs and benefits of each option; and

(3) includes input from industry stakeholders, including passenger and cargo air carriers, aerospace manufacturers, and general aviation aircraft operators.

(b) DEADLINE.—The Administrator shall issue the report before the earlier of—

(1) the date that is 6 months after the date of enactment of this Act; or

(2) the date on which aircraft are required to be equipped with ADS–B technology pursuant to rulemakings under section 315(b) of this Act.

SEC. 317. PERFORMANCE METRICS.

(a) IN GENERAL.—No later than June 1, 2010, the Administrator shall establish and track National Airspace System performance metrics, including, at a minimum—

(1) the allowable operations per hour on runways;

(2) average gate-to-gate times;

(3) fuel burned between key city pairs;

(4) operations using the advanced procedures implemented under section 314 of this Act;

(5) average distance flown between key city pairs;

(6) time between pushing back from the gate and taking off;

(7) uninterrupted climb or descent;

(8) average gate arrival delay for all arrivals;

(9) flown versus filed flight times for key city pairs; and

(10) metrics to demonstrate reduced fuel burn and reduced emissions.

(b) OPTIMAL BASELINES.—The Administrator, in consultation with aviation industry stakeholders, shall identify optimal baselines for each of these metrics and appropriate methods to measure deviations from these baselines.

(c) PUBLICATION.—The Administration shall make the data obtained under subsection (a) available to the public in a searchable, sortable, downloadable format through its website and other appropriate media.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that contains—

(A) a description of the metrics that will be used to measure the Administration's progress in implementing NextGen Air Transportation System capabilities and operational results; and

(B) information about how any additional metrics were developed.

(2) ANNUAL PROGRESS REPORT.—The Administrator shall submit an annual progress report to those committees on the Administration's progress in implementing NextGen Air Transportation System.

SEC. 318. CERTIFICATION STANDARDS AND RESOURCES.

(a) IN GENERAL.—Within 6 months after the date of enactment of this Act, the Administrator shall develop a plan to accelerate and streamline the process for certification of NextGen technologies, including—

(1) updated project plans and timelines to meet the deadlines established by this title;

(2) identification of the specific activities needed to certify core NextGen technologies, including the establishment of NextGen technical requirements for the manufacture of equipage, installation of equipage, airline operational procedures, pilot training standards, air traffic control procedures, and air traffic controller training;

(3) staffing requirements for the Air Certification Service and the Flight Standards Service, and measures addressing concerns expressed by the Department of Transportation Inspector General and the Comptroller General regarding staffing needs for modernization;

(4) an assessment of the extent to which the Administration will use third parties in the certification process, and the cost and benefits of this approach; and

(5) performance metrics to measure the Administration's progress.

(b) CERTIFICATION INTEGRITY.—The Administrator shall make no distinction between public or privately owned equipment, systems, or services used in the National Airspace System when determining certification requirements.

SEC. 319. UNMANNED AERIAL SYSTEMS.

(a) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Administrator shall develop a plan to accelerate the integration of unmanned aerial systems into the National Airspace System that—

(1) creates a pilot project to integrate such vehicles into the National Airspace System at 4 test sites in the National Airspace System by 2012;

(2) creates a safe, non-exclusionary airspace designation for cooperative manned and unmanned flight operations in the National Airspace System;

(3) establishes a process to develop certification, flight standards, and air traffic requirements for such vehicles at the test sites;

(4) dedicates funding for unmanned aerial systems research and development to certification, flight standards, and air traffic requirements;

(5) encourages leveraging and coordination of such research and development activities with the National Aeronautics and Space Administration and the Department of Defense;

(6) addresses both military and civilian unmanned aerial system operations;

(7) ensures the unmanned aircraft systems integration plan is incorporated in the Administration's NextGen Air Transportation System implementation plan; and

(8) provides for verification of the safety of the vehicles and navigation procedures before their integration into the National Airspace System.

(b) TEST SITE CRITERIA.—The Administrator shall take into consideration geographical and climate diversity in determining where the test sites to be established under the pilot project required by subsection (a)(1) are to be located.

SEC. 320. SURFACE SYSTEMS PROGRAM OFFICE.

(a) IN GENERAL.—The Air Traffic Organization shall—

(1) evaluate the Airport Surface Detection Equipment-Model X program for its potential contribution to implementation of the NextGen initiative;

(2) evaluate airport surveillance technologies and associated collaborative surface management software for potential contributions to implementation of NextGen surface management;

(3) accelerate implementation of the program; and

(4) carry out such additional duties as the Administrator may require.

(b) EXPEDITED CERTIFICATION AND UTILIZATION.—The Administrator shall—

(1) consider options for expediting the certification of Ground Based Augmentation System technology; and

(2) develop a plan to utilize such a system at the 35 Operational Evolution Partnership airports by September 30, 2012.

SEC. 321. STAKEHOLDER COORDINATION.

(a) IN GENERAL.—The Administrator shall establish a process for including qualified employees selected by each exclusive collective bargaining representative of employees of the Administration who are likely to be affected by the planning, development, and deployment of air traffic control modernization projects (including the Next Generation Air Transportation System) in, and collaborating with, such employees in the planning, development, and deployment of those projects.

(b) PARTICIPATION.—

(1) BARGAINING OBLIGATIONS AND RIGHTS.—Participation in the process described in subsection (a) shall not be construed as a waiver of any bargaining obligations or rights under section 40122(a)(1) or 40122(g)(2)(C) of title 49, United States Code.

(2) CAPACITY AND COMPENSATION.—Exclusive collective bargaining representatives and selected employees participating in the process described in subsection (a) shall—

(A) serve in a collaborative and advisory capacity; and

(B) receive appropriate travel and per diem expenses in accordance with the travel policies of the Administration in addition to any regular compensation and benefits.

(c) REPORT.—No later than 180 days after the date of enactment of this Act, the Administrator shall submit a report on the implementation of this section to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

SEC. 322. FAA TASK FORCE ON AIR TRAFFIC CONTROL FACILITY CONDITIONS.

(a) ESTABLISHMENT.—The Administrator shall establish a special task force to be known as the ''FAA Task Force on Air Traffic Control Facility Conditions''.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Task Force shall be composed of 11 members of whom—

(A) 7 members shall be appointed by the Administrator; and

(B) 4 members shall be appointed by labor unions representing employees who work at field facilities of the Administration.

(2) QUALIFICATIONS.—Of the members appointed by the Administrator under paragraph (1)(A)—

(A) 4 members shall be specialists on toxic mold abatement, ''sick building syndrome,'' and other hazardous building conditions that can lead to employee health concerns and shall be appointed by the Administrator in consultation with the Director of the National Institute for Occupational Safety and Health; and

(B) 2 members shall be specialists on the rehabilitation of aging buildings.

(3) TERMS.—Members shall be appointed for the life of the Task Force.

(4) VACANCIES.—A vacancy in the Task Force shall be filled in the manner in which the original appointment was made.

(5) TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(c) CHAIRPERSON.—The Administrator shall designate, from among the individuals appointed under subsection (b)(1), an individual to serve as chairperson of the Task Force.

(d) TASK FORCE PERSONNEL MATTERS.—

(1) STAFF.—The Task Force may appoint and fix the pay of such personnel as it considers appropriate.

(2) STAFF OF FEDERAL AGENCIES.—Upon request of the Chairperson of the Task Force, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Task Force to assist it in carrying out its duties under this section.

(3) OTHER STAFF AND SUPPORT.—Upon request of the Task Force or a panel of the Task Force, the Administrator shall provide the Task Force or panel with professional and administrative staff and other support, on a reimbursable basis, to the Task Force to assist it in carrying out its duties under this section.

(e) OBTAINING OFFICIAL DATA.—The Task Force may secure directly from any department or agency of the United States information (other than information required by any statute of the United States to be kept confidential by such department or agency) necessary for the Task Force to carry out its duties under this section. Upon request of the chairperson of the Task Force, the head of that department or agency shall furnish such information to the Task Force.

(f) DUTIES.—

(1) STUDY.—The Task Force shall undertake a study of—

(A) the conditions of all air traffic control facilities across the Nation, including towers, centers, and terminal radar air control;

(B) reports from employees of the Administration relating to respiratory ailments and other health conditions resulting from exposure to mold, asbestos, poor air quality, radiation and facility-related hazards in facilities of the Administration;

(C) conditions of such facilities that could interfere with such employees' ability to effectively and safely perform their duties;

(D) the ability of managers and supervisors of such employees to promptly document and seek remediation for unsafe facility conditions;

(E) whether employees of the Administration who report facility-related illnesses are treated fairly;

(F) utilization of scientifically approved remediation techniques in a timely fashion once hazardous conditions are identified in a facility of the Administration; and

(G) resources allocated to facility maintenance and renovation by the Administration.

(2) FACILITY CONDITION INDICES.—The Task Force shall review the facility condition indices of the Administration for inclusion in the recommendations under subsection (g).

(g) RECOMMENDATIONS.—Based on the results of the study and review of the facility condition indices under subsection (f), the Task Force shall make recommendations as it considers necessary to—

(1) prioritize those facilities needing the most immediate attention in order of the greatest risk to employee health and safety;

(2) ensure that the Administration is using scientifically approved remediation techniques in all facilities; and

(3) assist the Administration in making programmatic changes so that aging air traffic control facilities do not deteriorate to unsafe levels.

(h) REPORT.—Not later than 6 months after the date on which initial appointments of members to the Task Force are completed, the Task Force shall submit a report to the Administrator, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure on the activities of the Task Force, including the recommendations of the Task Force under subsection (g).

(i) IMPLEMENTATION.—Within 30 days after receipt of the Task Force report under subsection (h), the Administrator shall submit to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation a report that includes a plan and timeline to implement the recommendations of the Task Force and to align future budgets and priorities of the Administration accordingly.

(j) TERMINATION.—The Task Force shall terminate on the last day of the 30-day period beginning on the date on which the report under subsection (h) is submitted.

(k) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

SEC. 323. STATE ADS–B EQUIPAGE BANK PILOT PROGRAM.

(a) IN GENERAL.—

(1) COOPERATIVE AGREEMENTS.—Subject to the provisions of this section, the Secretary of Transportation may enter into cooperative agreements with not to exceed 5 States for the establishment of State ADS–B equipage banks for making loans and providing other assistance to public entities for projects eligible for assistance under this section.

(b) FUNDING.—

(1) SEPARATE ACCOUNT.—An ADS–B equipage bank established under this section shall maintain a separate aviation trust fund account for Federal funds contributed to the bank under paragraph (2). No Federal funds contributed or credited to an account of an ADS–B equipage bank established under this section may be commingled with Federal funds contributed or credited to any other account of such bank.

(2) AUTHORIZATION.—There are authorized to be appropriated to the Secretary $25,000,000 for each of fiscal years 2010 through 2014.

(c) FORMS OF ASSISTANCE FROM ADS–B EQUIPAGE BANKS.—An ADS–B equipage bank established under this section may make loans or provide other assistance to a public entity in an amount equal to all or part of the cost of carrying out a project eligible for assistance under this section. The amount of any loan or other assistance provided for such project may be subordinated to any other debt financing for the project.

(d) QUALIFYING PROJECTS.—Federal funds in the ADS–B equipage account of an ADS–B equipage bank established under this section may be used only to provide assistance with respect to aircraft ADS–B and related avionics equipage.

(e) REQUIREMENTS.—In order to establish an ADS–B equipage bank under this section, each State establishing such a bank shall—

(1) contribute, at a minimum, in each account of the bank from non-Federal sources an amount equal to 50 percent of the amount of each capitalization grant made to the State and contributed to the bank;

(2) ensure that the bank maintains on a continuing basis an investment grade rating on its debt issuances or has a sufficient level of bond or debt financing instrument insurance to maintain the viability of the bank;

(3) ensure that investment income generated by funds contributed to an account of the bank will be—

(A) credited to the account;

(B) available for use in providing loans and other assistance to projects eligible for assistance from the account; and

(C) invested in United States Treasury securities, bank deposits, or such other financing instruments as the Secretary may approve to earn interest to enhance the leveraging of projects assisted by the bank;

(4) ensure that any loan from the bank will bear interest at or below market interest rates, as determined by the State, to make the project that is the subject of the loan feasible;

(5) ensure that the term for repaying any loan will not exceed 10 years after the date of the first payment on the loan; and

(6) require the bank to make an annual report to the Secretary on its status no later than September 30 of each year for which funds are made available under this section, and to make such other reports as the Secretary may require by guidelines.

SEC. 324. IMPLEMENTATION OF INSPECTOR GENERAL ATC RECOMMENDATIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, but no later than 1 year after that date, the Administrator of the Federal Aviation Administration shall—

(1) provide the Los Angeles International Air Traffic Control Tower facility, the Southern California Terminal Radar Approach Control facility, and the Northern California Terminal Radar Approach Control facility a sufficient number of contract instructors, classroom space (including off-site locations as needed), and simulators for a surge in the number of new air traffic controllers at those facilities;

(2) to the greatest extent practicable, distribute the placement of new trainee air traffic controllers at those facilities evenly across the calendar year in order to avoid training bottlenecks;

(3) commission an independent analysis, in consultation with the Administration and the exclusive bargaining representative of air traffic controllers certified under section 7111 of title 5, United States Code, of overtime scheduling practices at those facilities; and

(4) to the greatest extent practicable, provide priority to certified professional controllers-in-training when filling staffing vacancies at those facilities.

(b) STAFFING ANALYSES AND REPORTS.—For the purposes of—

(1) the Federal Aviation Administration's annual controller workforce plan,

(2) the Administration's facility-by-facility authorized staffing ranges, and

(3) any report of air traffic controller staffing levels submitted to the Congress,

the Administrator may not consider an individual to be an air traffic controller unless that individual is a certified professional controller.

SEC. 325. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(3) NEXTGEN.—The term ''NextGen'' means the Next Generation Air Transportation System.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

TITLE IV—AIRLINE SERVICE AND SMALL COMMUNITY AIR SERVICE IMPROVEMENTS

SUBTITLE A—CONSUMER PROTECTION

SEC. 401. AIRLINE CUSTOMER SERVICE COMMITMENT.

(a) IN GENERAL.—Chapter 417 is amended by adding at the end the following:

''SUBCHAPTER IV—AIRLINE CUSTOMER SERVICE

''§ 41781. Air carrier and airport contingency plans for long on-board tarmac delays

''(a) DEFINITION OF TARMAC DELAY.—The term 'tarmac delay' means the holding of an aircraft on the ground before taking off or after landing with no opportunity for its passengers to deplane.

''(b) SUBMISSION OF AIR CARRIER AND AIRPORT PLANS.—Not later than 60 days after the date of the enactment of the FAA Air Transportation Modernization and Safety Improvement Act, each air carrier and airport operator shall submit, in accordance with the requirements under this section, a proposed contingency plan to the Secretary of Transportation for review and approval.

''(c) MINIMUM STANDARDS.—The Secretary of Transportation shall establish minimum standards for elements in contingency plans required to be submitted under this section to ensure that such plans effectively address long on-board tarmac delays and provide for the health and safety of passengers and crew.

''(d) AIR CARRIER PLANS.—The plan shall require each air carrier to implement at a minimum the following:

''(1) PROVISION OF ESSENTIAL SERVICES.—Each air carrier shall provide for the essential needs of passengers on board an aircraft at an airport in any case in which the departure of a flight is delayed or disembarkation of passengers on an arriving flight that has landed is substantially delayed, including—

''(A) adequate food and potable water;

''(B) adequate restroom facilities;

''(C) cabin ventilation and comfortable cabin temperatures; and

''(D) access to necessary medical treatment.

''(2) RIGHT TO DEPLANE.—

''(A) IN GENERAL.—Each air carrier shall submit a proposed contingency plan to the Secretary of Transportation that identifies a clear time frame under which passengers would be permitted to deplane a delayed aircraft. After the Secretary has reviewed and approved the proposed plan, the air carrier shall make the plan available to the public.

''(B) DELAYS.—

''(i) IN GENERAL.—As part of the plan, except as provided under clause (iii), an air carrier shall provide passengers with the option of deplaning and returning to the terminal at which such deplaning could be safely completed, or deplaning at the terminal if—

''(I) 3 hours have elapsed after passengers have boarded the aircraft, the aircraft doors are closed, and the aircraft has not departed; or

''(II) 3 hours have elapsed after the aircraft has landed and the passengers on the aircraft have been unable to deplane.

''(ii) FREQUENCY.—The option described in clause (i) shall be offered to passengers at a minimum not less often than once during each successive 3-hour period that the plane remains on the ground.

''(iii) EXCEPTIONS.—This subparagraph shall not apply if—

''(I) the pilot of such aircraft reasonably determines that the aircraft will depart or be unloaded at the terminal not later than 30 minutes after the 3 hour delay; or

''(II) the pilot of such aircraft reasonably determines that permitting a passenger to deplane would jeopardize passenger safety or security.

''(C) APPLICATION TO DIVERTED FLIGHTS.—This section applies to aircraft without regard to whether they have been diverted to an airport other than the original destination.

''(D) REPORTS.—Not later than 30 days after any flight experiences a tarmac delay lasting at least 3 hours, the air carrier responsible for such flight shall submit a written description of the incident and its resolution to the Aviation Consumer Protection Office of the Department of Transportation.

''(e) AIRPORT PLANS.—Each airport operator shall submit a proposed contingency plan under subsection (b) that contains a description of—

''(1) how the airport operator will provide for the deplanement of passengers following a long tarmac delay; and

''(2) how, to the maximum extent practicable, the airport operator will provide for the sharing of facilities and make gates available at the airport for use by aircraft experiencing such delays.

''(f) UPDATES.—The Secretary shall require periodic reviews and updates of the plans as necessary.

''(g) APPROVAL.—

''(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Secretary of Transportation shall—

''(A) review the initial contingency plans submitted under subsection (b); and

''(B) approve plans that closely adhere to the standards described in subsections (d) or (e), whichever is applicable.

''(2) UPDATES.—Not later than 60 days after the submission of an update under subsection (f) or an initial contingency plan by a new air carrier or airport, the Secretary shall—

''(A) review the plan; and

''(B) approve the plan if it closely adheres to the standards described in subsections (d) or (e), whichever is applicable.

''(h) CIVIL PENALTIES.—The Secretary may assess a civil penalty under section 46301 against any air carrier or airport operator that does not submit, obtain approval of, or adhere to a contingency plan submitted under this section.

''(i) PUBLIC ACCESS.—Each air carrier and airport operator required to submit a contingency plan under this section shall ensure public access to an approved plan under this section by—

''(1) including the plan on the Internet Web site of the carrier or airport; or

''(2) disseminating the plan by other means, as determined by the Secretary.

''§ 41782. Air passenger complaints hotline and information

''(a) AIR PASSENGER COMPLAINTS HOTLINE TELEPHONE NUMBER.—The Secretary of Transportation shall establish a consumer complaints hotline telephone number for the use of air passengers.

''(b) PUBLIC NOTICE.—The Secretary shall notify the public of the telephone number established under subsection (a).

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section, which sums shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 417 is amended by adding at the end the following:

''SUBCHAPTER IV—AIRLINE CUSTOMER SERVICE

''41781. Air carrier and airport contingency plans for long on-board tarmac delays

''41782. Air passenger complaints hotline and information''.

SEC. 402. PUBLICATION OF CUSTOMER SERVICE DATA AND FLIGHT DELAY HISTORY.

(a) IN GENERAL.—Section 41722 is amended by adding at the end the following:

''(f) CHRONICALLY DELAYED FLIGHTS.—

''(1) PUBLICATION OF LIST OF FLIGHTS.—Each air carrier holding a certificate issued under section 41102 that conducts scheduled passenger air transportation shall, on a monthly basis—

''(A) publish and update on the Internet website of the air carrier a list of chronically delayed flights operated by such air carrier; and

''(B) share such list with each entity that is authorized to book passenger air transportation for such air carrier for inclusion on the Internet website of such entity.

''(2) DISCLOSURE TO CUSTOMERS WHEN PURCHASING TICKETS.—For each individual who books passenger air transportation on the Internet website of an air carrier, or the Internet website of an entity that is authorized to book passenger air transportation for an air carrier, for any flight for which data is reported to the Department of Transportation under part 234 of title 14, Code of Federal Regulations, such air carrier or entity, as the case may be, shall prominently disclose to such individual, before such individual makes such booking, the following:

''(A) The on-time performance for the flight if the flight is a chronically delayed flight.

''(B) The cancellation rate for the flight if the flight is a chronically canceled flight.

''(3) DEFINITIONS.—In this subsection:

''(A) CHRONICALLY DELAYED FLIGHT.—The term 'chronically delayed flight' means a regularly scheduled flight that has failed to arrive on time (as such term is defined in section 234.2 of title 14, Code of Federal Regulations) at least 40 percent of the time during the most recent 3-month period for which data is available.

''(B) CHRONICALLY CANCELED FLIGHT.—The term 'chronically canceled flight' means a regularly scheduled flight at least 30 percent of the departures of which have been canceled during the most recent 3-month period for which data is available.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of enactment of this Act.

SEC. 403. EXPANSION OF DOT AIRLINE CONSUMER COMPLAINT INVESTIGATIONS.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation shall investigate consumer complaints regarding—

(1) flight cancellations;

(2) compliance with Federal regulations concerning overbooking seats flights;

(3) lost, damaged, or delayed baggage, and difficulties with related airline claims procedures;

(4) problems in obtaining refunds for unused or lost tickets or fare adjustments;

(5) incorrect or incomplete information about fares, discount fare conditions and availability, overcharges, and fare increases;

(6) the rights of passengers who hold frequent flier miles, or equivalent redeemable awards earned through customer-loyalty programs; and

(7) deceptive or misleading advertising.

(b) BUDGET NEEDS REPORT.—The Secretary shall provide, as an annex to its annual budget request, an estimate of resources which would have been sufficient to investigate all such claims the Department of Transportation received in the previous fiscal year. The annex shall be transmitted to the Congress when the President submits the budget of the United States to the Congress under section 1105 of title 31, United States Code.

SEC. 404. ESTABLISHMENT OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

(a) IN GENERAL.—The Secretary of Transportation shall establish an advisory committee for aviation consumer protection to advise the Secretary in carrying out airline customer service improvements, including those required by subchapter IV of chapter 417 of title 49, United States Code.

(b) MEMBERSHIP.—The Secretary shall appoint members of the advisory committee comprised of one representative each of—

(1) air carriers;

(2) airport operators;

(3) State or local governments who has expertise in consumer protection matters; and

(4) a nonprofit public interest group who has expertise in consumer protection matters.

(c) VACANCIES.—A vacancy in the advisory committee shall be filled in the manner in which the original appointment was made.

(d) TRAVEL EXPENSES.—Members of the advisory committee shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(e) CHAIRPERSON.—The Secretary shall designate, from among the individuals appointed under subsection (b), an individual to serve as chairperson of the advisory committee.

(f) DUTIES.—The duties of the advisory committee shall include—

(1) evaluating existing aviation consumer protection programs and providing recommendations for the improvement of such programs, if needed; and

(2) providing recommendations to establish additional aviation consumer protection programs, if needed.

(g) REPORT.—Not later than February 1 of each of the first 2 calendar years beginning after the date of enactment of this Act, the Secretary shall transmit to Congress a report containing—

(1) the recommendations made by the advisory committee during the preceding calendar year; and

(2) an explanation of how the Secretary has implemented each recommendation and, for each recommendation not implemented, the Secretary's reason for not implementing the recommendation.

SEC. 405. DISCLOSURE OF PASSENGER FEES.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Secretary of Transportation shall complete a rulemaking that requires each air carrier operating in the United States under part 121 of title 49, Code of Federal Regulations, to make available to the public and to the Secretary a list of all passenger fees and charges (other than airfare) that may be imposed by the air carrier, including fees for—

(1) checked baggage or oversized or heavy baggage;

(2) meals, beverages, or other refreshments;

(3) seats in exit rows, seats with additional space, or other preferred seats in any given class of travel;

(4) purchasing tickets from an airline ticket agent or a travel agency; or

(5) any other good, service, or amenity provided by the air carrier, as required by the Secretary.

(b) PUBLICATION; UPDATES.—In order to ensure that the fee information required by subsection (a) is both current and widely available to the travelling public, the Secretary—

(1) may require an air carrier to make such information on any public website maintained by an air carrier, to make such information available to travel agencies, and to notify passengers of the availability of such information when advertising airfares; and

(2) shall require air carriers to update the information as necessary, but no less frequently than every 90 days unless there has been no increase in the amount or type of fees shown in the most recent publication.

SEC. 406. DISCLOSURE OF AIR CARRIERS OPERATING FLIGHTS FOR TICKETS SOLD FOR AIR TRANSPORTATION.

Section 41712 is amended by adding at the end the following:

''(c) DISCLOSURE REQUIREMENT FOR SELLERS OF TICKETS FOR FLIGHTS.—

''(1) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for any ticket agent, air carrier, foreign air carrier, or other person offering to sell tickets for air transportation on a flight of an air carrier to not disclose, whether verbally in oral communication or in writing in written or electronic communication, prior to the purchase of a ticket—

''(A) the name (including any business or corporate name) of the air carrier providing the air transportation; and

''(B) if the flight has more than one flight segment, the name of each air carrier providing the air transportation for each such flight segment.

''(2) INTERNET OFFERS.—In the case of an offer to sell tickets described in paragraph (1) on an Internet Web site, disclosure of the information required by paragraph (1) shall be provided on the first display of the Web site following a search of a requested itinerary in a format that is easily visible to a viewer.''.

SUBTITLE B—ESSENTIAL AIR SERVICE; SMALL COMMUNITIES

SEC. 411. EAS CONNECTIVITY PROGRAM.

Section 406(a) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 412. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking ''September 30, 2007.'' and inserting ''September 30, 2011.''.

SEC. 413. EAS CONTRACT GUIDELINES.

Section 41737(a)(1) is amended—

(1) by striking ''and'' after the semicolon in subparagraph (B);

(2) by striking ''provided.'' in subparagraph (C) and inserting ''provided;''; and

(3) by adding at the end the following:

''(D) include provisions under which the Secretary may encourage carriers to improve air service to small and rural communities by incorporating financial incentives in essential air service contracts based on specified performance goals; and

''(E) include provisions under which the Secretary may execute long-term essential air service contracts to encourage carriers to provide air service to small and rural communities where it would be in the public interest to do so.''.

SEC. 414. CONVERSION OF FORMER EAS AIRPORTS.

(a) IN GENERAL.—Section 41745 is amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following:

''(c) CONVERSION OF LOST ELIGIBILITY AIRPORTS.—

''(1) IN GENERAL.—The Secretary shall establish a program to provide general aviation conversion funding for airports serving eligible places that the Secretary has determined no longer qualify for a subsidy.

''(2) GRANTS.—A grant under this subsection—

''(A) may not exceed twice the compensation paid to provide essential air service to the airport in the fiscal year preceding the fiscal year in which the Secretary determines that the place served by the airport is no longer an eligible place; and

''(B) may be used—

''(i) for airport development (as defined in section 47102(3)) that will enhance general aviation capacity at the airport;

''(ii) to defray operating expenses, if such use is approved by the Secretary; or

''(iii) to develop innovative air service options, such as on-demand or air taxi operations, if such use is approved by the Secretary.

''(3) AIP REQUIREMENTS.—An airport sponsor that uses funds provided under this subsection for an airport development project shall comply with the requirements of subchapter I of chapter 471 applicable to airport development projects funded under that subchapter with respect to the project funded under this subsection.

''(4) LIMITATION.—The sponsor of an airport receiving funding under this subsection is not eligible for funding under section 41736.''.

(b) CONFORMING AMENDMENT.—Section 41745(f), as redesignated, is amended—

(1) by striking ''An eligible place'' and inserting ''Neither an eligible place, nor a place to which subsection (c) applies,''; and

(2) by striking ''not''.

SEC. 415. EAS REFORM.

Section 41742(a) is amended—

(1) by adding at the end of paragraph (1) ''Any amount in excess of $50,000,000 credited for any fiscal year to the account established under section 45303(c) shall be obligated for programs under section 406 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) and section 41745 of this title. Amounts appropriated pursuant to this section shall remain available until expended.''; and

(2) by striking ''$77,000,000'' in paragraph (2) and inserting ''$150,000,000''.

SEC. 416. SMALL COMMUNITY AIR SERVICE.

(a) PRIORITIES.—Section 41743(c)(5) is amended—

(1) by striking ''and'' after the semicolon in subparagraph (D);

(2) by striking ''fashion.'' in subparagraph (E) and inserting ''fashion; and''; and

(3) by adding at the end the following:

''(F) multiple communities cooperate to submit a region or multistate application to improve air service.''.

(b) EXTENSION OF AUTHORIZATION.—Section 41743(e)(2) is amended—

(1) by striking ''is appropriated'' and inserting ''are appropriated''; and

(2) by striking ''2009'' and inserting ''2011''.

SEC. 417. EAS MARKETING.

The Secretary of Transportation shall require all applications to provide service

under subchapter II of chapter 417 of title 49, United States Code, include a marketing plan.

SEC. 418. RURAL AVIATION IMPROVEMENT.

(a) COMMUNITIES ABOVE PER PASSENGER SUBSIDY CAP.—

(1) IN GENERAL.—Subchapter II of chapter 417 is amended by adding at the end the following:

"§ 41749. Essential air service for eligible places above per passenger subsidy cap

''(a) PROPOSALS.—A State or local government may submit a proposal to the Secretary of Transportation for compensation for an air carrier to provide air transportation to a place described in subsection (b).

''(b) PLACE DESCRIBED.—A place described in this subsection is a place—

''(1) that is otherwise an eligible place; and

''(2) for which the per passenger subsidy exceeds the dollar amount allowable under this subchapter.

''(c) DECISIONS.—Not later than 90 days after receiving a proposal under subsection (a) for compensation for an air carrier to provide air transportation to a place described in subsection (b), the Secretary shall—

''(1) decide whether to provide compensation for the air carrier to provide air transportation to the place; and

''(2) approve the proposal if the State or local government or a person is willing and able to pay the difference between—

''(A) the per passenger subsidy; and

''(B) the dollar amount allowable for such subsidy under this subchapter.

''(d) COMPENSATION PAYMENTS.—

''(1) IN GENERAL.—The Secretary shall pay compensation under this section at such time and in such manner as the Secretary determines is appropriate.

''(2) DURATION OF PAYMENTS.—The Secretary shall continue to pay compensation under this section only as long as—

''(A) the State or local government or person agreeing to pay compensation under subsection (c)(2) continues to pay such compensation; and

''(B) the Secretary decides the compensation is necessary to maintain air transportation to the place.

''(e) REVIEW.—

''(1) IN GENERAL.—The Secretary shall periodically review the type and level of air service provided under this section.

''(2) CONSULTATION.—The Secretary may make appropriate adjustments in the type and level of air service to a place under this section based on the review under paragraph (1) and consultation with the affected community and the State or local government or person agreeing to pay compensation under subsection (c)(2).

''(f) ENDING, SUSPENDING, AND REDUCING AIR TRANSPORTATION.—An air carrier providing air transportation to a place under this section may end, suspend, or reduce such air transportation if, not later than 30 days before ending, suspending, or reducing such air transportation, the air carrier provides notice of the intent of the air carrier to end, suspend, or reduce such air transportation to—

''(1) the Secretary;

''(2) the affected community; and

''(3) the State or local government or person agreeing to pay compensation under subsection (c)(2).''.

(2) CLERICAL AMENDMENT.—The table of contents for chapter 417 is amended by adding after the item relating to section 41748 the following new item:

''41749. Essential air service for eligible places above per passenger subsidy cap''.

(b) PREFERRED ESSENTIAL AIR SERVICE.—

(1) IN GENERAL.—Subchapter II of chapter 417, as amended by subsection (a), is further amended by adding after section 41749 the following:

"§ 41750. Preferred essential air service

''(a) PROPOSALS.—A State or local government may submit a proposal to the Secretary of Transportation for compensation for a preferred air carrier described in subsection (b) to provide air transportation to an eligible place.

''(b) PREFERRED AIR CARRIER DESCRIBED.—A preferred air carrier described in this subsection is an air carrier that—

''(1) submits an application under section 41733(c) to provide air transportation to an eligible place;

''(2) is not the air carrier that submits the lowest cost bid to provide air transportation to the eligible place; and

''(3) is an air carrier that the affected community prefers to provide air transportation to the eligible place instead of the air carrier that submits the lowest cost bid.

''(c) DECISIONS.—Not later than 90 days after receiving a proposal under subsection (a) for compensation for a preferred air carrier described in subsection (b) to provide air transportation to an eligible place, the Secretary shall—

''(1) decide whether to provide compensation for the preferred air carrier to provide air transportation to the eligible place; and

''(2) approve the proposal if the State or local government or a person is willing and able to pay the difference between—

''(A) the rate of compensation the Secretary would provide to the air carrier that submits the lowest cost bid to provide air transportation to the eligible place; and

''(B) the rate of compensation the preferred air carrier estimates to be necessary to provide air transportation to the eligible place.

''(d) COMPENSATION PAYMENTS.—

''(1) IN GENERAL.—The Secretary shall pay compensation under this section at such time and in such manner as the Secretary determines is appropriate.

''(2) DURATION OF PAYMENTS.—The Secretary shall continue to pay compensation under this section only as long as—

''(A) the State or local government or person agreeing to pay compensation under subsection (c)(2) continues to pay such compensation; and

''(B) the Secretary decides the compensation is necessary to maintain air transportation to the eligible place.

''(e) REVIEW.—

''(1) IN GENERAL.—The Secretary shall periodically review the type and level of air service provided under this section.

''(2) CONSULTATION.—The Secretary may make appropriate adjustments in the type and level of air service to an eligible place under this section based on the review under paragraph (1) and consultation with the affected community and the State or local government or person agreeing to pay compensation under subsection (c)(2).

''(f) ENDING, SUSPENDING, AND REDUCING AIR TRANSPORTATION.—A preferred air carrier providing air transportation to an eligible place under this section may end, suspend, or reduce such air transportation if, not later than 30 days before ending, suspending, or reducing such air transportation, the preferred air carrier provides notice of the intent of the preferred air carrier to end, suspend, or reduce such air transportation to—

''(1) the Secretary;

''(2) the affected community; and

''(3) the State or local government or person agreeing to pay compensation under subsection (c)(2).''.

(2) CLERICAL AMENDMENT.—The table of contents for chapter 417, as amended by subsection (a), is further amended by adding after the item relating to section 41749 the following new item:

''41750. Preferred essential air service''.

(c) RESTORATION OF ELIGIBILITY TO A PLACE DETERMINED BY THE SECRETARY TO BE INELIGIBLE FOR SUBSIDIZED ESSENTIAL AIR SERVICE.—Section 41733 is amended by adding at the end the following:

''(f) RESTORATION OF ELIGIBILITY FOR SUBSIDIZED ESSENTIAL AIR SERVICE.—

''(1) IN GENERAL.—If the Secretary of Transportation terminates the eligibility of an otherwise eligible place to receive basic essential air service by an air carrier for compensation under subsection (c), a State or local government may submit to the Secretary a proposal for restoring such eligibility.

''(2) DETERMINATION BY SECRETARY.—If the per passenger subsidy required by the proposal submitted by a State or local government under paragraph (1) does not exceed the per passenger subsidy cap provided under this subchapter, the Secretary shall issue an order restoring the eligibility of the otherwise eligible place to receive basic essential air service by an air carrier for compensation under subsection (c).''.

(d) OFFICE OF RURAL AVIATION.—

(1) ESTABLISHMENT.—There is established within the Office of the Secretary of Transportation the Office of Rural Aviation.

(e) FUNCTIONS.—The functions of the Office are—

(1) to develop a uniform 4-year contract for air carriers providing essential air service to communities under subchapter II of chapter 417 of title 49, United States Code;

(2) to develop a mechanism for comparing applications submitted by air carriers under section 41733(c) to provide essential air service to communities, including comparing—

(A) estimates from air carriers on—

(i) the cost of providing essential air service; and

(ii) the revenues air carriers expect to receive when providing essential air service; and

(B) estimated schedules for air transportation; and

(3) to select an air carrier from among air carriers applying to provide essential air service, based on the criteria described in paragraph (2).

(f) EXTENSION OF AUTHORITY TO MAKE AGREEMENTS UNDER THE ESSENTIAL AIR SERVICE PROGRAM.—Section 41743(e)(2) is amended by striking ''2009'' and inserting ''2011''.

(g) ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.—Section 41737 is amended by adding at the end thereof the following:

''(f) FUEL COST SUBSIDY DISREGARD.—Any amount provided as an adjustment in compensation pursuant to subsection (a)(1)(D) shall be disregarded for the purpose of determining whether the amount of compensation provided under this subchapter with respect to an eligible place exceeds the per passenger subsidy exceeds the dollar amount allowable under this subchapter.''.

SUBTITLE C—MISCELLANEOUS

SEC. 431. CLARIFICATION OF AIR CARRIER FEE DISPUTES.

(a) IN GENERAL.—Section 47129 is amended—

(1) by striking the section heading and inserting the following:

"§ 47129. Resolution of airport-air carrier and foreign air carrier disputes concerning airport fees" ;

(2) by inserting ''AND FOREIGN AIR CARRIER'' after ''CARRIER'' in the heading for subsection (d);

(3) by inserting ''AND FOREIGN AIR CARRIER'' after ''CARRIER'' in the heading for subsection (d)(2);

(4) by striking ''air carrier'' each place it appears and inserting ''air carrier or foreign air carrier'';

(5) by striking ''air carrier's'' each place it appears and inserting ''air carrier's or foreign air carrier's'';

(6) by striking ''air carriers'' and inserting ''air carriers or foreign air carriers''; and

(7) by striking ''(as defined in section 40102 of this title)'' in subsection (a) and inserting ''(as those terms are defined in section 40102 of this title)''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by striking the item relating to section 47129 and inserting the following:

''47129. Resolution of airport-air carrier and foreign air carrier disputes concerning airport fees''.

SEC. 432. CONTRACT TOWER PROGRAM.

(a) COST-BENEFIT REQUIREMENT.—Section 47124(b)(1) is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following:

''(B) If the Secretary determines that a tower already operating under this program has a benefit to cost ratio of less than 1.0, the airport sponsor or State or local government having jurisdiction over the airport shall not be required to pay the portion of the costs that exceeds the benefit for a period of 18 months after such determination is made.

''(C) If the Secretary finds that all or part of an amount made available to carry out the program continued under this paragraph is not required during a fiscal year, the Secretary may use during such fiscal year the amount not so required to carry out the program established under paragraph (3) of this section.''.

(b) COSTS EXCEEDING BENEFITS.—Subparagraph (D) of section 47124(b)(3) is amended—

(1) by striking ''benefit.'' and inserting ''benefit, with the maximum allowable local cost share for FAA Part 139 certified airports capped at 20 percent for those airports with fewer than 50,000 annual passenger enplanements.''.

(c) FUNDING.—Subparagraph (E) of section 47124(b)(3) is amended—

(1) by striking ''and'' after ''2006,''; and

(2) by striking ''2007'' and inserting ''2007, $9,500,000 for fiscal year 2010, and $10,000,000 for fiscal year 2011'' after ''2007,''; and

(3) by inserting after ''paragraph.'' the following: ''If the Secretary finds that all or part of an amount made available under this subparagraph is not required during a fiscal year to carry out this paragraph, the Secretary may use during such fiscal year the amount not so required to carry out the program continued under subsection (b)(1) of this section.''.

(d) FEDERAL SHARE.—Subparagraph (C) of section 47124(b)(4) is amended by striking ''$1,500,000.'' and inserting ''$2,000,000.''.

(e) SAFETY AUDITS.—Section 41724 is amended by adding at the end the following:

''(c) SAFETY AUDITS.—The Secretary shall establish uniform standards and requirements for safety assessments of air traffic control towers that receive funding under this section in accordance with the Administration's safety management system.''.

SEC. 433. AIRFARES FOR MEMBERS OF THE ARMED FORCES.

(a) FINDINGS.—The Congress finds that—

(1) the Armed Forces is comprised of approximately 1,450,000 members who are stationed on active duty at more than 6,000 military bases in 146 different countries;

(2) the United States is indebted to the members of the Armed Forces, many of whom are in grave danger due to their engagement in, or exposure to, combat;

(3) military service, especially in the current war against terrorism, often requires members of the Armed Forces to be separated from their families on short notice, for long periods of time, and under very stressful conditions;

(4) the unique demands of military service often preclude members of the Armed Forces from purchasing discounted advance airline tickets in order to visit their loved ones at home; and

(5) it is the patriotic duty of the people of the United States to support the members of the Armed Forces who are defending the Nation's interests around the world at great personal sacrifice.

(b) SENSE OF CONGRESS.—It is the sense of Congress that each United States air carrier should—

(1) establish for all members of the Armed Forces on active duty reduced air fares that are comparable to the lowest airfare for ticketed flights; and

(2) offer flexible terms that allow members of the Armed Forces on active duty to purchase, modify, or cancel tickets without time restrictions, fees (including baggage fees), ancillary costs, or penalties.

TITLE V— SAFETY

SUBTITLE A—AVIATION SAFETY

SEC. 501. RUNWAY SAFETY EQUIPMENT PLAN.

Not later than December 31, 2009, the Administrator of the Federal Aviation Administration shall issue a plan to develop an installation and deployment schedule for systems the Administration is installing to alert controllers and flight crews to potential runway incursions. The plan shall be integrated into the annual Federal Aviation Administration NextGen Implementation Plan.

SEC. 502. JUDICIAL REVIEW OF DENIAL OF AIRMAN CERTIFICATES.

(a) JUDICIAL REVIEW OF NTSB DECISIONS.—Section 44703(d) is amended by adding at the end the following:

''(3) JUDICIAL REVIEW.—A person substantially affected by an order of the Board under this subsection, or the Administrator when the Administrator decides that an order of the Board will have a significant adverse impact on carrying out this part, may obtain judicial review of the order under section 46110 of this title. The Administrator shall be made a party to the judicial review proceedings. The findings of fact of the Board in any such case are conclusive if supported by substantial evidence.''.

(b) CONFORMING AMENDMENT.—Section 1153(c) is amended by striking ''section 44709 or'' and inserting ''section 44703(d), 44709, or''.

SEC. 503. RELEASE OF DATA RELATING TO ABANDONED TYPE CERTIFICATES AND SUPPLEMENTAL TYPE CERTIFICATES.

Section 44704(a) is amended by adding at the end the following:

''(5) RELEASE OF DATA.—

''(A) Notwithstanding any other provision of law, the Administrator may designate, without the consent of the owner of record, engineering data in the agency's possession related to a type certificate or a supplemental type certificate for an aircraft, engine, propeller or appliance as public data, and therefore releasable, upon request, to a person seeking to maintain the airworthiness of such product, if the Administrator determines that—

''(i) the certificate containing the requested data has been inactive for 3 years;

''(ii) the owner of record, or the owner of record's heir, of the type certificate or supplemental certificate has not been located despite a search of due diligence by the agency; and

''(iii) the designation of such data as public data will enhance aviation safety.

''(B) In this section, the term 'engineering data' means type design drawings and specifications for the entire product or change to the product, including the original design data, and any associated supplier data for individual parts or components approved as part of the particular aeronautical product certificate.''.

SEC. 504. DESIGN ORGANIZATION CERTIFICATES.

Section 44704(e) is amended—

(1) by striking ''Beginning 7 years after the date of enactment of this subsection,'' in paragraph (1) and inserting ''Effective January 1, 2013,'';

(2) by striking ''testing'' in paragraph (2) and inserting ''production''; and

(3) by striking paragraph (3) and inserting the following:

''(3) ISSUANCE OF CERTIFICATE BASED ON DESIGN ORGANIZATION CERTIFICATION.—The Administrator may rely on the Design Organization for certification of compliance under this section.''.

SEC. 505. FAA ACCESS TO CRIMINAL HISTORY RECORDS OR DATABASE SYSTEMS.

(a) IN GENERAL.—Chapter 401 is amended by adding at the end thereof the following:

''§ 40130. FAA access to criminal history records or databases systems

''(a) ACCESS TO RECORDS OR DATABASES SYSTEMS.—

''(1) Notwithstanding section 534 of title 28 and the implementing regulations for such section (28 C.F.R. part 20), the Administrator of the Federal Aviation Administration is authorized to access a system of documented criminal justice information maintained by the Department of Justice or by a State but may do so only for the purpose of carrying out its civil and administrative responsibilities to protect the safety and security of the National Airspace System or to support the missions of the Department of Justice, the Department of Homeland Security, and other law enforcement agencies. The Administrator shall be subject to the same conditions or procedures established by the Department of Justice or State for access to such an information system by other governmental agencies with access to the system.

''(2) The Administrator may not use the access authorized under paragraph (1) to conduct criminal investigations.

''(b) DESIGNATED EMPLOYEES.—The Administrator shall, by order, designate those employees of the Administration who shall carry out the authority described in subsection (a). Such designated employees may—

''(1) have access to and receive criminal history, driver, vehicle, and other law enforcement information contained in the law enforcement databases of the Department of Justice, or of any jurisdiction in a State in the same manner as a police officer employed by a State or local authority of that State who is certified or commissioned under the laws of that State;

''(2) use any radio, data link, or warning system of the Federal Government and of any jurisdiction in a State that provides information about wanted persons, be-on-the-lookout notices, or warrant status or other officer safety information to which a police officer employed by a State or local authority in that State who is certified or commission under the laws of that State has access and in the same manner as such police officer; or

''(3) receive Federal, State, or local government communications with a police officer employed by a State or local authority in that State in the same manner as a police officer employed by a State or local authority

in that State who is commissioned under the laws of that State.

''(c) SYSTEM OF DOCUMENTED CRIMINAL JUSTICE INFORMATION DEFINED.—In this section the term 'system of documented criminal justice information' means any law enforcement databases, systems, or communications containing information concerning identification, criminal history, arrests, convictions, arrest warrants, or wanted or missing persons, including the National Crime Information Center and its incorporated criminal history databases and the National Law Enforcement Telecommunications System.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 401 is amended by inserting after the item relating to section 40129 the following:

''40130. FAA access to criminal history records or databases systems''.

SEC. 506. PILOT FATIGUE.

(a) FLIGHT AND DUTY TIME REGULATIONS.—

(1) IN GENERAL.—In accordance with paragraph (2), the Administrator of the Federal Aviation Administration shall issue regulations, based on the best available scientific information—

(A) to specify limitations on the hours of flight and duty time allowed for pilots to address problems relating to pilot fatigue; and

(B) to require part 121 air carriers to develop and implement fatigue risk management plans.

(2) DEADLINES.—The Administrator shall issue—

(A) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under paragraph (1); and

(B) not later than one year after the date of enactment of this Act, a final rule under paragraph (1).

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF FATIGUE RISK MANAGEMENT PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each part 121 air carrier shall submit to the Administrator for review and approval a fatigue risk management plan.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme that enables the management of fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on pilots; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of the program, including the ability of the program—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) PLAN UPDATES.—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and approval.

(4) APPROVAL.—

(A) INITIAL APPROVAL OR MODIFICATION.—Not later than 9 months after the date of enactment of this Act, the Administrator shall review and approve or require modification to fatigue risk management plans submitted under this subsection to ensure that pilots are not operating aircraft while fatigued.

(B) UPDATE APPROVAL OR MODIFICATION.—Not later than 9 months after submission of a plan update under paragraph (3), the Administrator shall review and approve or require modification to such update.

(5) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

(6) LIMITATION ON APPLICABILITY.—The requirements of this subsection shall cease to apply to a part 121 air carrier on and after the effective date of the regulations to be issued under subsection (a).

(c) EFFECT OF COMMUTING ON FATIGUE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study of the effects of commuting on pilot fatigue and report its findings to the Administrator.

(2) STUDY.—In conducting the study, the National Academy of Sciences shall consider—

(A) the prevalence of pilot commuting in the commercial air carrier industry, including the number and percentage of pilots who commute;

(B) information relating to commuting by pilots, including distances traveled, time zones crossed, time spent, and methods used;

(C) research on the impact of commuting on pilot fatigue, sleep, and circadian rhythms;

(D) commuting policies of commercial air carriers (including passenger and all-cargo air carriers), including pilot check-in requirements and sick leave and fatigue policies;

(E) post-conference materials from the Federal Aviation Administration's June 2008 symposium entitled ''Aviation Fatigue Management Symposium: Partnerships for Solutions'';

(F) Federal Aviation Administration and international policies and guidance regarding commuting; and

(G) any other matters as the Administrator considers appropriate.

(3) PRELIMINARY FINDINGS.—Not later than 90 days after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit to the Administrator its preliminary findings under the study.

(4) REPORT.—Not later than 6 months after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit a report to the Administrator containing its findings under the study and any recommendations for regulatory or administrative actions by the Federal Aviation Administration concerning commuting by pilots.

(5) RULEMAKING.—Following receipt of the report of the National Academy of Sciences under paragraph (4), the Administrator shall—

(A) consider the findings and recommendations in the report; and

(B) update, as appropriate based on scientific data, regulations required by subsection (a) on flight and duty time.

SEC. 507. INCREASING SAFETY FOR HELICOPTER AND FIXED WING EMERGENCY MEDICAL SERVICE OPERATORS AND PATIENTS.

(a) COMPLIANCE REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 18 months after the date of enactment of this Act, helicopter and fixed wing aircraft certificate holders providing emergency medical services shall comply with part 135 of title 14, Code of Federal Regulations, if there is a medical crew on board, without regard to whether there are patients on board.

(2) EXCEPTION.—If a certificate holder described in paragraph (1) is operating under instrument flight rules or is carrying out training therefor—

(A) the weather minimums and duty and rest time regulations under such part 135 of such title shall apply; and

(B) the weather reporting requirement at the destination shall not apply until such time as the Administrator of the Federal Aviation Administration determines that portable, reliable, and accurate ground-based weather measuring and reporting systems are available.

(b) IMPLEMENTATION OF FLIGHT RISK EVALUATION PROGRAM.—

(1) INITIATION.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking—

(A) to create a standardized checklist of risk evaluation factors based on Notice 8000.301, which was issued by the Administration on August 1, 2005; and

(B) to require helicopter and fixed wing aircraft emergency medical service operators to use the checklist created under subparagraph (A) to determine whether a mission should be accepted.

(2) COMPLETION.—The rulemaking initiated under paragraph (1) shall be completed not later than 18 months after it is initiated.

(c) COMPREHENSIVE CONSISTENT FLIGHT DISPATCH PROCEDURES.—

(1) INITIATION.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking—

(A) to require that helicopter and fixed wing emergency medical service operators formalize and implement performance based flight dispatch and flight-following procedures; and

(B) to develop a method to assess and ensure that such operators comply with the requirements described in subparagraph (A).

(2) COMPLETION.—The rulemaking initiated under paragraph (1) shall be completed not later than 18 months after it is initiated.

(d) IMPROVING SITUATIONAL AWARENESS.—Within 1 year after the date of enactment of this Act, any helicopter or fixed-wing aircraft used for emergency medical service shall have on board a device that performs the function of a terrain awareness and warning system and a means of displaying that information that meets the requirements of the applicable Federal Aviation Administration Technical Standard Order or other guidance prescribed by the Administrator.

(e) IMPROVING THE DATA AVAILABLE ON AIR MEDICAL OPERATIONS.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall require each certificate holder for helicopters and fixed-wing aircraft used for emergency medical service operations to report not later than 1 year after the date of enactment of this Act and annually thereafter on—

(A) the number of aircraft and helicopters used to provide air ambulance services, the registration number of each of these aircraft or helicopters, and the base location of each of these aircraft or helicopters;

(B) the number of flights and hours flown by each such aircraft or helicopter used by the certificate holder to provide such services during the reporting period;

(C) the number of flights and the purpose of each flight for each aircraft or helicopter used by the certificate holder to provide such services during the reporting period;

(D) the number of flight requests for a helicopter providing helicopter air ambulance services that were accepted or declined by the certificate holder and the type of each such flight request (such as scene response, inter-facility transport, organ transport, or ferry or repositioning flight);

(E) the number of accidents involving helicopters operated by the certificate holder

while providing helicopter air ambulance services and a description of the accidents;

(F) the number of flights and hours flown under instrument flight rules by helicopters operated by the certificate holder while providing helicopter air ambulance services;

(G) the time of day of each flight flown by helicopters operated by the certificate holder while providing helicopter air ambulance services; and

(H) The number of incidents where more helicopters arrive to transport patients than is needed in a flight request or scene response.

(2) REPORT TO CONGRESS.—The Administrator of the Federal Aviation Administration shall report to Congress on the information received pursuant to paragraph (1) of this subsection no later than 18 months after the date of enactment of this Act.

(f) IMPROVING THE DATA AVAILABLE TO NTSB INVESTIGATORS AT CRASH SITES.—

(1) STUDY.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a report that indicates the availability, survivability, size, weight, and cost of devices that perform the function of recording voice communications and flight data information on existing and new helicopters and existing and new fixed wing aircraft used for emergency medical service operations.

(2) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations that require devices that perform the function of recording voice communications and flight data information on board aircraft described in paragraph (1).

SEC. 508. CABIN CREW COMMUNICATION.

(a) IN GENERAL.—Section 44728 is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) MINIMUM LANGUAGE SKILLS.—

''(1) IN GENERAL.—No certificate holder may use any person to serve, nor may any person serve, as a flight attendant under this part, unless that person has demonstrated to an individual qualified to determine proficiency the ability to read, speak, and write English well enough to—

''(A) read material written in English and comprehend the information;

''(B) speak and understand English sufficiently to provide direction to, and understand and answer questions from, English-speaking individuals;

''(C) write incident reports and statements and log entries and statements; and

''(D) carry out written and oral instructions regarding the proper performance of their duties.

''(2) FOREIGN FLIGHTS.—The requirements of paragraph (1) do not apply to service as a flight attendant serving solely between points outside the United States.''.

(b) ADMINISTRATION.—The Administrator of the Federal Aviation Administration shall work with certificate holders to which section 44728(f) of title 49, United States Code, applies to facilitate compliance with the requirements of section 44728(f)(1) of that title.

SEC. 509. CLARIFICATION OF MEMORANDUM OF UNDERSTANDING WITH OSHA.

(a) IN GENERAL.—Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) establish milestones, in consultation with the Occupational Safety and Health Administration, through a report to Congress for the completion of work begun under the August 2000 memorandum of understanding between the 2 Administrations and to address issues needing further action in the Administrations' joint report in December 2000; and

(2) initiate development of a policy statement to set forth the circumstances in which Occupational Safety and Health Administration requirements may be applied to crewmembers while working in the aircraft.

(b) POLICY STATEMENT.—The policy statement to be developed under subsection (a)(2) shall be completed within 18 months after the date of enactment of this Act and shall satisfy the following principles:

(1) The establishment of a coordinating body similar to the Aviation Safety and Health Joint Team established by the August 2000 memorandum of understanding that includes representatives designated by both Administrations—

(A) to examine the applicability of current and future Occupational Safety and Health Administration regulations;

(B) to recommend policies for facilitating the training of Federal Aviation Administration inspectors; and

(C) to make recommendations that will govern the inspection and enforcement of safety and health standards on board aircraft in operation and all work-related environments.

(2) Any standards adopted by the Federal Aviation Administration shall set forth clearly—

(A) the circumstances under which an employer is required to take action to address occupational safety and health hazards;

(B) the measures required of an employer under the standard; and

(C) the compliance obligations of an employer under the standard.

SEC. 510. ACCELERATION OF DEVELOPMENT AND IMPLEMENTATION OF REQUIRED NAVIGATION PERFORMANCE APPROACH PROCEDURES.

(a) IN GENERAL.—

(1) ANNUAL MINIMUM REQUIRED NAVIGATION PERFORMANCE PROCEDURES.—The Administrator shall set a target of achieving a minimum of 200 Required Navigation Performance procedures each fiscal year through fiscal year 2012, with 25 percent of that target number meeting the low visibility approach criteria consistent with the NextGen Implementation Plan.

(2) USE OF THIRD PARTIES.—The Administrator is authorized to provide third parties the ability to design, flight check, and implement Required Navigation Performance approach procedures.

(b) DOT INSPECTOR GENERAL REVIEW OF OPERATIONAL AND APPROACH PROCEDURES BY A THIRD PARTY.—

(1) REVIEW.—The Inspector General of the Department of Transportation shall conduct a review regarding the effectiveness of the oversight activities conducted by the Administration in connection with any agreement with or delegation of authority to a third party for the development of flight procedures, including public use procedures, for the National Airspace System.

(2) ASSESSMENTS.—The Inspector General shall include, at a minimum, in the review—

(A) an assessment of the extent to which the Administration is relying or intends to rely on a third party for the development of new procedures and a determination of whether the Administration has established sufficient mechanisms and staffing to provide safety oversight functions, which may include quality assurance processes, flight checks, integration of procedures into the National Aviation System, and operational assessments of procedures developed by third parties; and

(B) an assessment regarding whether the Administration has sufficient existing personnel and technical resources or mechanisms to develop such flight procedures in a safe and efficient manner to meet the demands of the National Airspace System without the use of third party resources.

(c) REPORT.—No later than 1 year after the date of enactment of this Act, the Inspector General shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure a report on the results of the review conducted under this section.

SEC. 511. IMPROVED SAFETY INFORMATION.

Not later than December 31, 2009, the Administrator of the Federal Aviation Administration shall issue a final rule in docket No. FAA–2008–0188, Re-registration and Renewal of Aircraft Registration. The final rule shall include—

(1) provision for the expiration of a certificate for an aircraft registered as of the date of enactment of this Act, with re-registration requirements for those aircraft that remain eligible for registration;

(2) provision for the periodic expiration of all certificates issued after the effective date of the rule with a registration renewal process; and

(3) other measures to promote the accuracy and efficient operation and value of the Administration's aircraft registry.

SEC. 512. VOLUNTARY DISCLOSURE REPORTING PROCESS IMPROVEMENTS.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) take such action as may be necessary to ensure that the Voluntary Disclosure Reporting Process requires inspectors—

(A) to evaluate corrective action proposed by an air carrier with respect to a matter disclosed by that air carrier is sufficiently comprehensive in scope and application and applies to all affected aircraft operated by that air carrier before accepting the proposed voluntary disclosure;

(B) to verify that corrective action so identified by an air carrier is completed within the timeframe proposed; and

(C) to verify by inspection that the carrier's corrective action adequately corrects the problem that was disclosed; and

(2) establish a second level supervisory review of disclosures under the Voluntary Disclosure Reporting Process before any proposed disclosure is accepted and closed that will ensure that a matter disclosed by an air carrier—

(A) has not been previously identified by a Federal Aviation Administration inspector; and

(B) has not been previously disclosed by the carrier in the preceding 5 years.

(b) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the Voluntary Disclosure Reporting Program.

(2) REVIEW.—In conducting the study, the Comptroller General shall examine, at a minimum, whether—

(A) there is evidence that voluntary disclosure is resulting in regulated entities discovering and correcting violations to a greater extent than would otherwise occur if there was no program for immunity from enforcement action;

(B) the voluntary disclosure program makes the Federal Aviation Administration aware of violations that it would not have discovered if there was not a program, and if a violation is disclosed voluntarily, whether the Administration insists on stronger corrective actions than would have occurred if

the regulated entity knew of a violation, but the Administration did not;

(C) the information the Administration gets under the program leads to fewer violations by other entities, either because the information leads other entities to look for similar violations or because the information leads Administration investigators to look for similar violations at other entities; and

(D) there is any evidence that voluntary disclosure has improved compliance with regulations, either for the entities making disclosures or for the industry generally.

(3) REPORT.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the results of the study conducted under this subsection.

SEC. 513. PROCEDURAL IMPROVEMENTS FOR INSPECTIONS.

(a) IN GENERAL.—Section 44711 is amended by adding at the end the following:

''(d) POST-EMPLOYMENT RESTRICTIONS FOR FLIGHT STANDARDS INSPECTORS.—

''(1) PROHIBITION.—A person holding an operating certificate issued under title 14, Code of Federal Regulations, may not knowingly employ, or make a contractual arrangement which permits, an individual to act as an agent or representative of the certificate holder in any matter before the Federal Aviation Administration if the individual, in the preceding 3-year period—

''(A) served as, or was responsible for oversight of, a flight standards inspector of the Administration; and

''(B) had responsibility to inspect, or oversee inspection of, the operations of the certificate holder.

''(2) WRITTEN AND ORAL COMMUNICATIONS.—For purposes of paragraph (1), an individual shall be considered to be acting as an agent or representative of a certificate holder in a matter before the Federal Aviation Administration if the individual makes any written or oral communication on behalf of the certificate holder to the Administration (or any of its officers or employees) in connection with a particular matter, whether or not involving a specific party and without regard to whether the individual has participated in, or had responsibility for, the particular matter while serving as a flight standards inspector of the Administration.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall not apply to an individual employed by a certificate holder as of the date of enactment of this Act.

SEC. 514. INDEPENDENT REVIEW OF SAFETY ISSUES.

Within 30 days after the date of enactment of this Act, the Comptroller General shall initiate a review and investigation of air safety issues identified by Federal Aviation Administration employees and reported to the Administrator. The Comptroller General shall report the Government Accountability Office's findings and recommendations to the Administrator, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure on an annual basis.

SEC. 515. NATIONAL REVIEW TEAM.

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a national review team within the Administration to conduct periodic, unannounced, and random reviews of the Administration's oversight of air carriers and report annually its findings and recommendations to the Administrator, the Senate Commerce, Science, and Transportation Committee, and the House of Representatives Committee on Transportation and Infrastructure.

(b) LIMITATION.—The Administrator shall prohibit a member of the National Review Team from participating in any review or audit of an air carrier under subsection (a) if the member has previously had responsibility for inspecting, or overseeing the inspection of, the operations of that air carrier.

(c) INSPECTOR GENERAL REPORTS.—The Inspector General of the Department of Transportation shall provide progress reports to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the review teams and their effectiveness.

SEC. 516. FAA ACADEMY IMPROVEMENTS.

(a) REVIEW.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall conduct a comprehensive review and evaluation of its Academy and facility training efforts.

(b) FACILITY TRAINING PROGRAM.—The Administrator shall—

(1) clarify responsibility for oversight and direction of the Academy's facility training program at the national level;

(2) communicate information concerning that responsibility to facility managers; and

(3) establish standards to identify the number of developmental controllers that can be accommodated at each facility, based on—

(A) the number of available on-the-job-training instructors;

(B) available classroom space;

(C) the number of available simulators;

(D) training requirements; and

(E) the number of recently placed new personnel already in training.

SEC. 517. REDUCTION OF RUNWAY INCURSIONS AND OPERATIONAL ERRORS.

(a) PLAN.—The Administrator of the Federal Aviation Administration shall develop a plan for the reduction of runway incursions by reviewing every commercial service airport (as defined in section 47102 of title 49, United States Code) in the United States and initiating action to improve airport lighting, provide better signage, and improve runway and taxiway markings.

(b) PROCESS.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a process for tracking and investigating operational errors and runway incursions that includes—

(1) identifying the office responsible for establishing regulations regarding operational errors and runway incursions;

(2) identifying who is responsible for tracking and investigating operational errors and runway incursions and taking remedial actions;

(3) identifying who is responsible for tracking operational errors and runway incursions, including a process for lower level employees to report to higher supervisory levels; and

(4) periodic random audits of the oversight process.

SEC. 518. AVIATION SAFETY WHISTLEBLOWER INVESTIGATION OFFICE.

Section 106 is amended by adding at the end the following:

''(s) AVIATION SAFETY WHISTLEBLOWER INVESTIGATION OFFICE.—

''(1) ESTABLISHMENT.—There is established in the Administration an Aviation Safety Whistleblower Investigation Office.

''(2) DIRECTOR.—

''(A) APPOINTMENT.—The head of the Office shall be the Director, who shall be appointed by the Secretary of Transportation.

''(B) QUALIFICATIONS.—The Director shall have a demonstrated ability in investigations and knowledge of or experience in aviation.

''(C) TERM.—The Director shall be appointed for a term of 5 years.

''(D) VACANCY.—Any individual appointed to fill a vacancy in the position of the Director occurring before the expiration of the term for which the individual's predecessor was appointed shall be appointed for the remainder of that term.

''(3) COMPLAINTS AND INVESTIGATIONS.—

''(A) AUTHORITY OF DIRECTOR.—The Director shall—

''(i) receive complaints and information submitted by employees of persons holding certificates issued under title 14, Code of Federal Regulations, and employees of the Administration concerning the possible existence of an activity relating to a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety;

''(ii) assess complaints and information submitted under clause (i) and determine whether a substantial likelihood exists that a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety may have occurred; and

''(iii) based on findings of the assessment conducted under clause (ii), make recommendations to the Administrator in writing for further investigation or corrective actions.

''(B) DISCLOSURE OF IDENTITIES.—The Director shall not disclose the identity of an individual who submits a complaint or information under subparagraph (A)(i) unless—

''(i) the individual consents to the disclosure in writing; or

''(ii) the Director determines, in the course of an investigation, that the disclosure is unavoidable.

''(C) INDEPENDENCE OF DIRECTOR.—The Secretary, the Administrator, or any officer or employee of the Administration may not prevent or prohibit the Director from initiating, carrying out, or completing any assessment of a complaint or information submitted subparagraph (A)(i) or from reporting to Congress on any such assessment.

''(D) ACCESS TO INFORMATION.—In conducting an assessment of a complaint or information submitted under subparagraph (A)(i), the Director shall have access to all records, reports, audits, reviews, documents, papers, recommendations, and other material necessary to determine whether a substantial likelihood exists that a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety may have occurred.

''(4) RESPONSES TO RECOMMENDATIONS.—The Administrator shall respond to a recommendation made by the Director under subparagraph (A)(iii) in writing and retain records related to any further investigations or corrective actions taken in response to the recommendation.

''(5) INCIDENT REPORTS.—If the Director determines there is a substantial likelihood that a violation of an order, regulation, or standard of the Administration or any other provision of Federal law relating to aviation safety may have occurred that requires immediate corrective action, the Director shall report the potential violation expeditiously to the Administrator and the Inspector General of the Department of Transportation.

''(6) REPORTING OF CRIMINAL VIOLATIONS TO INSPECTOR GENERAL.—If the Director has reasonable grounds to believe that there has been a violation of Federal criminal law, the Director shall report the violation expeditiously to the Inspector General.

''(7) ANNUAL REPORTS TO CONGRESS.—Not later than October 1 of each year, the Director shall submit to Congress a report containing—

''(A) information on the number of submissions of complaints and information received by the Director under paragraph (3)(A)(i) in the preceding 12-month period;

''(B) summaries of those submissions;

''(C) summaries of further investigations and corrective actions recommended in response to the submissions; and

''(D) summaries of the responses of the Administrator to such recommendations.''.

SEC. 519. MODIFICATION OF CUSTOMER SERVICE INITIATIVE.

(a) MODIFICATION OF INITIATIVE.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall modify the customer service initiative, mission and vision statements, and other statements of policy of the Administration—

(1) to remove any reference to air carriers or other entities regulated by the Administration as ''customers'';

(2) to clarify that in regulating safety the only customers of the Administration are members of the traveling public; and

(3) to clarify that air carriers and other entities regulated by the Administration do not have the right to select the employees of the Administration who will inspect their operations.

(b) SAFETY PRIORITY.—In carrying out the Administrator's responsibilities, the Administrator shall ensure that safety is given a higher priority than preventing the dissatisfaction of an air carrier or other entity regulated by the Administration with an employee of the Administration.

SEC. 520. HEADQUARTERS REVIEW OF AIR TRANSPORTATION OVERSIGHT SYSTEM DATABASE.

(a) REVIEWS.—The Administrator of the Federal Aviation Administration shall establish a process by which the air transportation oversight system database of the Administration is reviewed by a team of employees of the Agency on a monthly basis to ensure that—

(1) any trends in regulatory compliance are identified; and

(2) appropriate corrective actions are taken in accordance with Agency regulations, advisory directives, policies, and procedures.

(b) MONTHLY TEAM REPORTS.—

(1) IN GENERAL.—The team of employees conducting a monthly review of the air transportation oversight system database under subsection (a) shall submit to the Administrator, the Associate Administrator for Aviation Safety, and the Director of Flight Standards a report on the results of the review.

(2) CONTENTS.—A report submitted under paragraph (1) shall identify—

(A) any trends in regulatory compliance discovered by the team of employees in conducting the monthly review; and

(B) any corrective actions taken or proposed to be taken in response to the trends.

(c) QUARTERLY REPORTS TO CONGRESS.—The Administrator, on a quarterly basis, shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure on the results of reviews of the air transportation oversight system database conducted under this section, including copies of reports received under subsection (b).

SEC. 521. INSPECTION OF FOREIGN REPAIR STATIONS.

(a) IN GENERAL.—Chapter 447 is amended by adding at the end the following:

''§ 44730. Inspection of foreign repair stations

''(a) IN GENERAL.—Within 1 year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act the Administrator of the Federal Aviation Administration shall establish and implement a safety assessment system for all part 145 repair stations based on the type, scope, and complexity of work being performed. The system shall—

''(1) ensure that repair stations outside the United States are subject to appropriate inspections based on identified risk and consistent with existing United States requirements;

''(2) consider inspection results and findings submitted by foreign civil aviation authorities operating under a maintenance safety or maintenance implementation agreement with the United States in meeting the requirements of the safety assessment system; and

''(3) require all maintenance safety or maintenance implementation agreements to provide an opportunity for the Federal Aviation Administration to conduct independent inspections of covered part 145 repair stations when safety concerns warrant such inspections.

''(b) NOTICE TO CONGRESS OF NEGOTIATIONS.—The Administrator shall notify the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure within 30 days after initiating formal negotiations with foreign aviation authorities or other appropriate foreign government agencies on a new maintenance safety or maintenance implementation agreement.

''(c) ANNUAL REPORT.—The Administrator shall publish an annual report on the Federal Aviation Administration's oversight of part 145 repair stations and implementation of the safety assessment system required by subsection (a). The report shall—

''(1) describe in detail any improvements in the Federal Aviation Administration's ability to identify and track where part 121 air carrier repair work is performed;

''(2) include a staffing model to determine the best placement of inspectors and the number of inspectors needed;

''(3) describe the training provided to inspectors; and

''(4) include an assessment of the quality of monitoring and surveillance by the Federal Aviation Administration of work provided by its inspectors and the inspectors of foreign authorities operating under a maintenance safety or implementation agreement.

''(d) ALCOHOL AND CONTROLLED SUBSTANCE TESTING PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—The Secretaries of State and Transportation jointly shall request the governments of foreign countries that are members of the International Civil Aviation Organization to establish international standards for alcohol and controlled substances testing of persons that perform safety sensitive maintenance functions upon commercial air carrier aircraft.

''(2) APPLICATION TO PART 121 AIRCRAFT WORK.—Within 1 year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act the Administrator shall promulgate a proposed rule requiring that all part 145 repair station employees responsible for safety-sensitive functions on part 121 air carrier aircraft are subject to an alcohol and controlled substance testing program determined acceptable by the Administrator and consistent with the applicable laws of the country in which the repair station is located.

''(e) BIANNUAL INSPECTIONS.—The Administrator shall require part 145 repair stations to be inspected twice each year by Federal Aviation Administration safety inspectors, regardless of where the station is located, in a manner consistent with United States obligations under international agreements.

''(f) DEFINITIONS.—In this section:

''(1) PART 121 AIR CARRIER.—The term 'part 121 air carrier' means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

''(2) PART 145 REPAIR STATION.—The term 'part 145 repair station' means a repair station that holds a certificate issued under part 145 of title 14, Code of Federal Regulations.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 447 is amended by adding at the end thereof the following:

''44730. Inspection of foreign repair stations''.

SEC. 522. NON-CERTIFICATED MAINTENANCE PROVIDERS.

(a) REGULATIONS.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue regulations requiring that all covered maintenance work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, be performed by individuals in accordance with subsection (b).

(b) PERSONS AUTHORIZED TO PERFORM CERTAIN WORK.—No individual may perform covered maintenance work on aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations unless that individual is employed by—

(1) a part 121 air carrier;

(2) a part 145 repair station or a person authorized under section 43.17 of title 14, Code of Federal Regulations;

(3) a person that provides contract maintenance workers or services to a part 145 repair station or part 121 air carrier, and the individual—

(A) meets the requirements of the part 121 air carrier or the part 145 repair station;

(B) performs the work under the direct supervision and control of the part 121 air carrier or the part 145 repair station directly in charge of the maintenance services; and

(C) carries out the work in accordance with the part 121 air carrier's maintenance manual;

(4) by the holder of a type certificate, production certificate, or other production approval issued under part 21 of title 14, Code of Federal Regulations, and the holder of such certificate or approval—

(A) originally produced, and continues to produce, the article upon which the work is to be performed; and

(B) is acting in conjunction with a part 121 air carrier or a part 145 repair station.

(d) DEFINITIONS.—In this section:

(1) COVERED MAINTENANCE WORK.—The term ''covered maintenance work'' means maintenance work that is essential maintenance, regularly scheduled maintenance, or a required inspection item, as determined by the Administrator.

(2) PART 121 AIR CARRIER.—The term ''part 121 air carrier'' has the meaning given that term in section 44730(f)(1) of title 49, United States Code.

(3) PART 145 REPAIR STATION.—The term ''part 145 repair station'' has the meaning given that term in section 44730(f)(2) of title 49, United States Code.

SUBTITLE B—FLIGHT SAFETY

SEC. 551. FAA PILOT RECORDS DATABASE.

(a) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.—Section 44703(h) is amended by adding at the end the following:

''(16) APPLICABILITY.—This subsection shall cease to be effective on the date specified in regulations issued under subsection (i).''.

(b) ESTABLISHMENT OF FAA PILOT RECORDS DATABASE.—Section 44703 is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following:

''(i) FAA PILOT RECORDS DATABASE.—

''(1) IN GENERAL.—Before allowing an individual to begin service as a pilot, an air carrier shall access and evaluate, in accordance with the requirements of this subsection, information pertaining to the individual from the pilot records database established under paragraph (2).

''(2) PILOT RECORDS DATABASE.—The Administrator shall establish an electronic database (in this subsection referred to as the 'database') containing the following records:

''(A) FAA RECORDS.—From the Administrator—

''(i) records that are maintained by the Administrator concerning current airman certificates, including airman medical certificates and associated type ratings and information on any limitations to those certificates and ratings;

''(ii) records that are maintained by the Administrator concerning any failed attempt of an individual to pass a practical test required to obtain a certificate or type rating under part 61 of title 14, Code of Federal Regulations; and

''(iii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation of this title or a regulation prescribed or order issued under this title that was not subsequently overturned.

''(B) AIR CARRIER AND OTHER RECORDS.—From any air carrier or other person (except a branch of the Armed Forces, the National Guard, or a reserve component of the Armed Forces) that has employed an individual as a pilot of a civil or public aircraft, or from the trustee in bankruptcy for such air carrier or person—

''(i) records pertaining to the individual that are maintained by the air carrier (other than records relating to flight time, duty time, or rest time), including records under regulations set forth in—

''(I) section 121.683 of title 14, Code of Federal Regulations;

''(II) paragraph (A) of section VI, appendix I, part 121 of such title;

''(III) paragraph (A) of section IV, appendix J, part 121 of such title;

''(IV) section 125.401 of such title; and

''(V) section 135.63(a)(4) of such title; and

''(ii) other records pertaining to the individual's performance as a pilot that are maintained by the air carrier or person concerning—

''(I) the training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with section 121.411, 125.295, or 135.337 of such title;

''(II) any disciplinary action taken with respect to the individual that was not subsequently overturned; and

''(III) any release from employment or resignation, termination, or disqualification with respect to employment.

''(C) NATIONAL DRIVER REGISTER RECORDS.—In accordance with section 30305(b)(8) of this title, from the chief driver licensing official of a State, information concerning the motor vehicle driving record of the individual.

''(3) WRITTEN CONSENT; RELEASE FROM LIABILITY.—An air carrier—

''(A) shall obtain the written consent of an individual before accessing records pertaining to the individual under paragraph (1); and

''(B) may, notwithstanding any other provision of law or agreement to the contrary, require an individual with respect to whom the carrier is accessing records under paragraph (1) to execute a release from liability for any claim arising from accessing the records or the use of such records by the air carrier in accordance with this section (other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute).

''(4) REPORTING.—

''(A) REPORTING BY ADMINISTRATOR.—The Administrator shall enter data described in paragraph (2)(A) into the database promptly to ensure that an individual's records are current.

''(B) REPORTING BY AIR CARRIERS AND OTHER PERSONS.—

''(i) IN GENERAL.—Air carriers and other persons shall report data described in paragraphs (2)(B) and (2)(C) to the Administrator promptly for entry into the database.

''(ii) DATA TO BE REPORTED.—Air carriers and other persons shall report, at a minimum, under clause (i) the following data described in paragraph (2)(B):

''(I) Records that are generated by the air carrier or other person after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act.

''(II) Records that the air carrier or other person is maintaining, on such date of enactment, pursuant to subsection (h)(4).

''(5) REQUIREMENT TO MAINTAIN RECORDS.—The Administrator—

''(A) shall maintain all records entered into the database under paragraph (2) pertaining to an individual until the date of receipt of notification that the individual is deceased; and

''(B) may remove the individual's records from the database after that date.

''(6) RECEIPT OF CONSENT.—The Administrator shall not permit an air carrier to access records pertaining to an individual from the database under paragraph (1) without the air carrier first demonstrating to the satisfaction of the Administrator that the air carrier has obtained the written consent of the individual.

''(7) RIGHT OF PILOT TO REVIEW CERTAIN RECORDS AND CORRECT INACCURACIES.—Notwithstanding any other provision of law or agreement, the Administrator, upon receipt of written request from an individual—

''(A) shall make available, not later than 30 days after the date of the request, to the individual for review all records referred to in paragraph (2) pertaining to the individual; and

''(B) shall provide the individual with a reasonable opportunity to submit written comments to correct any inaccuracies contained in the records.

''(8) REASONABLE CHARGES FOR PROCESSING REQUESTS AND FURNISHING COPIES.—The Administrator may establish a reasonable charge for the cost of processing a request under paragraph (1) or (7) and for the cost of furnishing copies of requested records under paragraph (7).

''(9) PRIVACY PROTECTIONS.—

''(A) USE OF RECORDS.—An air carrier that accesses records pertaining to an individual under paragraph (1) may use the records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot. The air carrier shall take such actions as may be necessary to protect the privacy of the individual and the confidentiality of the records accessed, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.

''(B) DISCLOSURE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided by clause (ii), information collected by the Administrator under paragraph (2) shall be exempt from the disclosure requirements of section 552 of title 5.

''(ii) EXCEPTIONS.—Clause (i) shall not apply to—

''(I) de-identified, summarized information to explain the need for changes in policies and regulations;

''(II) information to correct a condition that compromises safety;

''(III) information to carry out a criminal investigation or prosecution;

''(IV) information to comply with section 44905, regarding information about threats to civil aviation; and

''(V) such information as the Administrator determines necessary, if withholding the information would not be consistent with the safety responsibilities of the Federal Aviation Administration.

''(10) PERIODIC REVIEW.—Not later than 18 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, and at least once every 3 years thereafter, the Administrator shall transmit to Congress a statement that contains, taking into account recent developments in the aviation industry—

''(A) recommendations by the Administrator concerning proposed changes to Federal Aviation Administration records, air carrier records, and other records required to be included in the database under paragraph (2); or

''(B) reasons why the Administrator does not recommend any proposed changes to the records referred to in subparagraph (A).

''(11) REGULATIONS FOR PROTECTION AND SECURITY OF RECORDS.—The Administrator shall prescribe such regulations as may be necessary—

''(A) to protect and secure—

''(i) the personal privacy of any individual whose records are accessed under paragraph (1); and

''(ii) the confidentiality of those records; and

''(B) to preclude the further dissemination of records received under paragraph (1) by the person who accessed the records.

''(12) GOOD FAITH EXCEPTION.—Notwithstanding paragraph (1), an air carrier may allow an individual to begin service as a pilot, without first obtaining information described in paragraph (2)(B) from the database pertaining to the individual, if—

''(A) the air carrier has made a documented good faith attempt to access the information from the database; and

''(B) has received written notice from the Administrator that the information is not contained in the database because the individual was employed by an air carrier or other person that no longer exists or by a foreign government or other entity that has not provided the information to the database.

''(13) LIMITATIONS ON ELECTRONIC ACCESS TO RECORDS.—

''(A) ACCESS BY INDIVIDUALS DESIGNATED BY AIR CARRIERS.—For the purpose of increasing timely and efficient access to records described in paragraph (2), the Administrator may allow, under terms established by the Administrator, an individual designated by an air carrier to have electronic access to the database.

''(B) TERMS.—The terms established by the Administrator under subparagraph (A) for allowing a designated individual to have electronic access to the database shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant and shall require that the designated individual provide assurances satisfactory to the Administrator that—

''(i) the designated individual has received the written consent of the pilot applicant to access the information; and

''(ii) information obtained using such access will not be used for any purpose other than making the hiring decision.

''(14) REGULATIONS.—

''(A) IN GENERAL.—The Administrator shall issue regulations to carry out this subsection.

''(B) EFFECTIVE DATE.—The regulations shall specify the date on which the requirements of this subsection take effect and the date on which the requirements of subsection (h) cease to be effective.

''(C) EXCEPTIONS.—Notwithstanding subparagraph (B)—

''(i) the Administrator shall begin to establish the database under paragraph (2) not later than 90 days after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act;

''(ii) the Administrator shall maintain records in accordance with paragraph (5) beginning on the date of enactment of that Act; and

''(iii) air carriers and other persons shall maintain records to be reported to the database under paragraph (4)(B) in the period beginning on such date of enactment and ending on the date that is 5 years after the requirements of subsection (h) cease to be effective pursuant to subparagraph (B).

''(15) SPECIAL RULE.—During the one-year period beginning on the date on which the requirements of this section become effective pursuant to paragraph (15)(B), paragraph (7)(A) shall be applied by substituting '45 days' for '30 days'.''.

(c) CONFORMING AMENDMENTS.—

(1) LIMITATION ON LIABILITY; PREEMPTION OF STATE LAW.—Section 44703(j) (as redesignated by subsection (b)(1) of this section) is amended—

(A) in the subsection heading by striking ''LIMITATION'' and inserting ''LIMITATIONS'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''paragraph (2)'' and inserting ''subsection (h)(2) or (i)(3)'';

(ii) in subparagraph (A) by inserting ''or accessing the records of that individual under subsection (i)(1)'' before the semicolon; and

(iii) in the matter following subparagraph (D) by striking ''subsection (h)'' and inserting ''subsection (h) or (i)'';

(C) in paragraph (2) by striking ''subsection (h)'' and inserting ''subsection (h) or (i)'';

(D) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or who furnished information to the database established under subsection (i)(2)'' after ''subsection (h)(1)''; and

(E) by adding at the end the following:

''(4) PROHIBITION ON ACTIONS AND PROCEEDINGS AGAINST AIR CARRIERS.—

''(A) HIRING DECISIONS.—An air carrier may refuse to hire an individual as a pilot if the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute the release from liability requested under subsection (h)(2)(B) or (i)(3)(B).

''(B) ACTIONS AND PROCEEDINGS.—No action or proceeding may be brought against an air carrier by or on behalf of an individual who has applied for or is seeking a position as a pilot with the air carrier if the air carrier refused to hire the individual after the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute a release from liability requested under subsection (h)(2)(B) or (i)(3)(B).''.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Section 44703(k) (as redesignated by subsection (b)(1) of this section) is amended by striking ''subsection (h)'' and inserting ''subsection (h) or (i)''.

SEC. 552. AIR CARRIER SAFETY MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Within 60 days after the date of enactment of this Act, the Administrator shall initiate and complete a rulemaking to require part 121 air carriers—

(1) to implement, as part of their safety management systems—

(A) an Aviation Safety Action Program;

(B) a Flight Operations Quality Assurance Program;

(C) a Line Operational Safety Audit Program; and

(D) a Flight Crew Fatigue Risk Management Program;

(2) to implement appropriate privacy protection safeguards with respect to data included in such programs; and

(3) to provide appropriate collaboration and operational oversight of regional/commuter air carriers by affiliated major air carriers that include—

(A) periodic safety audits of flight operations;

(B) training, maintenance, and inspection programs; and

(C) provisions for the exchange of safety information.

(b) EFFECT ON ADVANCED QUALIFICATION PROGRAM.—Implementation of the programs under subsection (a)(1) neither limits nor invalidates the Federal Aviation Administration's advanced qualification program.

(c) LIMITATIONS ON DISCIPLINE AND ENFORCEMENT.—The Administrator shall require that each of the programs described in subsection (a)(1)(A) and (B) establish protections for an air carrier or employee submitting data or reports against disciplinary or enforcement actions by any Federal agency or employer. The protections shall not be less than the protections provided under Federal Aviation Administration Advisory Circulars governing those programs, including Advisory Circular AC No. 120-66 and AC No. 120-82.

(d) CVR DATA.—The Administrator, acting in collaboration with aviation industry interested parties, shall consider the merits and feasibility of incorporating cockpit voice recorder data in safety oversight practices.

(e) ENFORCEMENT CONSISTENCY.—Within 9 months after the date of enactment of this Act, the Administrator shall—

(1) develop and implement a plan that will ensure that the FAA's safety enforcement plan is consistently enforced; and

(2) ensure that the FAA's safety oversight program is reviewed periodically and updated as necessary.

SEC. 553. SECRETARY OF TRANSPORTATION RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—The first sentence of section 1135(a) is amended by inserting ''to the National Transportation Safety Board'' after ''shall give''.

(b) AIR CARRIER SAFETY RECOMMENDATIONS.—Section 1135 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) ANNUAL REPORT ON AIR CARRIER SAFETY RECOMMENDATIONS.—

''(1) IN GENERAL.—The Secretary shall submit an annual report to the Congress and the Board on the recommendations made by the Board to the Secretary regarding air carrier operations conducted under part 121 of title 14, Code of Federal Regulations.

''(2) RECOMMENDATIONS TO BE COVERED.—The report shall cover—

''(A) any recommendation for which the Secretary has developed, or intends to develop, procedures to adopt the recommendation or part of the recommendation, but has yet to complete the procedures; and

''(B) any recommendation for which the Secretary, in the preceding year, has issued a response under subsection (a)(2) or (a)(3) refusing to carry out all or part of the procedures to adopt the recommendation.

''(3) CONTENTS.—

''(A) PLANS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(A), the report shall contain—

''(i) a description of the recommendation;

''(ii) a description of the procedures planned for adopting the recommendation or part of the recommendation;

''(iii) the proposed date for completing the procedures; and

''(iv) if the Secretary has not met a deadline contained in a proposed timeline developed in connection with the recommendation under subsection (b), an explanation for not meeting the deadline.

''(B) REFUSALS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(B), the report shall contain—

''(i) a description of the recommendation; and

''(ii) a description of the reasons for the refusal to carry out all or part of the procedures to adopt the recommendation.''.

SEC. 554. IMPROVED FLIGHT OPERATIONAL QUALITY ASSURANCE, AVIATION SAFETY ACTION, AND LINE OPERATIONAL SAFETY AUDIT PROGRAMS.

(a) LIMITATION ON DISCLOSURE AND USE OF INFORMATION.—

(1) IN GENERAL.—Except as provided by this section, a party in a judicial proceeding may not use discovery to obtain—

(A) an Aviation Safety Action Program report;

(B) Flight Operational Quality Assurance Program data; or

(C) a Line Operations Safety Audit Program report.

(2) FOIA NOT APPLICABLE.—Section 522 of title 5, United States Code, shall not apply to reports or data described in paragraph (1).

(3) EXCEPTIONS.—Nothing in paragraph (1) or (2) prohibits the FAA from disclosing information contained in reports or data described in paragraph (1) if withholding the information would not be consistent with the FAA's safety responsibilities, including—

(A) a summary of information, with identifying information redacted, to explain the need for changes in policies or regulations;

(B) information provided to correct a condition that compromises safety, if that condition continues uncorrected; or

(C) information provided to carry out a criminal investigation or prosecution.

(b) PERMISSIBLE DISCOVERY FOR SUCH REPORTS AND DATA.—Except as provided in subsection (c), a court may allow discovery by a party of an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report if, after an in camera review of the information, the court determines that a party to a claim or defense in the proceeding shows a particularized need for the report or data that outweighs the need for confidentiality of the report or data, considering the confidential nature of the report or data, and upon a showing that the report or data is both relevant to the preparation of a claim or defense and not otherwise known or available.

(c) PROTECTIVE ORDER.—When a court allows discovery, in a judicial proceeding, of an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report, the court shall issue a protective order—

(1) to limit the use of the information contained in the report or data to the judicial proceeding;

(2) to prohibit dissemination of the report or data to any person that does not need access to the report for the proceeding; and

(3) to limit the use of the report or data in the proceeding to the uses permitted for privileged self-analysis information as defined under the Federal Rules of Evidence.

(d) SEALED INFORMATION.—A court may allow an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report to be admitted into evidence in a judicial proceeding only if the court places the report or data under seal to prevent the use of the report or data for purposes other than for the proceeding.

(e) SAFETY RECOMMENDATIONS.—This section does not prevent the National Transportation Safety Board from referring at any time to information contained in an Aviation Safety Action Program report, Flight Operational Quality Assurance Program data, or a Line Operations Safety Audit Program report in making safety recommendations.

(f) WAIVER.—Any waiver of the privilege for self-analysis information by a protected party, unless occasioned by the party's own use of the information in presenting a claim or defense, must be in writing.

SEC. 555. RE-EVALUATION OF FLIGHT CREW TRAINING, TESTING, AND CERTIFICATION REQUIREMENTS.

(a) TRAINING AND TESTING.—The Administrator shall develop and implement a plan for reevaluation of flight crew training regulations in effect on the date of enactment of this Act, including regulations for—

(1) classroom instruction requirements governing curriculum content and hours of instruction;

(2) crew leadership training; and

(3) initial and recurrent testing requirements for pilots, including the rigor and consistency of testing programs such as check rides.

(b) BEST PRACTICES.—The plan shall incorporate best practices in the aviation industry with respect to training protocols, methods, and procedures.

(c) CERTIFICATION.—The Administrator shall initiate a rulemaking to re-evaluate FAA regulations governing the minimum requirements—

(1) to become a commercial pilot;

(2) to receive an Air Transport Pilot Certificate to become a captain; and

(3) to transition to a new type of aircraft.

(d) REMEDIAL TRAINING PROGRAMS.—

(1) IN GENERAL.—The Administrator shall initiate a rulemaking to require part 121 air carriers to establish remedial training programs for flightcrew members who have demonstrated performance deficiencies or experienced failures in the training environment.

(2) DEADLINES.—The Administrator shall—

(A) not later than 180 days after the date of enactment of this Act, issue a notice of proposed rulemaking under paragraph (1); and

(B) not later than 24 months after the date of enactment of this Act, issue a final rule for the rulemaking.

(e) STICK PUSHER TRAINING AND WEATHER EVENT TRAINING.—

(1) MULTIDISCIPLINARY PANEL.—Not later than 120 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary panel of specialists in aircraft operations, flightcrew member training, human factors, and aviation safety to study and submit to the Administrator a report on methods to increase the familiarity of flightcrew members with, and improve the response of flightcrew members to, stick pusher systems, icing conditions, and microburst and windshear weather events.

(2) REPORT TO CONGRESS.—Not later than one year after the date on which the Administrator convenes the panel, the Administrator shall—

(A) submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation based on the findings of the panel; and

(B) with respect to stick pusher systems, initiate appropriate actions to implement the recommendations of the panel.

SEC. 556. FLIGHTCREW MEMBER MENTORING, PROFESSIONAL DEVELOPMENT, AND LEADERSHIP.

(a) AVIATION RULEMAKING COMMITTEE.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct an aviation rulemaking committee proceeding with stakeholders to develop procedures for each part 121 air carrier to take the following actions:

(A) Establish flightcrew member mentoring programs under which the air carrier will pair highly experienced flightcrew members who will serve as mentor pilots and be paired with newly employed flightcrew members. Mentor pilots should be provided, at a minimum, specific instruction on techniques for instilling and reinforcing the highest standards of technical performance, airmanship, and professionalism in newly employed flightcrew members.

(B) Establish flightcrew member professional development committees made up of air carrier management and labor union or professional association representatives to develop, administer, and oversee formal mentoring programs of the carrier to assist flightcrew members to reach their maximum potential as safe, seasoned, and proficient flightcrew members.

(C) Establish or modify training programs to accommodate substantially different levels and types of flight experience by newly employed flightcrew members.

(D) Establish or modify training programs for second-in-command flightcrew members attempting to qualify as pilot-in-command flightcrew members for the first time in a specific aircraft type and ensure that such programs include leadership and command training.

(E) Ensure that recurrent training for pilots in command includes leadership and command training.

(F) Such other actions as the aviation rulemaking committee determines appropriate to enhance flightcrew member professional development.

(2) COMPLIANCE WITH STERILE COCKPIT RULE.—Leadership and command training described in paragraphs (1)(D) and (1)(E) shall include instruction on compliance with flightcrew member duties under part 121.542 of title 14, Code of Federal Regulations.

(3) STREAMLINED PROGRAM REVIEW.—

(A) IN GENERAL.—As part of the rulemaking required by subsection (a), the Administrator shall establish a streamlined process for part 121 air carriers that have in effect, as of the date of enactment of this Act, the programs required by paragraph (1).

(B) EXPEDITED APPROVALS.—Under the streamlined process, the Administrator shall—

(i) review the programs of such part 121 air carriers to determine whether the programs meet the requirements set forth in the final rule referred to in subsection (b)(2); and

(ii) expedite the approval of the programs that the Administrator determines meet such requirements.

(b) DEADLINES.—The Administrator shall issue—

(1) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after such date of enactment, a final rule under subsection (a).

SEC. 557. FLIGHTCREW MEMBER SCREENING AND QUALIFICATIONS.

(a) REQUIREMENTS.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require part 121 air carriers to develop and implement means and methods for ensuring that flightcrew members have proper qualifications and experience.

(b) MINIMUM EXPERIENCE REQUIREMENT.—The final rule prescribed under subsection (a) shall, among any other requirements established by the rule, require that a pilot have no less than 750 hours of flight time before serving as a flightcrew member for a part 121 air carrier.

(c) DEADLINES.—The Administrator shall issue—

(1) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than December 31, 2011, a final rule under subsection (a).

(d) DEFAULT REQUIREMENTS.—If the Administrator fails to meet the deadline established by subsection (c))(2), then all flightcrew members for part 121 air carriers shall meet the requirements established by subpart G of part 61 of the Federal Aviation Administration's regulations (14 C.F.R. 61.151 et seq.).

(e) DEFINITIONS.—In this section:

(1) FLIGHTCREW MEMBER.—The term ''flightcrew member'' has the meaning given that term in section 1.1 of the Federal Aviation Administration's regulations (14 C.F.R. 1.1)).

(2) PART 121 AIR CARRIER.—The term ''part 121 air carrier'' has the meaning given that term by section 41720(d)(1) of title 49, United States Code.

SEC. 558. PROHIBITION ON PERSONAL USE OF CERTAIN DEVICES ON FLIGHT DECK.

(a) IN GENERAL.—Chapter 447, as amended by section 521 of this Act, is further amended by adding at the end thereof the following:

''§ 44731. Use of certain devices on flight deck

''(a) IN GENERAL.—It is unlawful for any member of the flight crew of an aircraft used to provide air transportation under part 121 of title 14, Code of Federal Regulations, to use a personal wireless communications device or laptop computer while at the crew member's duty station on the flight deck of such an aircraft while the aircraft is being operated.

''(b) EXCEPTIONS.—Subsection (a) shall not apply to the use of a personal wireless communications device or laptop computer for a purpose directly related to operation of the aircraft, or for emergency, safety-related, or employment-related communications, in accordance with procedures established by the air carrier or the Federal Aviation Administration.

''(c) ENFORCEMENT.—In addition to the penalties provided under section 46301 of this title applicable to any violation of this section, the Administrator of the Federal Aviation Administration may enforce compliance with this section under section 44709.

''(d) PERSONAL WIRELESS COMMUNICATIONS DEVICE DEFINED.—The term 'personal wireless communications device' means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted.''.

(b) PENALTY.—Section 44711(a) is amended—

(1) by striking ''or'' after the semicolon in paragraph (8);

(2) by striking ''title.'' in paragraph (9) and inserting ''title; or''; and

(3) by adding at the end the following:

''(10) violate section 44730 of this title or any regulation issued thereunder.''.

(c) CONFORMING AMENDMENT.—The table of contents for chapter 447 is amended by adding at the end thereof the following:

''44731. Use of certain devices on flight deck''.

(d) REGULATIONS.—Within 30 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking procedure for regulations under section 44730 of title 49, United States Code, and shall issue a final rule thereunder within 1 year after the date of enactment of this Act.

SEC. 559. SAFETY INSPECTIONS OF REGIONAL AIR CARRIERS.

The Administrator shall, not less frequently than once each year, perform random, unannounced, on-site inspections of air carriers that provide air transportation pursuant to a contract with a part 121 air carrier to ensure that such air carriers are complying with all applicable safety standards of the Administration.

SEC. 560. ESTABLISHMENT OF SAFETY STANDARDS WITH RESPECT TO THE TRAINING, HIRING, AND OPERATION OF AIRCRAFT BY PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue a final rule with respect to the Notice of Proposed Rulemaking published in the Federal Register on January 12, 2009 (74 Fed. Reg. 1280), relating to training programs for flight crew members and aircraft dispatchers.

(b) EXPERT PANEL TO REVIEW PART 121 AND PART 135 TRAINING HOURS.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary expert panel comprised of, at a minimum, air carrier representatives, training facility representatives, instructional design experts, aircraft manufacturers, safety organization representatives, and labor union representatives.

(2) ASSESSMENT AND RECOMMENDATIONS.—The panel shall assess and make recommendations concerning—

(A) the best methods and optimal time needed for flightcrew members of part 121 air carriers and flightcrew members of part 135 air carriers to master aircraft systems, maneuvers, procedures, take offs and landings, and crew coordination;

(B) the optimal length of time between training events for such crewmembers, including recurrent training events;

(C) the best methods to reliably evaluate mastery by such crewmembers of aircraft systems, maneuvers, procedures, take offs and landings, and crew coordination; and

(D) the best methods to allow specific academic training courses to be credited pursuant to section 11(d) toward the total flight hours required to receive an airline transport pilot certificate.

(3) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation based on the findings of the panel.

SEC. 561. OVERSIGHT OF PILOT TRAINING SCHOOLS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to Congress a plan for overseeing pilot schools certified under part 141 of title 14, Code of Federal Regulations, that includes—

(1) ensuring that the curriculum and course outline requirements for such schools under subpart C of such part are being met; and

(2) conducting on-site inspections of each such school not less frequently than once every 2 years.

(b) GAO STUDY.—The Comptroller General shall conduct a comprehensive study of flight schools, flight education, and academic training requirements for certification of an individual as a pilot.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation on the results of the study.

SEC. 562. ENHANCED TRAINING FOR FLIGHT ATTENDANTS AND GATE AGENTS.

(a) IN GENERAL.—Chapter 447, as amended by section 558 of this Act, is further amended by adding at the end the following:

''§ 44732. Training of flight attendants and gate agents

''(a) TRAINING REQUIRED.—In addition to other training required under this chapter, each air carrier shall provide initial and annual recurring training for flight attendants and gate agents employed or contracted by such air carrier regarding—

''(1) serving alcohol to passengers;

''(2) recognizing intoxicated passengers; and

''(3) dealing with disruptive passengers.

''(b) SITUATIONAL TRAINING.—In carrying out the training required under subsection (a), each air carrier shall provide situational training to flight attendants and gate agents on the proper method for dealing with intoxicated passengers who act in a belligerent manner.

''(c) DEFINITIONS.—In this section:

''(1) AIR CARRIER.—The term 'air carrier' means a person or commercial enterprise that has been issued an air carrier operating certificate under section 44705.

''(2) FLIGHT ATTENDANT.—The term 'flight attendant' has the meaning given the term in section 44728(f).

''(3) GATE AGENT.—The term 'gate agent' means an individual working at an airport whose responsibilities include facilitating passenger access to commercial aircraft.

''(4) PASSENGER.—The term 'passenger' means an individual traveling on a commercial aircraft, from the time at which the individual arrives at the airport from which such aircraft departs until the time the individual leaves the airport to which such aircraft arrives.''.

(b) CLERICAL AMENDMENT.—The table of contents for chapter 447 is amended by adding at the end the following:

''44732. Training of flight attendants and gate agents''.

(c) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall issue regulations to carry out section 44730 of title 49, United States Code, as added by subsection (a).

SEC. 563. DEFINITIONS.

In this subtitle:

(1) AVIATION SAFETY ACTION PROGRAM.—The term ''Aviation Safety Action Program'' means the program described under Federal Aviation Administration Advisory Circular No. 120–66B that permits employees of participating air carriers and repair station certificate holders to identify and report safety issues to management and to the Administration for resolution.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator.

(3) AIR CARRIER.—The term ''air carrier'' has the meaning given that term by section 40102(2) of title 49, United States Code.

(4) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(5) FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM.—The term ''Flight Operational Quality Assurance Program'' means the voluntary safety program authorized under section 13.401 of title 14, Code of Federal Regulations, that permits commercial air carriers and pilots to share confidential aggregate information with the Administration to permit the Administration to target resources to address operational risk issues.

(6) LINE OPERATIONS SAFETY AUDIT PROGRAM.—The term ''Line Operations Safety Audit Program'' has the meaning given that term by Federal Aviation Administration Advisory Circular Number 120–90.

(7) PART 121 AIR CARRIER.—The term ''part 121 air carrier'' has the meaning given that term by section 41719(d)(1) of title 49, United States Code.

TITLE VI—AVIATION RESEARCH

SEC. 601. AIRPORT COOPERATIVE RESEARCH PROGRAM.

(a) IN GENERAL.—Section 44511(f) is amended—

(1) by striking ''establish a 4-year pilot'' in paragraph (1) and inserting ''maintain an''; and

(2) by inserting ''pilot'' in paragraph (4) before ''program'' the first time it appears; and

(3) by striking ''program, including recommendations as to the need for establishing a permanent airport cooperative research program.'' in paragraph (4) and inserting ''program.''.

(b) AIRPORT COOPERATIVE RESEARCH PROGRAM.—Not more than $15,000,000 per year for fiscal years 2010 and 2011 may be appropriated to the Secretary of Transportation from the amounts made available each year under subsection (a) for the Airport Cooperative Research Program under section 44511 of this title, of which not less than $5,000,000 per year shall be for research activities related to the airport environment, including reduction of community exposure to civil aircraft noise, reduction of civil aviation emissions, or addressing water quality issues.

SEC. 602. REDUCTION OF NOISE, EMISSIONS, AND ENERGY CONSUMPTION FROM CIVILIAN AIRCRAFT.

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration shall establish a research program related to reducing civilian aircraft energy use, emissions, and source noise with equivalent safety through grants or other measures, which may include cost-sharing, authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) ESTABLISHMENT OF CONSORTIUM.—

(1) DESIGNATION AS CONSORTIUM.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall designate, using a competitive process, one or more institutions or entities described in paragraph (2) as a Consortium for Continuous Low Energy, Emissions, and Noise (CLEEN) to perform research in accordance with this section.

(2) PARTICIPATION.—The Administrator shall include educational and research institutions or private sector entities that have existing facilities and experience for developing and testing noise, emissions and energy reduction engine and aircraft technology, and developing alternative fuels in the research program required by subsection (a).

(3) COORDINATION MECHANISMS.—In conducting the research program, the Consortium designated under paragraph (1) shall—

(A) coordinate its activities with the Department of Agriculture, the Department of Energy, the National Aeronautics and space Administration, and other relevant Federal agencies; and

(B) consult on a regular basis with the Commercial Aviation Alternative Fuels Initiative.

(c) PERFORMANCE OBJECTIVES.—Not later than January 1, 2016, the research program shall accomplish the following objectives:

(1) Certifiable aircraft technology that reduces fuel burn 33 percent compared to current technology, reducing energy consumption and carbon dioxide emissions.

(2) Certifiable engine technology that reduces landing and takeoff cycle nitrogen oxide emissions by 60 percent, at a pressure ratio of 30 over the International Civil Aviation Organization standard adopted at the 6th Meeting of the Committee on Aviation Environmental Protection, with commensurate reductions over the full pressure ratio range, while limiting or reducing other gaseous or particle emissions.

(3) Certifiable aircraft technology that reduces noise levels by 32 Effective Perceived Noise in decibels (EPNdb) cumulative, relative to Stage 4 standards.

(4) Advance qualification and environmental assurance of alternative aviation fuels to support a goal of having 20 percent of the jet fuel available for purchase by United States commercial airlines and cargo carriers be alternative fuels.

(5) Determination of the extent to which new engine and aircraft technologies may be used to retrofit or re-engine aircraft so as to increase the level of penetration into the commercial fleet.

SEC. 603. PRODUCTION OF ALTERNATIVE FUEL TECHNOLOGY FOR CIVILIAN AIRCRAFT.

(a) IN GENERAL.—From amounts made available under section 48102(a) of title 49, United States Code, the Secretary of Transportation shall establish a research program related to developing jet fuel from natural gas, biomass and other renewable sources through grants or other measures authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies.

(b) PARTICIPATION IN PROGRAM.—The Secretary shall—

(1) include educational and research institutions that have existing facilities and experience in the research, small-scale development, testing, or evaluation of technologies related to the creation, processing, and production of a variety of feedstocks into aviation fuel under the program required by subsection (a); and

(2) consider utilizing the existing capacity in Aeronautics research at Langley Research Center of the National Aeronautics and Space Administration to carry out the program required by subsection (a).

(c) DESIGNATION OF INSTITUTION AS A CENTER OF EXCELLENCE.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall designate an institution described in subsection (b) as a Center of Excellence for Alternative Jet-Fuel Research in Civil Aircraft. The Center of Excellence shall be a member of the CLEEN Consortium established under section 602(b), and shall be part of a Joint Center of Excellence with the Partnership for Air Transportation Noise and Emission Reduction FAA Center of Excellence.

SEC. 604. PRODUCTION OF CLEAN COAL FUEL TECHNOLOGY FOR CIVILIAN AIRCRAFT.

(a) ESTABLISHMENT OF RESEARCH PROGRAM.—From amounts made available under section 48102(a) of title 49, United States Code, the Secretary of Transportation shall establish a research program related to developing jet fuel from clean coal through grants or other measures authorized under section 106(l)(6) of such title, including reimbursable agreements with other Federal agencies. The program shall include participation by educational and research institutions that have existing facilities and experience in the development and deployment of technology that processes coal to aviation fuel.

(b) DESIGNATION OF INSTITUTION AS A CENTER OF EXCELLENCE.—Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall designate an institution described in subsection (a) as a Center of Excellence for Coal-to-Jet-Fuel Research.

SEC. 605. ADVISORY COMMITTEE ON FUTURE OF AERONAUTICS.

(a) ESTABLISHMENT.—There is established an advisory committee to be know as the ''Advisory Committee on the Future of Aeronautics''.

(b) MEMBERSHIP.—The Advisory Committee shall consist of 7 members appointed by the President from a list of 15 candidates proposed by the Director of the National Academy of Sciences.

(c) CHAIRPERSON.—The Advisory Committee members shall elect 1 member to serve as chairperson of the Advisory Committee.

(d) FUNCTIONS.—The Advisory Committee shall examine the best governmental and organizational structures for the conduct of civil aeronautics research and development, including options and recommendations for consolidating such research to ensure continued United States leadership in civil aeronautics. The Committee shall consider transferring responsibility for civil aeronautics research and development from the National Aeronautics and Space Administration to other existing departments or agencies of the Federal Government or to a non-governmental organization such as academic consortia or not-for-profit organizations. In developing its recommendations, the Advisory Committee shall consider, as appropriate, the aeronautics research policies developed pursuant to section 101(d) of Public Law 109–155 and the requirements and priorities for aeronautics research established by title IV of Public Law 109–155.

(e) REPORT.—Not later than 12 months after the date on which the full membership of the Advisory Committee is appointed, the Advisory Committee shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House Committees on Science and Technology and on Transportation and Infrastructure on its findings and recommendations. The report may recommend a rank ordered list of acceptable solutions.

(f) TERMINATION.—The Advisory Committee shall terminate 60 days after the date on which it submits the report to the Congress.

SEC. 606. RESEARCH PROGRAM TO IMPROVE AIRFIELD PAVEMENTS.

(a) CONTINUATION OF PROGRAM.—The Administrator of the Federal Aviation Administration shall continue the program to consider awards to nonprofit concrete and asphalt pavement research foundations to improve the design, construction, rehabilitation, and repair of airfield pavements to aid in the development of safer, more cost effective, and more durable airfield pavements.

(b) USE OF GRANTS OR COOPERATIVE AGREEMENTS.—The Administrator may use grants or cooperative agreements in carrying out this section.

SEC. 607. WAKE TURBULENCE, VOLCANIC ASH, AND WEATHER RESEARCH.

Within 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall—

(1) initiate evaluation of proposals that would increase capacity throughout the air transportation system by reducing existing spacing requirements between aircraft of all sizes, including research on the nature of wake vortices;

(2) begin implementation of a system to improve volcanic ash avoidance options for aircraft, including the development of a volcanic ash warning and notification system for aviation; and

(3) establish research projects on—

(A) ground de-icing/anti-icing, ice pellets, and freezing drizzle;

(B) oceanic weather, including convective weather;

(C) en route turbulence prediction and detection; and

(D) all hazards during oceanic operations, where commercial traffic is high and only rudimentary satellite sensing is available, to reduce the hazards presented to commercial aviation.

SEC. 608. INCORPORATION OF UNMANNED AIRCRAFT SYSTEMS INTO FAA PLANS AND POLICIES.

(a) RESEARCH.—

(1) EQUIPMENT.—Section 44504, as amended by section 216 of this Act, is further amended—

(A) by inserting ''unmanned and manned'' in subsection (a) after ''improve'';

(B) by striking ''and'' after the semicolon in subsection (b)(7);

(C) by striking ''emitted.'' in subsection (b)(8) and inserting ''emitted; and''; and

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

''(9) in conjunction with other Federal agencies as appropriate, to develop technologies and methods to assess the risk of and prevent defects, failures, and malfunctions of products, parts, and processes, for use in all classes of unmanned aircraft systems that could result in a catastrophic failure.''.

(2) HUMAN FACTORS; SIMULATIONS.—Section 44505(b) is amended—

(A) by striking ''and'' after the semicolon in paragraph (4);

(B) by striking ''programs.'' in paragraph (5)(C) and inserting ''programs; and''; and

(C) by adding at the end thereof the following:

''(6) to develop a better understanding of the relationship between human factors and unmanned aircraft systems air safety; and

''(7) to develop dynamic simulation models of integrating all classes of unmanned aircraft systems into the National Airspace System.''.

(b) NATIONAL ACADEMY OF SCIENCES ASSESSMENT.—

(1) IN GENERAL.—Within 3 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an arrangement with the National Academy of Sciences for an assessment of unmanned aircraft systems that may include consideration of—

(A) human factors regarding unmanned aircraft systems operation;

(B) ''detect, sense and avoid technologies'' with respect to both cooperative and non-cooperative aircraft;

(C) spectrum issues and bandwidth requirements;

(D) operation in suboptimal winds and adverse weather conditions;

(E) mechanisms such as the use of transponders for letting other entities know

where the unmanned aircraft system is flying;

(F) airworthiness and system redundancy;

(G) flight termination systems for safety and security;

(H) privacy issues;

(I) technologies for unmanned aircraft systems flight control;

(J) technologies for unmanned aircraft systems propulsion;

(K) unmanned aircraft systems operator qualifications, medical standards, and training requirements;

(L) unmanned aircraft systems maintenance requirements and training requirements; and

(M) any other unmanned aircraft systems-related issue the Administrator believes should be addressed.

(2) REPORT.—Within 12 months after initiating the study, the National Academy shall submit its report to the Administrator, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure containing its findings and recommendations.

(c) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish 3 2-year cost-shared pilot projects in sparsely populated, low-density Class G air traffic airspace new test sites to conduct experiments and collect data in order to accelerate the safe integration of unmanned aircraft systems into the National Airspace System as follows:

(A) 1 project shall address operational issues required for integration of Category 1 unmanned aircraft systems defined as analogous to RC models covered in the FAA Advisory Circular AC 91-57.

(B) 1 project shall address operational issues required for integration of Category 2 unmanned aircraft systems defined as non-standard aircraft that perform special purpose operations. Operators must provide evidence of airworthiness and operator qualifications.

(C) 1 project shall address operational issues required for integration of Category 3 unmanned aircraft systems defined as capable of flying throughout all categories of airspace and conforming to part 91 of title 14, Code of Federal Regulations.

(D) All 3 pilot projects shall be operational no later than 6 months after being established.

(2) USE OF CONSORTIA.—In conducting the pilot projects, the Administrator shall encourage the formation of participating consortia from the public and private sectors, educational institutions, and non-profit organization.

(3) REPORT.—Within 90 days after completing the pilot projects, the Administrator shall transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure setting forth the Administrator's findings and conclusions concerning the projects.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator for fiscal years 2010 and 2011 such sums as may be necessary to conduct the pilot projects.

(d) UNMANNED AIRCRAFT SYSTEMS ROADMAP.—Within 30 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall approve and make available in print and on the Administration's website a 5-year ''roadmap'' for the introduction of unmanned aircraft systems into the National Airspace System being coordinated by its Unmanned Aircraft Program Office. The Administrator shall update the ''roadmap'' annually.

(e) UPDATED POLICY STATEMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall issue a notice of proposed rulemaking to update the Administration's most recent policy statement on unmanned aircraft systems, Docket No. FAA-2006-25714.

(f) EXPANDING THE USE OF UAS IN THE ARCTIC.—Within 6 months after the date of enactment of this Act, the Administrator, in consultation with the National Oceanic and Atmospheric Administration, the Coast Guard, and other Federal agencies as appropriate, shall identify permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day from 2000 feet to the surface and beyond line-of-sight for research and commercial purposes. Within 12 months after the date of enactment of this Act, the Administrator shall have established and implemented a single process for approving unmanned aircraft use in the designated arctic regions regardless of whether the unmanned aircraft is used as a public aircraft, a civil aircraft, or as a model aircraft.

(g) DEFINTIONS.—In this section:

(1) ARCTIC.—The term ''Arctic'' means the United States zone of the Chukchi, Beaufort, and Bering Sea north of the Aleutian chain.

(2) PERMANENT AREAS.—The term ''permanent areas'' means areas on land or water that provide for terrestrial launch and recovery of small unmanned aircraft.

SEC. 609. REAUTHORIZATION OF CENTER OF EXCELLENCE IN APPLIED RESEARCH AND TRAINING IN THE USE OF ADVANCED MATERIALS IN TRANSPORT AIRCRAFT.

Section 708(b) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 44504 note) is amended by striking ''$500,000 for fiscal year 2004'' and inserting ''$1,000,000 for each of fiscal years 2008 through 2012''.

SEC. 610. PILOT PROGRAM FOR ZERO EMISSION AIRPORT VEHICLES.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by inserting after section 47136 the following:

''§ 47136A. Zero emission airport vehicles and infrastructure

''(a) IN GENERAL.—The Secretary of Transportation shall establish a pilot program under which the sponsor of a public-use airport may use funds made available under section 47117 or section 48103 for use at such airports or passenger facility revenue (as defined in section 40117(a)(6)) to carry out activities associated with the acquisition and operation of zero emission vehicles (as defined in section 88.120–94 of title 40, Code of Federal Regulations), including the construction or modification of infrastructure to facilitate the delivery of fuel and services necessary for the use of such vehicles. Any use of funds authorized by the preceding sentence shall be considered to be an authorized use of funds under section 47117 or section 48103, or an authorized use of passenger facility revenue (as defined in section 40117(a)(6)), as the case may be.

''(b) LOCATION IN AIR QUALITY NONATTAINMENT AREAS.—

''(1) IN GENERAL.—A public-use airport shall be eligible for participation in the pilot program only if the airport is located in an air quality nonattainment area (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))).

''(2) SHORTAGE OF CANDIDATES.—If the Secretary receives an insufficient number of applications from public-use airports located in such areas, then the Secretary may consider applications from public-use airports that are not located in such areas.

''(c) SELECTION CRITERIA.—In selecting from among applicants for participation in the program, the Secretary shall give priority consideration to applicants that will achieve the greatest air quality benefits measured by the amount of emissions reduced per dollar of funds expended under the program.

''(d) FEDERAL SHARE.—Notwithstanding any other provision of this subchapter, the Federal share of the costs of a project carried out under the program shall be 50 percent.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The sponsor of a public-use airport carrying out activities funded under the program may not use more than 10 percent of the amounts made available under the program in any fiscal year for technical assistance in carrying out such activities.

''(2) ELIGIBLE CONSORTIUM.—To the maximum extent practicable, participants in the program shall use an eligible consortium (as defined in section 5506 of this title) in the region of the airport to receive technical assistance described in paragraph (1).

''(f) MATERIALS IDENTIFYING BEST PRACTICES.—The Secretary may develop and make available materials identifying best practices for carrying out activities funded under the program based on projects carried out under section 47136 and other sources.''.

(b) REPORT ON EFFECTIVENESS OF PROGRAM.—Not later than 18 months after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act., the Secretary of Transportation shall transmit a report to the Senate Committee on Commerce, Science, and Transportation the House of Representatives Committee on Transportation and Infrastructure containing—

(1) an evaluation of the effectiveness of the pilot program;

(2) an identification of all public-use airports that expressed an interest in participating in the program; and

(3) a description of the mechanisms used by the Secretary to ensure that the information and know-how gained by participants in the program is transferred among the participants and to other interested parties, including other public-use airports.

(c) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47136 the following:

''47136A. Zero emission airport vehicles and infrastructure''.

SEC. 611. REDUCTION OF EMISSIONS FROM AIRPORT POWER SOURCES.

(a) IN GENERAL.—Subchapter I of chapter 471 is amended by inserting after section 47140 the following:

''§ 47140A. Reduction of emissions from airport power sources

''(a) IN GENERAL.—The Secretary of Transportation shall establish a program under which the sponsor of each airport eligible to receive grants under section 48103 is encouraged to assess the airport's energy requirements, including heating and cooling, base load, back-up power, and power for on-road airport vehicles and ground support equipment, in order to identify opportunities to reduce harmful emissions and increase energy efficiency at the airport.

''(b) GRANTS.—The Secretary may make grants under section 48103 to assist airport sponsors that have completed the assessment described in subsection (a) to acquire or construct equipment, including hydrogen equipment and related infrastructure, that will reduce harmful emissions and increase energy efficiency at the airport. To be eligible for such a grant, the sponsor of such an airport shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47140 the following:

''47140A. Reduction of emissions from airport power sources''.

SEC. 612. SITING OF WINDFARMS NEAR FAA NAVIGATIONAL AIDES AND OTHER ASSETS.

(a) SURVEY AND ASSESSMENT.—

(1) IN GENERAL.—In order to address safety and operational concerns associated with the construction, alteration, establishment, or expansion of wind farms in proximity to critical FAA facilities, the Administrator shall, within 60 days after the date of enactment of this Act, complete a survey and assessment of leases for critical FAA facility sites, including—

(A) an inventory of the leases that describes, for each such lease—

(i) the periodic cost, location, site, terms, number of years remaining, and lessor;

(ii) other Administration facilities that share the leasehold, including surveillance and communications equipment; and

(iii) the type of transmission services supported, including the terms of service, cost, and support contract obligations for the services; and

(B) a list of those leases for facilities located in or near areas suitable for the construction and operation of wind farms, as determined by the Administrator in consultation with the Secretary of Energy.

(2) REPORT.—Upon completion of the survey and assessment, the Administrator shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and the Comptroller General containing the Administrator's findings, conclusions, and recommendations.

(b) GAO ASSESSMENT.—

(1) IN GENERAL.—Within 180 days after receiving the Administrator's report under subsection (a)(2), the Comptroller General, in consultation with the Administrator, shall report on—

(A) the current and potential impact of wind farms on the national airspace system;

(B) the extent to which the Department of Defense and the Federal Aviation Administration have guidance, processes, and procedures in place to evaluate the impact of wind farms on the implementation of the Next Generation air traffic control system; and

(C) potential mitigation strategies, if necessary, to ensure that wind farms do not have an adverse impact on the implementation of the Next Generation air traffic control system, including the installation of navigational aides associated with that system.

(c) ISSUANCE OF GUIDELINES; PUBLIC INFORMATION.—

(1) GUIDANCE.—Within 60 days after the Administrator receives the Comptroller's recommendations, the Administrator shall publish guidelines for the construction and operation of wind farms to be located in proximity to critical Federal Aviation Administration facilities. The guidelines may include—

(A) the establishment of a zone system for wind farms based on proximity to critical FAA assets;

(B) the establishment of turbine height and density limitations on such wind farms;

(C) requirements for notice to the Administration under section 44718(a) of title 49, United States Code, before the construction, alteration, establishment, or expansion of a such a wind farm; and

(D) any other requirements or recommendations designed to address Administration safety or operational concerns related to the construction, alteration, establishment, or expansion of such wind farms.

(2) PUBLIC ACCESS TO INFORMATION.—To the extent feasible, taking into consideration security, operational, and public safety concerns (as determined by the Administrator), the Administrator shall provide public access to information regarding the planning, construction, and operation of wind farms in proximity to critical FAA facilities on, or by linkage from, the homepage of the Federal Aviation Administration's public website.

(d) CONSULTATION WITH OTHER FEDERAL AGENCIES.—In carrying out this section, the Administrator and the Comptroller General shall consult, as appropriate, with the Secretaries of the Army, the Navy, the Air Force, Homeland Security, and Energy—

(1) to coordinate the requirements of each department for future air space needs;

(2) to determine what the acceptable risks are to the existing infrastructure of each department; and

(3) to define the different levels of risk for such infrastructure.

(e) REPORTS.—The Administrator and the Comptroller General shall provide a copy of reports under subsections (a) and (b), respectively, to the Senate Committee on Homeland Security and Governmental Affairs, the Senate Committee on Armed Services, the House of Representatives Committee on Homeland Security, the House of Representatives Committee on Armed Services, and the House of Representatives Committee on Science and Technology, as appropriate.

(f) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(3) CRITICAL FAA FACILITIES.—The term ''critical FAA facilities'' means facilities on which are located navigational aides, surveillance systems, or communications systems used by the Administration in administration of the national airspace system.

(4) WIND FARM.—The term ''wind farm'' means an installation of 1 or more wind turbines used for the generation of electricity.

SEC. 613. RESEARCH AND DEVELOPMENT FOR EQUIPMENT TO CLEAN AND MONITOR THE ENGINE AND APU BLEED AIR SUPPLIED ON PRESSURIZED AIRCRAFT.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, to the degree practicable, implement a research program for the identification or development of appropriate and effective air cleaning technology and sensor technology for the engine and auxiliary power unit (APU) bleed air supplied to the passenger cabin and flight deck of all pressurized aircraft.

(b) TECHNOLOGY REQUIREMENTS.—The technology referred to in subsection (a) should, at a minimum, have the capacity—

(1) to remove oil-based contaminants from the bleed air supplied to the passenger cabin and flight deck; and

(2) to detect and record oil-based contaminants in the portion of the total air supplied to the passenger cabin and flight deck from bleed air.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the research and development work carried out under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums are as necessary to carry out this section.

TITLE VII—MISCELLANEOUS

SEC. 701. GENERAL AUTHORITY.

(a) THIRD PARTY LIABILITY.—Section 44303(b) is amended by striking ''December 31, 2009,'' and inserting ''December 31, 2012,''.

(b) EXTENSION OF PROGRAM AUTHORITY.—Section 44310 is amended by striking ''December 31, 2013.'' and inserting ''October 1, 2017.''.

(c) WAR RISK.—Section 44302(f)(1) is amended—

(1) by striking ''September 30, 2009,'' and inserting ''September 30, 2011,''; and

(2) by striking ''December 31, 2009,'' and inserting ''December 31, 2011,''.

SEC. 702. HUMAN INTERVENTION MANAGEMENT STUDY.

Within 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a Human Intervention Management Study program for cabin crews employed by commercial air carriers in the United States.

SEC. 703. AIRPORT PROGRAM MODIFICATIONS.

The Administrator of the Federal Aviation Administration—

(1) shall establish a formal, structured certification training program for the airport concessions disadvantaged business enterprise program; and

(2) may appoint 3 additional staff to implement the programs of the airport concessions disadvantaged business enterprise initiative.

SEC. 704. MISCELLANEOUS PROGRAM EXTENSIONS.

(a) MARSHALL ISLANDS, FEDERATED STATES OF MICRONESIA, AND PALAU.—Section 47115(j) is amended by striking ''2009,'' and inserting ''2011,''.

(b) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (117 Stat. 2518) is amended by striking ''2009,'' and inserting ''2011,''.

SEC. 705. EXTENSION OF COMPETITIVE ACCESS REPORTS.

Section 47107(s) is amended by striking paragraph (3).

SEC. 706. UPDATE ON OVERFLIGHTS.

(a) IN GENERAL.—Section 45301(b) is amended to read as follows:

''(b) LIMITATIONS.—

''(1) IN GENERAL.—In establishing fees under subsection (a), the Administrator shall ensure that the fees required by subsection (a) are reasonably related to the Administration's costs, as determined by the Administrator, of providing the services rendered. Services for which costs may be recovered include the costs of air traffic control, navigation, weather services, training, and emergency services which are available to facilitate safe transportation over the United States, and other services provided by the Administrator or by programs financed by the Administrator to flights that neither take off nor land in the United States. The determination of such costs by the Administrator is not subject to judicial review.

''(2) ADJUSTMENT OF FEES.—The Administrator shall adjust the overflight fees established by subsection (a)(1) by expedited rulemaking and begin collections under the adjusted fees by October 1, 2010. In developing the adjusted overflight fees, the Administrator shall seek and consider the recommendations, if any, offered by the Aviation Rulemaking Committee for Overflight Fees that are intended to ensure that overflight fees are reasonably related to the Administrator's costs of providing air traffic

control and related services to overflights. In addition, the Administrator may periodically modify the fees established under this section either on the Administrator's own initiative or on a recommendation from the Air Traffic Control Modernization Board.

''(3) COST DATA.—The adjustment of overflight fees under paragraph (2) shall be based on the costs to the Administration of providing the air traffic control and related activities, services, facilities, and equipment using the available data derived from the Administration's cost accounting system and cost allocation system to users, as well as budget and operational data.

''(4) AIRCRAFT ALTITUDE.—Nothing in this section shall require the Administrator to take into account aircraft altitude in establishing any fee for aircraft operations in en route or oceanic airspace.

''(5) COSTS DEFINED.—In this subsection, the term 'costs' means those costs associated with the operation, maintenance, debt service, and overhead expenses of the services provided and the facilities and equipment used in such services, including the projected costs for the period during which the services will be provided.

''(6) PUBLICATION; COMMENT.—The Administrator shall publish in the Federal Register any fee schedule under this section, including any adjusted overflight fee schedule, and the associated collection process as a proposed rule, pursuant to which public comment will be sought and a final rule issued.''.

(b) ADMINISTRATIVE PROVISION.—Section 45303(c)(2) is amended to read as follows:

''(2) shall be available to the Administrator for expenditure for purposes authorized by Congress for the Federal Aviation Administration, however, fees established by section 45301(a)(1) of this title shall be available only to pay the cost of activities and services for which the fee is imposed, including the costs to determine, assess, review, and collect the fee; and''.

SEC. 707. TECHNICAL CORRECTIONS.

Section 40122(g), as amended by section 307 of this Act, is further amended—

(1) by striking ''section 2302(b), relating to whistleblower protection,'' in paragraph (2)(A) and inserting ''sections 2301 and 2302,'';

(2) by striking ''and'' after the semicolon in paragraph (2)(H);

(3) by striking ''Plan.'' in paragraph (2)(I)(iii) and inserting ''Plan;'';

(4) by adding at the end of paragraph (2) the following:

''(J) section 5596, relating to back pay; and

''(K) sections 6381 through 6387, relating to Family and Medical Leave.''; and

(5) by adding at the end of paragraph (3) ''Notwithstanding any other provision of law, retroactive to April 1, 1996, the Board shall have the same remedial authority over such employee appeals that it had as of March 31, 1996.''.

SEC. 708. FAA TECHNICAL TRAINING AND STAFFING.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the training of airway transportation systems specialists of the Federal Aviation Administration that includes—

(A) an analysis of the type of training provided to such specialists;

(B) an analysis of the type of training that such specialists need to be proficient in the maintenance of the latest technologies;

(C) actions that the Administration has undertaken to ensure that such specialists receive up-to-date training on such technologies;

(D) the amount and cost of training provided by vendors for such specialists;

(E) the amount and cost of training provided by the Administration after developing in-house training courses for such specialists;

(F) the amount and cost of travel required of such specialists in receiving training; and

(G) a recommendation regarding the most cost-effective approach to providing such training.

(2) REPORT.—Within 1 year after the date of enactment of this Act, the Comptroller General shall transmit a report on the study containing the Comptroller General's findings and recommendations to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

(b) STUDY BY NATIONAL ACADEMY OF SCIENCES.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall contract with the National Academy of Sciences to conduct a study of the assumptions and methods used by the Federal Aviation Administration to estimate staffing needs for Federal Aviation Administration air traffic controllers, system specialists, and engineers to ensure proper maintenance, certification, and operation of the National Airspace System. The National Academy of Sciences shall consult with the Exclusive Bargaining Representative certified under section 7111 of title 5, United States Code, and the Administration (including the Civil Aeronautical Medical Institute) and examine data entailing human factors, traffic activity, and the technology at each facility.

(2) CONTENTS.—The study shall include—

(A) recommendations for objective staffing standards that maintain the safety of the National Airspace System; and

(B) the approximate length of time for developing such standards.

(3) REPORT.—Not later than 24 months after executing a contract under subsection (a), the National Academy of Sciences shall transmit a report containing its findings and recommendations to the Congress.

(c) AVIATION SAFETY INSPECTORS.—

(1) SAFETY STAFFING MODEL.—Within 12 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall develop a staffing model for aviation safety inspectors. In developing the model, the Administrator shall consult with representatives of the aviation safety inspectors and other interested parties.

(2) SAFETY INSPECTOR STAFFING.—The Federal Aviation Administration aviation safety inspector staffing requirement shall be no less than the staffing levels indicated as necessary in the staffing model described under subsection (a).

SEC. 709. COMMERCIAL AIR TOUR OPERATORS IN NATIONAL PARKS.

(a) SECRETARY OF THE INTERIOR AND OVERFLIGHTS OF NATIONAL PARKS.—

(1) Section 40128 is amended—

(A) by striking paragraph (8) of subsection (f);

(B) by striking ''Director'' each place it appears and inserting ''Secretary of the Interior'';

(C) by striking ''National Park Service'' in subsection (a)(2)(B)(vi) and inserting ''Department of the Interior''; and

(D) by striking ''National Park Service'' in subsection (b)(4)(C) and inserting ''Department of the Interior''.

(2) The National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note) is amended—

(A) by striking ''Director'' in section 804(b) and inserting ''Secretary of the Interior'';

(B) in section 805—

(i) by striking ''Director of the National Park Service'' in subsection (a) and inserting ''Secretary of the Interior'';

(ii) by striking ''Director'' each place it appears and inserting ''Secretary of the Interior'';

(iii) by striking ''National Park Service'' each place it appears in subsection (b) and inserting ''Department of the Interior'';

(iv) by striking ''National Park Service'' in subsection (d)(2) and inserting ''Department of the Interior''; and

(C) in section 807—

(i) by striking ''National Park Service'' in subsection (a)(1) and inserting ''Department of the Interior''; and

(ii) by striking ''Director of the National Park Service'' in subsection (b) and inserting ''Secretary of the Interior''.

(b) ALLOWING OVERFLIGHTS IN CASE OF AGREEMENT.—Paragraph (1) of subsection (a) of section 40128 is amended—

(1) by striking ''and'' after the semicolon in subparagraph (B);

(2) by striking ''lands.'' in subparagraph (C) and inserting ''lands; and''; and

(3) by adding at the end the following:

''(D) in accordance with a voluntary agreement between the commercial air tour operator and appropriate representatives of the national park or tribal lands, as the case may be.''.

(c) MODIFICATION OF INTERIM OPERATING AUTHORITY.—Section 40128(c)(2)(I) is amended to read as follows:

''(I) may allow for modifications of the interim operating authority without further environmental process, if—

''(i) adequate information on the existing and proposed operations of the commercial air tour operator is provided to the Administrator and the Secretary by the operator seeking operating authority;

''(ii) the Administrator determines that the modifications would not adversely affect aviation safety or the management of the national airspace system; and

''(iii) the Secretary agrees that the modifications would not adversely affect park resources and visitor experiences.''.

(d) REPORTING REQUIREMENTS FOR COMMERCIAL AIR TOUR OPERATORS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, each commercial air tour conducting commercial air tour operations over a national park shall report to the Administrator of the Federal Aviation Administration and the Secretary of the Interior on—

(A) the number of commercial air tour operations conducted by such operator over the national park each day;

(B) any relevant characteristics of commercial air tour operations, including the routes, altitudes, duration, and time of day of flights; and

(C) such other information as the Administrator and the Secretary may determine necessary to administer the provisions of the National Parks Air Tour Management Act of 2000 (49 U.S.C. 40128 note).

(2) FORMAT.—The report required by paragraph (1) shall be submitted in such form as the Administrator and the Secretary determine to be appropriate.

(3) EFFECT OF FAILURE TO REPORT.—The Administrator shall rescind the operating authority of a commercial air tour operator that fails to file a report not later than 180 days after the date for the submittal of the report described in paragraph (1).

(4) AUDIT OF REPORTS.—Not later than 2 years after the date of the enactment of this

Act, and at such times thereafter as the Inspector General of the Department of Transportation determines necessary, the Inspector General shall audit the reports required by paragraph (1).

(e) COLLECTION OF FEES FROM AIR TOUR OPERATIONS.—

(1) IN GENERAL.—The Secretary of the Interior may assess a fee in an amount determined by the Secretary under paragraph (2) on a commercial air tour operator conducting commercial air tour operations over a national park.

(2) AMOUNT OF FEE.—In determining the amount of the fee assessed under paragraph (1), the Secretary shall consider the cost of developing air tour management plans for each national park.

(3) EFFECT OF FAILURE TO PAY FEE.—The Administrator of the Federal Aviation Administration shall revoke the operating authority of a commercial air tour operator conducting commercial air tour operations over any national park, including the Grand Canyon National Park, that has not paid the fee assessed by the Secretary under paragraph (1) by the date that is 180 days after the date on which the Secretary determines the fee shall be paid.

(f) AUTHORIZATION OF APPROPRIATIONS FOR AIR TOUR MANAGEMENT PLANS.—

(1) IN GENERAL.—There are authorized to be appropriated $10,000,000 to the Secretary of the Interior for the development of air tour management plans under section 40128(b) of title 49, United States Code.

(2) USE OF FUNDS.—The funds authorized to be appropriated by paragraph (1) shall be used to develop air tour management plans for the national parks the Secretary determines would most benefit from such a plan.

(g) GUIDANCE TO DISTRICT OFFICES ON COMMERCIAL AIR TOUR OPERATORS.—The Administrator of the Federal Aviation Administration shall provide to the Administration's district offices clear guidance on the ability of commercial air tour operators to obtain—

(1) increased safety certifications;

(2) exemptions from regulations requiring safety certifications; and

(3) other information regarding compliance with the requirements of this Act and other Federal and State laws and regulations.

(h) OPERATING AUTHORITY OF COMMERCIAL AIR TOUR OPERATORS.—

(1) TRANSFER OF OPERATING AUTHORITY.—

(A) IN GENERAL.—Subject to subparagraph (B), a commercial air tour operator that obtains operating authority from the Administrator under section 40128 of title 49, United States Code, to conduct commercial air tour operations may transfer such authority to another commercial air tour operator at any time.

(B) NOTICE.—Not later than 30 days before the date on which a commercial air tour operator transfers operating authority under subparagraph (A), the operator shall notify the Administrator and the Secretary of the intent of the operator to transfer such authority.

(C) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prescribe regulations to allow transfers of operating authority described in subparagraph (A).

(2) TIME FOR DETERMINATION REGARDING OPERATING AUTHORITY.—Notwithstanding any other provision of law, the Administrator shall determine whether to grant a commercial air tour operator operating authority under section 40128 of title 49, United States Code, not later than 180 days after the earlier of the date on which—

(A) the operator submits an application; or

(B) an air tour management plan is completed for the national park over which the operator seeks to conduct commercial air tour operations.

(3) INCREASE IN INTERIM OPERATING AUTHORITY.—The Administrator and the Secretary may increase the interim operating authority while an air tour management plan is being developed for a park if—

(A) the Secretary determines that such an increase does not adversely impact park resources or visitor experiences; and

(B) the Administrator determines that granting interim operating authority does not adversely affect aviation safety or the management of the national airspace system.

(4) ENFORCEMENT OF OPERATING AUTHORITY.—The Administrator is authorized and directed to enforce the requirements of this Act and any agency rules or regulations related to operating authority.

SEC. 710. PHASEOUT OF STAGE 1 AND 2 AIRCRAFT.

(a) IN GENERAL.—Subchapter II of chapter 475 is amended by adding at the end the following:

"§ 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels

"(a) PROHIBITION.—Except as provided in subsection (b), (c), or (d), a person may not operate a civil subsonic turbojet with a maximum weight of 75,000 pounds or less to or from an airport in the United States unless the Secretary of Transportation finds that the aircraft complies with stage 3 noise levels.

"(b) EXCEPTION.—Subsection (a) shall not apply to aircraft operated only outside the 48 contiguous States.

"(c) OPT-OUT.—Subsection (a) shall not apply at an airport where the airport operator has notified the Secretary that it wants to continue to permit the operation of civil subsonic turbojets with a maximum weight of 75,000 pounds or less that do not comply with stage 3 noise levels. The Secretary shall post the notices received under this subsection on its website or in another place easily accessible to the public.

"(d) LIMITATION.—The Secretary shall permit a person to operate Stage 1 and Stage 2 aircraft with a maximum weight of 75,000 pounds or less to or from an airport in the contiguous 48 States in order—

"(1) to sell, lease, or use the aircraft outside the 48 contiguous States;

"(2) to scrap the aircraft;

"(3) to obtain modifications to the aircraft to meet stage 3 noise levels;

"(4) to perform scheduled heavy maintenance or significant modifications on the aircraft at a maintenance facility located in the contiguous 48 states;

"(5) to deliver the aircraft to an operator leasing the aircraft from the owner or return the aircraft to the lessor;

"(6) to prepare or park or store the aircraft in anticipation of any of the activities described in paragraphs (1) through (5); or

"(7) to divert the aircraft to an alternative airport in the 48 contiguous States on account of weather, mechanical, fuel air traffic control or other safety reasons while conducting a flight in order to perform any of the activities described in paragraphs (1) through (6).

"(e) STATUTORY CONSTRUCTION.—Nothing in the section may be construed as interfering with, nullifying, or otherwise affecting determinations made by the Federal Aviation Administration, or to be made by the Administration, with respect to applications under part 161 of title 14, Code of Federal Regulations, that were pending on the date of enactment of the Aircraft Noise Reduction Act of 2006.".

(b) CONFORMING AMENDMENTS.—

(1) Section 47531 is amended by striking "47529, or 47530" and inserting "47529, 47530, or 47534".

(2) Section 47532 is amended by striking "47528–47531" and inserting "47528 through 47531 or 47534".

(3) The table of contents for chapter 475 is amended by inserting after the item relating to section 47533 the following:

"47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with Stage 3 noise levels".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 5 years after the date of enactment of this Act.

SEC. 711. WEIGHT RESTRICTIONS AT TETERBORO AIRPORT.

On and after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration is prohibited from taking actions designed to challenge or influence weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey, except in an emergency.

SEC. 712. PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.

(a) IN GENERAL.—Within 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a pilot program at up to 4 public-use airports for local airport operators that have submitted a noise compatibility program approved by the Federal Aviation Administration under section 47504 of title 49, United States Code, under which such airport operators may use funds made available under section 47117(e) of that title, or passenger facility revenue collected under section 40117 of that title, in partnership with affected neighboring local jurisdictions, to support joint planning, engineering design, and environmental permitting for the assembly and redevelopment of property purchased with noise mitigation funds or passenger facility charge funds, to encourage airport-compatible land uses and generate economic benefits to the local airport authority and adjacent community.

(b) NOISE COMPATIBILITY MEASURES.—Section 47504(a)(2) is amended—

(1) by striking "and" after the semicolon in subparagraph (D);

(2) by striking "operations." in subparagraph (E) and inserting "operations; and"; and

(3) by adding at the end the following:

"(F) joint comprehensive land use planning including master plans, traffic studies, environmental evaluation and economic and feasibility studies, with neighboring local jurisdictions undertaking community redevelopment in the area where the land or other property interest acquired by the airport operator pursuant to this subsection is located, to encourage and enhance redevelopment opportunities that reflect zoning and uses that will prevent the introduction of additional incompatible uses and enhance redevelopment potential.".

(c) GRANT REQUIREMENTS.—The Administrator may not make a grant under subsection (a) unless the grant is made—

(1) to enable the airport operator and local jurisdictions undertaking the community redevelopment effort to expedite redevelopment efforts;

(2) subject to a requirement that the local jurisdiction governing the property interests in question has adopted zoning regulations that permit airport compatible redevelopment; and

(3) subject to a requirement that, in determining the part of the proceeds from disposing of the land that is subject to repayment or reinvestment under section 47107(c)(2)(A) of title 49, United States Code,

the total amount of the grant issued under this section shall be added to the amount of any grants issued for acquisition of land.

(d) DEMONSTRATION GRANTS.—

(1) IN GENERAL.—The Administrator shall provide grants for up to 4 pilot property redevelopment projects distributed geographically and targeted to airports that demonstrate—

(A) a readiness to implement cooperative land use management and redevelopment plans with the adjacent community; and

(B) the probability of clear economic benefit to the local community and financial return to the airport through the implementation of the redevelopment plan.

(2) FEDERAL SHARE.—

(A) Notwithstanding any other provision of law, the Federal share of the allowable costs of a project carried out under the pilot program shall be 80 percent.

(B) In determining the allowable costs, the Administrator shall deduct from the total costs of the activities described in subsection (a) that portion of the costs which is equal to that portion of the total property to be redeveloped under this section that is not owned or to be acquired by the airport operator pursuant to the noise compatibility program or that is not owned by the affected neighboring local jurisdictions or other public entities.

(3) MAXIMUM AMOUNT.—Not more than $5,000,000 in funds made available under section 47117(e) of title 49, United States Code, may be expended under the pilot program at any single public-use airport.

(4) EXCEPTION.—Amounts paid to the Administrator under subsection (c)(3)—

(A) shall be in addition to amounts authorized under section 48203 of title 49, United States Code;

(B) shall not be subject to any limitation on grant obligations for any fiscal year; and

(C) shall remain available until expended.

(e) USE OF PASSENGER REVENUE.—An airport sponsor that owns or operates an airport participating in the pilot program may use passenger facility revenue collected under section 40117 of title 49, United States Code, to pay any project cost described in subsection (a) that is not financed by a grant under the program.

(f) SUNSET.—This section, other than the amendments made by subsections (b), shall not be in effect after September 30, 2011.

(g) REPORT TO CONGRESS.—The Administrator shall report to Congress within 18 months after making the first grant under this section on the effectiveness of this program on returning part 150 lands to productive use.

SEC. 713. TRANSPORTING MUSICAL INSTRUMENTS.

(a) IN GENERAL.—Subchapter I of chapter 417 is amended by adding at the end thereof the following:

"§ 41724. Musical instruments

''(a) IN GENERAL.—

''(1) SMALL INSTRUMENTS AS CARRY-ON BAGGAGE.—An air carrier providing air transportation shall permit a passenger to carry a violin, guitar, or other musical instrument in the aircraft cabin without charge if—

''(A) the instrument can be stowed safely in a suitable baggage compartment in the aircraft cabin or under a passenger seat; and

''(B) there is space for such stowage at the time the passenger boards the aircraft.

''(2) LARGER INSTRUMENTS AS CARRY-ON BAGGAGE.—An air carrier providing air transportation shall permit a passenger to carry a musical instrument that is too large to meet the requirements of paragraph (1) in the aircraft cabin without charge if—

''(A) the instrument is contained in a case or covered so as to avoid injury to other passengers;

''(B) the weight of the instrument, including the case or covering, does not exceed 165 pounds;

''(C) the instrument can be secured by a seat belt to avoid shifting during flight;

''(D) the instrument does not restrict access to, or use of, any required emergency exit, regular exit, or aisle;

''(E) the instrument does not obscure any passenger's view of any illuminated exit, warning, or other informational sign;

''(F) neither the instrument nor the case contains any object not otherwise permitted to be carried in an aircraft cabin because of a law or regulation of the United States; and

''(G) the passenger wishing to carry the instrument in the aircraft cabin has purchased an additional seat to accommodate the instrument.

''(3) LARGE INSTRUMENTS AS CHECKED BAGGAGE.—An air carrier shall transport as baggage, without charge, a musical instrument that is the property of a passenger traveling in air transportation that may not be carried in the aircraft cabin if—

''(A) the sum of the length, width, and height measured in inches of the outside linear dimensions of the instrument (including the case) does not exceed 150 inches; and

''(B) the weight of the instrument does not exceed 165 pounds.

''(b) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to implement subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 417 is amended by inserting after the item relating to section 41723 the following:

''41724. Musical instruments''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of enactment of this Act.

SEC. 714. RECYCLING PLANS FOR AIRPORTS.

(a) AIRPORT PLANNING.—Section 47102(5) is amended by striking ''planning.'' and inserting ''planning and a plan for recycling and minimizing the generation of airport solid waste, consistent with applicable State and local recycling laws, including the cost of a waste audit.''.

(b) MASTER PLAN.—Section 47106(a) is amended—

(1) by striking ''and'' in paragraph (4);

(2) by striking ''proposed.'' in paragraph (5) and inserting ''proposed; and''; and

(3) by adding at the end the following:

''(6) if the project is for an airport that has an airport master plan, the master plan addresses—

''(A) the feasibility of solid waste recycling at the airport;

''(B) minimizing the generation of solid waste at the airport;

''(C) operation and maintenance requirements;

''(D) the review of waste management contracts;

''(E) the potential for cost savings or the generation of revenue; and

''(F) training and education requirements.''.

SEC. 715. DISADVANTAGED BUSINESS ENTERPRISE PROGRAM ADJUSTMENTS.

(a) PURPOSE.—It is the purpose of the airport disadvantaged business enterprise program (49 U.S.C. 47107(e) and 47113) to ensure that minority- and women-owned businesses do not face barriers because of their race or gender and so that they have a fair opportunity to compete in Federally assisted airport contracts and concessions.

(b) FINDINGS.—The Congress finds the following:

(1) While significant progress has occurred due to the enactment of the airport disadvantaged business enterprise program (49 U.S.C. 47107(e) and 47113), discrimination continues to be a barrier for minority- and women-owned businesses seeking to do business in airport-related markets. This continuing barrier merits the continuation of the airport disadvantaged business enterprise program.

(2) The Congress has received recent evidence of discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits. This evidence also shows that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) This evidence demonstrates that discrimination across the nation poses a barrier to full and fair participation in airport related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and many aspects of airport related business in the public and private markets.

(4) This evidence provides a strong basis for the continuation of the airport disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program.

(c) IN GENERAL.—Section 47107(e) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

''(8) MANDATORY TRAINING PROGRAM FOR AIRPORT CONCESSIONS.—

''(A) IN GENERAL.—Not later than one year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall establish a mandatory training program for persons described in subparagraph (C) on the certification of whether a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual for purposes of paragraph (1).

''(B) IMPLEMENTATION.—The training program may be implemented by one or more private entities approved by the Secretary.

''(C) PARTICIPANTS.—A person referred to in paragraph (1) is an official or agent of an airport owner or operator who is required to provide a written assurance under paragraph (1) that the airport owner or operator will meet the percentage goal of paragraph (1) or who is responsible for determining whether or not a small business concern in airport concessions qualifies as a small business concern owned and controlled by a socially and economically disadvantaged individual for purposes of paragraph (1).

''(D) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out this paragraph.''.

(d) REPORT.—Not later than 24 months after the date of enactment of this Act, the Secretary shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Transportation and Infrastructure, and other appropriate committees of Congress on the results of the training program conducted under section 47107(e)(8) of title 49, United States Code, as added by subsection (a).

(e) DISADVANTAGED BUSINESS ENTERPRISE PERSONAL NET WORTH CAP; BONDING REQUIREMENTS.—Section 47113 is amended by adding at the end the following:

''(e) PERSONAL NET WORTH CAP.—Not later than 180 days after the date of enactment of

the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall issue final regulations to adjust the personal net worth cap used in determining whether an individual is economically disadvantaged for purposes of qualifying under the definition contained in subsection (a)(2) and under section 47107(e). The regulations shall correct for the impact of inflation since the Small Business Administration established the personal net worth cap at $750,000 in 1989.

''(f) EXCLUSION OF RETIREMENT BENEFITS.—

''(1) IN GENERAL.—In calculating a business owner's personal net worth, any funds held in a qualified retirement account owned by the business owner shall be excluded, subject to regulations to be issued by the Secretary.

''(2) REGULATIONS.—Not later than one year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall issue final regulations to implement paragraph (1), including consideration of appropriate safeguards, such as a limit on the amount of such accounts, to prevent circumvention of personal net worth requirements.

''(g) PROHIBITION ON EXCESSIVE OR DISCRIMINATORY BONDING REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall establish a program to eliminate barriers to small business participation in airport-related contracts and concessions by prohibiting excessive, unreasonable, or discriminatory bonding requirements for any project funded under this chapter or using passenger facility revenues under section 40117.

''(2) REGULATIONS.—Not later than one year after the date of enactment of the FAA Air Transportation Modernization and Safety Improvement Act, the Secretary shall issue a final rule to establish the program under paragraph (1).''.

SEC. 716. FRONT LINE MANAGER STAFFING.

(a) STUDY.—Not later than 45 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a study on front line manager staffing requirements in air traffic control facilities.

(b) CONSIDERATIONS.—In conducting the study, the Administrator may take into consideration—

(1) the number of supervisory positions of operation requiring watch coverage in each air traffic control facility;

(2) coverage requirements in relation to traffic demand;

(3) facility type;

(4) complexity of traffic and managerial responsibilities;

(5) proficiency and training requirements; and

(6) such other factors as the Administrator considers appropriate.

(c) DETERMINATIONS.—The Administrator shall transmit any determinations made as a result of the study to the Chief Operating Officer for the air traffic control system.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure a report on the results of the study and a description of any determinations submitted to the Chief Operating Officer under subsection (c).

SEC. 717. STUDY OF HELICOPTER AND FIXED WING AIR AMBULANCE SERVICES.

(a) IN GENERAL.— The Comptroller General shall conduct a study of the helicopter and fixed-wing air ambulance industry. The study shall include information, analysis, and recommendations pertinent to ensuring a safe air ambulance industry.

(b) REQUIRED INFORMATION.—In conducting the study, the Comptroller General shall obtain detailed information on the following aspects of the air ambulance industry:

(1) A review of the industry, for part 135 certificate holders and indirect carriers providing helicopter and fixed-wing air ambulance services, including—

(A) a listing of the number, size, and location of helicopter and fixed-wing aircraft and their flight bases;

(B) affiliations of certificate holders and indirect carriers with hospitals, governments, and other entities;

(C) coordination of air ambulance services, with each other, State and local emergency medical services systems, referring entities, and receiving hospitals;

(D) nature of services contracts, sources of payment, financial relationships between certificate holders and indirect carriers providing air ambulance services and referring entities, and costs of operations; and

(E) a survey of business models for air ambulance operations, including expenses, structure, and sources of income.

(2) Air ambulance request and dispatch practices, including the various types of protocols, models, training, certifications, and air medical communications centers relating to part 135 certificate holders and indirect carriers providing helicopter and fixed-wing air ambulance services, including—

(A) the practices that emergency and medical officials use to request an air ambulance;

(B) information on whether economic or other nonmedical factors lead to air ambulance transport when it is not medically needed, appropriate, or safe; and

(C) the cause, occurrence, and extent of delays in air ambulance transport.

(3) Economic and medical issues relating to the air ambulance industry, including—

(A) licensing;

(B) certificates of need;

(C) public convenience and necessity requirements;

(D) assignment of geographic coverage areas;

(E) accreditation requirements;

(F) compliance with dispatch procedures; and

(G) requirements for medical equipment and personnel onboard the aircraft.

(4) Such other matters as the Comptroller General considers relevant to the purpose of the study.

(c) ANALYSIS AND RECOMMENDATIONS.—Based on information obtained under subsection (b) and other information the Comptroller General considers appropriate, the report shall also include an analysis and specific recommendations, as appropriate, related to—

(1) the relationship between State regulation and Federal preemption of rates, routes, and services of air ambulances;

(2) the extent to which Federal law may impact existing State regulation of air ambulances and the potential effect of greater State regulation—

(A) in the air ambulance industry, on the economic viability of air ambulance services, the availability and coordination of service, and costs of operations both in rural and highly populated areas;

(B) on the quality of patient care and outcomes; and

(C) on competition and safety; and

(3) whether systemic or other problems exist on a statewide, regional, or national basis with the current system governing air ambulances.

(d) REPORT.—Not later than June 1, 2010, the Comptroller General shall submit a report to the Secretary of Transportation, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure containing the Government Accountability Office's findings and recommendations regarding the study under this section.

(e) ADOPTION OF RECOMMENDED POLICY CHANGES.—Not later than 60 days after the date of receipt of the report under subsection (d), the Secretary shall issue a report to the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure that—

(1) specifies which, if any, policy changes recommended by the Comptroller General and any other policy changes with respect to air ambulances the Secretary will adopt and implement; and

(2) includes recommendations for legislative change, if appropriate

(f) PART 135 CERTIFICATE HOLDER DEFINED.—In this section, the term ''part 135 certificate holder'' means a person holding a certificate issued under part 135 of title 14, Code of Federal Regulations.

SEC. 718. REPEAL OF CERTAIN LIMITATIONS ON METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.

(a) IN GENERAL.—Section 49108 is repealed.

(b) CONFORMING REPEAL.—The table of sections for chapter 491 is amended by striking the item relating to section 49108.

SEC. 719. STUDY OF AERONAUTICAL MOBILE TELEMETRY.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with other Federal agencies, shall submit a report to the Senate Committee on Commerce, Science, and Transportation, the House of Representatives Committee on Science and Technology, and the House of Representatives Committee on Energy and Commerce that identifies—

(1) the current and anticipated need over the next decade by civil aviation, including equipment manufacturers, for aeronautical mobile telemetry services; and

(2) the potential impact to the aerospace industry of the introduction of a new radio service operating in the same spectrum allocated to the aeronautical mobile telemetry service.

SEC. 720. FLIGHTCREW MEMBER PAIRING AND CREW RESOURCE MANAGEMENT TECHNIQUES.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on aviation industry best practices with regard to flightcrew member pairing, crew resource management techniques, and pilot commuting.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation on the results of the study.

SEC. 721. CONSOLIDATION OR ELIMINATION OF OBSOLETE, REDUNDANT, OR OTHERWISE UNNECESSARY REPORTS; USE OF ELECTRONIC MEDIA FORMAT.

(a) CONSOLIDATION OR ELIMINATION OF REPORTS.—No later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator of the Federal Aviation Administration shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure containing—

(1) a list of obsolete, redundant, or otherwise unnecessary reports the Administration is required by law to submit to the Congress or publish that the Administrator recommends eliminating or consolidating with other reports; and

(2) an estimate of the cost savings that would result from the elimination or consolidation of those reports.

(b) USE OF ELECTRONIC MEDIA FOR REPORTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Federal Aviation Administration—

(A) may not publish any report required or authorized by law in printed format; and

(B) shall publish any such report by posting it on the Administration's website in an easily accessible and downloadable electronic format.

(2) EXCEPTION.—Paragraph (1) does not apply to any report with respect to which the Administrator determines that—

(A) its publication in printed format is essential to the mission of the Federal Aviation Administration; or

(B) its publication in accordance with the requirements of paragraph (1) would disclose matter—

(i) described in section 552(b) of title 5, United States Code; or

(ii) the disclosure of which would have an adverse impact on aviation safety or security, as determined by the Administrator.

SEC. 722. LINE CHECK EVALUATIONS.

Section 44729(h) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

TITLE VIII—AIRPORT AND AIRWAY TRUST FUND PROVISIONS AND RELATED TAXES

SEC. 800. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 801. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) is amended by striking ''March 31, 2010'' and inserting ''September 30, 2013''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) is amended by striking ''March 31, 2010'' and inserting ''September 30, 2013''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) is amended by striking ''March 31, 2010'' and inserting ''September 30, 2013''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 802. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) is amended—

(1) by striking ''April 1, 2010'' in the matter preceding subparagraph (A) and inserting ''October 1, 2013'', and

(2) by striking the semicolon at the end of subparagraph (A) and inserting ''or the FAA Air Transportation Modernization and Safety Improvement Act;''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) is amended by striking ''April 1, 2010'' and inserting ''October 1, 2013''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 803. MODIFICATION OF EXCISE TAX ON KEROSENE USED IN AVIATION.

(a) RATE OF TAX ON AVIATION-GRADE KEROSENE.—

(1) IN GENERAL.—Subparagraph (A) of section 4081(a)(2) (relating to rates of tax) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) in the case of aviation-grade kerosene, 35.9 cents per gallon.''.

(2) FUEL REMOVED DIRECTLY INTO FUEL TANK OF AIRPLANE USED IN NONCOMMERCIAL AVIATION.—Subparagraph (C) of section 4081(a)(2) is amended to read as follows:

''(C) TAXES IMPOSED ON FUEL USED IN COMMERCIAL AVIATION.—In the case of aviation-grade kerosene which is removed from any refinery or terminal directly into the fuel tank of an aircraft for use in commercial aviation by a person registered for such use under section 4101, the rate of tax under subparagraph (A)(iv) shall be 4.3 cents per gallon.''.

(3) EXEMPTION FOR AVIATION-GRADE KEROSENE REMOVED INTO AN AIRCRAFT.—Subsection (e) of section 4082 is amended—

(A) by striking ''kerosene'' and inserting ''aviation-grade kerosene'',

(B) by striking ''section 4081(a)(2)(A)(iii)'' and inserting ''section 4081(a)(2)(A)(iv)'', and

(C) by striking ''KEROSENE'' in the heading and inserting ''AVIATION-GRADE KEROSENE''.

(4) CONFORMING AMENDMENTS.—

(A) Clause (iii) of section 4081(a)(2)(A) is amended by inserting ''other than aviation-grade kerosene'' after ''kerosene''.

(B) The following provisions are each amended by striking ''kerosene'' and inserting ''aviation-grade kerosene'':

(i) Section 4081(a)(3)(A)(ii).

(ii) Section 4081(a)(3)(A)(iv).

(iii) Section 4081(a)(3)(D).

(C) Section 4081(a)(3)(D) is amended—

(i) by striking ''paragraph (2)(C)(i)'' in clause (i) and inserting ''paragraph (2)(C)'', and

(ii) by striking ''paragraph (2)(C)(ii)'' in clause (ii) and inserting ''paragraph (2)(A)(iv)''.

(D) Section 4081(a)(4) is amended—

(i) in the heading by striking ''KEROSENE'' and inserting ''AVIATION-GRADE KEROSENE'', and

(ii) by striking ''paragraph (2)(C)(i)'' and inserting ''paragraph (2)(C)''.

(E) Section 4081(d)(2) is amended by striking ''(a)(2)(C)(ii)'' and inserting ''(a)(2)(A)(iv)''.

(b) RETAIL TAX ON AVIATION FUEL.—

(1) EXEMPTION FOR PREVIOUSLY TAXED FUEL.—Paragraph (2) of section 4041(c) is amended by inserting ''at the rate specified in subsection (a)(2)(A)(iv) thereof'' after ''section 4081''.

(2) RATE OF TAX.—Paragraph (3) of section 4041(c) is amended to read as follows:

''(3) RATE OF TAX.—The rate of tax imposed by this subsection shall be the rate of tax in effect under section 4081(a)(2)(A)(iv) (4.3 cents per gallon with respect to any sale or use for commercial aviation).''.

(c) REFUNDS RELATING TO AVIATION-GRADE KEROSENE.—

(1) KEROSENE USED IN COMMERCIAL AVIATION.—Clause (ii) of section 6427(l)(4)(A) is amended by striking ''specified in section 4041(c) or 4081(a)(2)(A)(iii), as the case may be,'' and inserting ''so imposed''.

(2) KEROSENE USED IN AVIATION.—Paragraph (4) of section 6427(l) is amended—

(A) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B), and

(B) by amending subparagraph (B), as redesignated by subparagraph (A), to read as follows:

''(B) PAYMENTS TO ULTIMATE, REGISTERED VENDOR.—With respect to any kerosene used in aviation (other than kerosene to which paragraph (6) applies), if the ultimate purchaser of such kerosene waives (at such time and in such form and manner as the Secretary shall prescribe) the right to payment under paragraph (1) and assigns such right to the ultimate vendor, then the Secretary shall pay (without interest) the amount which would be paid under paragraph (1) to such ultimate vendor, but only if such ultimate vendor—

''(i) is registered under section 4101, and

''(ii) meets the requirements of subparagraph (A), (B), or (D) of section 6416(a)(1).''.

(3) AVIATION-GRADE KEROSENE NOT USED IN AVIATION.—Subsection (l) of section 6427 is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

''(5) REFUNDS FOR AVIATION-GRADE KEROSENE NOT USED IN AVIATION.—If tax has been imposed under section 4081 at the rate specified in section 4081(a)(2)(A)(iv) and the fuel is used other than in an aircraft, the Secretary shall pay (without interest) to the ultimate purchaser of such fuel an amount equal to the amount of tax imposed on such fuel reduced by the amount of tax that would be imposed under section 4041 if no tax under section 4081 had been imposed.''.

(4) CONFORMING AMENDMENTS.—

(A) Section 4082(d)(2)(B) is amended by striking ''6427(l)(5)(B)'' and inserting ''6427(l)(6)(B)''.

(B) Section 6427(i)(4) is amended—

(i) by striking ''(4)(C)'' the first two places it occurs and inserting ''(4)(B)'', and

(ii) by striking '', (l)(4)(C)(ii), and'' and inserting ''and''.

(C) The heading of section 6427(l) is amended by striking ''DIESEL FUEL AND KEROSENE'' and inserting ''DIESEL FUEL, KEROSENE, AND AVIATION FUEL''.

(D) Section 6427(l)(1) is amended by striking ''paragraph (4)(C)(i)'' and inserting ''paragraph (4)(B)''.

(E) Section 6427(l)(4) is amended—

(i) by striking ''KEROSENE USED IN AVIATION'' in the heading and inserting ''AVIATION-GRADE KEROSENE USED IN COMMERCIAL AVIATION'', and

(ii) in subparagraph (A)—

(I) by striking ''kerosene'' and inserting ''aviation-grade kerosene'',

(II) by striking ''KEROSENE USED IN COMMERCIAL AVIATION'' in the heading and inserting ''IN GENERAL''.

(d) TRANSFERS TO THE AIRPORT AND AIRWAY TRUST FUND.—

(1) IN GENERAL.—Subparagraph (C) of section 9502(b)(1) is amended to read as follows:

''(C) section 4081 with respect to aviation gasoline and aviation-grade kerosene, and''.

(2) TRANSFERS ON ACCOUNT OF CERTAIN REFUNDS.—

(A) IN GENERAL.—Subsection (d) of section 9502 is amended—

(i) in paragraph (2) by striking ''(other than subsection (l)(4) thereof)'', and

(ii) in paragraph (3) by striking ''(other than payments made by reason of paragraph (4) of section 6427(l))''.

(B) CONFORMING AMENDMENTS.—

(i) Section 9503(b)(4) is amended by striking ''or'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting a comma, and by inserting after subparagraph (D) the following:

''(E) section 4081 to the extent attributable to the rate specified in clause (ii) or (iv) of section 4081(a)(2)(A), or

''(F) section 4041(c).''.

(ii) Section 9503(c) is amended by striking paragraph (6).

(iii) Section 9502(a) is amended—

(I) by striking ''appropriated, credited, or paid into'' and inserting ''appropriated or credited to'', and

(II) by striking '', section 9503(c)(7),''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to fuels removed, entered, or sold after June 30, 2010.

(f) FLOOR STOCKS TAX.—

(1) IMPOSITION OF TAX.—In the case of aviation fuel which is held on July 1, 2010, by any

person, there is hereby imposed a floor stocks tax on aviation fuel equal to—

(A) the tax which would have been imposed before such date on such fuel had the amendments made by this section been in effect at all times before such date, reduced by

(B) the sum of—

(i) the tax imposed before such date on such fuel under section 4081 of the Internal Revenue Code of 1986, as in effect on such date, and

(ii) in the case of kerosene held exclusively for such person's own use, the amount which such person would (but for this clause) reasonably expect (as of such date) to be paid as a refund under section 6427(l) of such Code with respect to such kerosene.

(2) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding aviation fuel on July 1, 2010, shall be liable for such tax.

(B) TIME AND METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid at such time and in such manner as the Secretary of the Treasury shall prescribe.

(3) TRANSFER OF FLOOR STOCK TAX REVENUES TO TRUST FUNDS.—For purposes of determining the amount transferred to the Airport and Airway Trust Fund, the tax imposed by this subsection shall be treated as imposed by section 4081(a)(2)(A)(iv) of the Internal Revenue Code of 1986.

(4) DEFINITIONS.—For purposes of this subsection—

(A) AVIATION FUEL.—The term ''aviation fuel'' means aviation-grade kerosene and aviation gasoline, as such terms are used within the meaning of section 4081 of the Internal Revenue Code of 1986.

(B) HELD BY A PERSON.—Aviation fuel shall be considered as held by a person if title thereto has passed to such person (whether or not delivery to the person has been made).

(C) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury or the Secretary's delegate.

(5) EXCEPTION FOR EXEMPT USES.—The tax imposed by paragraph (1) shall not apply to any aviation fuel held by any person exclusively for any use to the extent a credit or refund of the tax is allowable under the Internal Revenue Code of 1986 for such use.

(6) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(A) IN GENERAL.—No tax shall be imposed by paragraph (1) on any aviation fuel held on July 1, 2010, by any person if the aggregate amount of such aviation fuel held by such person on such date does not exceed 2,000 gallons. The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this subparagraph.

(B) EXEMPT FUEL.—For purposes of subparagraph (A), there shall not be taken into account any aviation fuel held by any person which is exempt from the tax imposed by paragraph (1) by reason of paragraph (5).

(C) CONTROLLED GROUPS.—For purposes of this subsection—

(i) CORPORATIONS.—

(I) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(II) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of the Internal Revenue Code of 1986; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(ii) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of subparagraph (A) shall apply to a group of persons under common control if 1 or more of such persons is not a corporation.

(7) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 4081 of the Internal Revenue Code of 1986 on the aviation fuel involved shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply with respect to the floor stock taxes imposed by paragraph (1) to the same extent as if such taxes were imposed by such section.

SEC. 804. AIR TRAFFIC CONTROL SYSTEM MODERNIZATION ACCOUNT.

(a) IN GENERAL.—Section 9502 (relating to the Airport and Airway Trust Fund) is amended by adding at the end the following new subsection:

''(f) ESTABLISHMENT OF AIR TRAFFIC CONTROL SYSTEM MODERNIZATION ACCOUNT.—

''(1) CREATION OF ACCOUNT.—There is established in the Airport and Airway Trust Fund a separate account to be known as the 'Air Traffic Control System Modernization Account' consisting of such amounts as may be transferred or credited to the Air Traffic Control System Modernization Account as provided in this subsection or section 9602(b).

''(2) TRANSFERS TO AIR TRAFFIC CONTROL SYSTEM MODERNIZATION ACCOUNT.—On October 1, 2010, and annually thereafter the Secretary shall transfer $400,000,000 to the Air Traffic Control System Modernization Account from amounts appropriated to the Airport and Airway Trust Fund under subsection (b) which are attributable to taxes on aviation-grade kerosene.

''(3) EXPENDITURES FROM ACCOUNT.—Amounts in the Air Traffic Control System Modernization Account shall be available subject to appropriation for expenditures relating to the modernization of the air traffic control system (including facility and equipment account expenditures).''.

(b) CONFORMING AMENDMENT.—Section 9502(d)(1) is amended by striking ''Amounts'' and inserting ''Except as provided in subsection (f), amounts''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 805. TREATMENT OF FRACTIONAL AIRCRAFT OWNERSHIP PROGRAMS.

(a) FUEL SURTAX.—

(1) IN GENERAL.—Subchapter B of chapter 31 is amended by adding at the end the following new section:

''SEC. 4043. SURTAX ON FUEL USED IN AIRCRAFT PART OF A FRACTIONAL OWNERSHIP PROGRAM.

''(a) IN GENERAL.—There is hereby imposed a tax on any liquid used during any calendar quarter by any person as a fuel in an aircraft which is—

''(1) registered in the United States, and

''(2) part of a fractional ownership aircraft program.

''(b) AMOUNT OF TAX.—The rate of tax imposed by subsection (a) is 14.1 cents per gallon.

''(c) FRACTIONAL OWNERSHIP AIRCRAFT PROGRAM.—For purposes of this section—

''(1) IN GENERAL.—The term 'fractional ownership aircraft program' means a program under which—

''(A) a single fractional ownership program manager provides fractional ownership program management services on behalf of the fractional owners,

''(B) 2 or more airworthy aircraft are part of the program,

''(C) there are 1 or more fractional owners per program aircraft, with at least 1 program aircraft having more than 1 owner,

''(D) each fractional owner possesses at least a minimum fractional ownership interest in 1 or more program aircraft,

''(E) there exists a dry-lease exchange arrangement among all of the fractional owners, and

''(F) there are multi-year program agreements covering the fractional ownership, fractional ownership program management services, and dry-lease aircraft exchange aspects of the program.

''(2) MINIMUM FRACTIONAL OWNERSHIP INTEREST.—

''(A) IN GENERAL.—The term 'minimum fractional ownership interest' means, with respect to each type of aircraft—

''(i) a fractional ownership interest equal to or greater than 1/16 of at least 1 subsonic, fixed wing or powered lift program aircraft, or

''(ii) a fractional ownership interest equal to or greater than 1/32 of a least 1 rotorcraft program aircraft.

''(B) FRACTIONAL OWNERSHIP INTEREST.—The term 'fractional ownership interest' means—

''(i) the ownership of an interest in a program aircraft,

''(ii) the holding of a multi-year leasehold interest in a program aircraft, or

''(iii) the holding of a multi-year leasehold interest which is convertible into an ownership interest in a program aircraft.

''(3) DRY-LEASE EXCHANGE ARRANGEMENT.—A 'dry-lease aircraft exchange' means an agreement, documented by the written program agreements, under which the program aircraft are available, on an as needed basis without crew, to each fractional owner.

''(d) TERMINATION.—This section shall not apply to liquids used as a fuel in an aircraft after September 30, 2013.''.

(2) CONFORMING AMENDMENT.—Section 4082(e) is amended by inserting ''(other than an aircraft described in section 4043(a))'' after ''an aircraft''.

(3) TRANSFER OF REVENUES TO AIRPORT AND AIRWAY TRUST FUND.—Section 9502(b)(1) is amended by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively, and by inserting after subparagraph (A) the following new subparagraph:

''(B) section 4043 (relating to surtax on fuel used in aircraft part of a fractional ownership program),''.

(4) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 31 is amended by adding at the end the following new item:

''Sec. 4043. Surtax on fuel used in aircraft part of a fractional ownership program.''.

(b) FRACTIONAL OWNERSHIP PROGRAMS TREATED AS NON-COMMERCIAL AVIATION.—Subsection (b) of section 4083 is amended by adding at the end the following new sentence: ''For uses of aircraft before October 1, 2013, such term shall not include the use of any aircraft which is part of a fractional ownership aircraft program (as defined by section 4043(c)).''.

(c) EXEMPTION FROM TAX ON TRANSPORTATION OF PERSONS.—Section 4261, as amended by this Act, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) EXEMPTION FOR AIRCRAFT IN FRACTIONAL OWNERSHIP AIRCRAFT PROGRAMS.—No tax shall be imposed by this section or section 4271 on any air transportation provided before October 1, 2013, by an aircraft which is part of a fractional ownership aircraft program (as defined by section 4043(c)).''.

(d) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to fuel used after June 30, 2010.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to uses of aircraft after June 30, 2010.

(3) SUBSECTION (c).—The amendments made by subsection (c) shall apply to taxable transportation provided after June 30, 2010.

SEC. 806. TERMINATION OF EXEMPTION FOR SMALL AIRCRAFT ON NONESTABLISHED LINES.

(a) IN GENERAL.—Section 4281 is amended to read as follows:

"SEC. 4281. SMALL AIRCRAFT OPERATED SOLELY FOR SIGHTSEEING.

''The taxes imposed by sections 4261 and 4271 shall not apply to transportation by an aircraft having a maximum certificated takeoff weight of 6,000 pounds or less at any time during which such aircraft is being operated on a flight the sole purpose of which is sightseeing. For purposes of the preceding sentence, the term 'maximum certificated takeoff weight' means the maximum such weight contained in the type certificate or airworthiness certificate.''.

(b) CONFORMING AMENDMENT.—The item relating to section 4281 in the table of sections for part III of subchapter C of chapter 33 is amended by striking ''on nonestablished lines'' and inserting ''operated solely for sightseeing''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable transportation provided after June 30, 2010.

SEC. 807. TRANSPARENCY IN PASSENGER TAX DISCLOSURES.

(a) IN GENERAL.—Section 7275 (relating to penalty for offenses relating to certain airline tickets and advertising) is amended—

(1) by redesignating subsection (c) as subsection (d),

(2) by striking ''subsection (a) or (b)'' in subsection (d), as so redesignated, and inserting ''subsection (a), (b), or (c)'', and

(3) by inserting after subsection (b) the following new subsection:

''(c) NON-TAX CHARGES.—

''(1) IN GENERAL.—In the case of transportation by air for which disclosure on the ticket or advertising for such transportation of the amounts paid for passenger taxes is required by subsection (a)(2) or (b)(1)(B), it shall be unlawful for the disclosure of the amount of such taxes on such ticket or advertising to include any amounts not attributable to the taxes imposed by subsection (a), (b), or (c) of section 4261.

''(2) INCLUSION IN TRANSPORTATION COST.—Nothing in this subsection shall prohibit the inclusion of amounts not attributable to the taxes imposed by subsection (a), (b), or (c) of section 4261 in the disclosure of the amount paid for transportation as required by subsection (a)(1) or (b)(1)(A), or in a separate disclosure of amounts not attributable to such taxes.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable transportation provided after June 30, 2010.

TITLE IX—BUDGETARY EFFECTS

SEC. 901. 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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 3453. Mr. SESSIONS (for himself and Mrs. MCCASKILL) proposed an amendment to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

At the end, insert the following:

SEC. __01. DISCRETIONARY SPENDING LIMITS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by inserting at the end the following:

''DISCRETIONARY SPENDING LIMITS

''SEC. 316. (a) DISCRETIONARY SPENDING LIMITS.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, or conference report that includes any provision that would cause the discretionary spending limits as set forth in this section to be exceeded.

''(b) LIMITS.—In this section, the term 'discretionary spending limits' has the following meaning subject to adjustments in subsection (c):

''(1) For fiscal year 2011—

''(A) for the defense category (budget function 050), $564,293,000,000 in budget authority; and

''(B) for the nondefense category, $529,662,000,000 in budget authority.

''(2) For fiscal year 2012—

''(A) for the defense category (budget function 050), $573,612,000,000 in budget authority; and

''(B) for the nondefense category, $533,232,000,000 in budget authority.

''(3) For fiscal year 2013—

''(A) for the defense category (budget function 050), $584,421,000,000 in budget authority; and

''(B) for the nondefense category, $540,834,000,000 in budget authority.

''(4) With respect to fiscal years following 2013, the President shall recommend and the Congress shall consider legislation setting limits for those fiscal years.

''(c) ADJUSTMENTS.—

''(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

''(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, the budgetary aggregates in the concurrent resolution on the budget most recently adopted by the Senate and the House of Representatives, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing there from; and

''(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

''(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

''(A) OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013, that provides funding for overseas deployments and other activities, the adjustment for purposes paragraph (1) shall be the amount of budget authority in that measure for that purpose but not to exceed—

''(i) with respect to fiscal year 2011, $50,000,000,000 in new budget authority;

''(ii) with respect to fiscal year 2012, $50,000,000,000 in new budget authority; and

''(iii) with respect to fiscal year 2013, $50,000,000,000 in new budget authority.

''(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013, that includes the amount described in clause (ii)(I), plus an additional amount for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) described in clause (ii)(II), the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative not exceeding the amount specified in clause (ii)(II) for that fiscal year.

''(ii) AMOUNTS.—The amounts referred to in clause (i) are as follows:

''(I) For fiscal year 2011, $7,171,000,000, for fiscal year 2012, $7,243,000,000, and for fiscal year 2013, $7,315,000,000.

''(II) For fiscal year 2011, $899,000,000, for fiscal year 2012, and $908,000,000, for fiscal year 2013, $917,000,000.

''(C) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (ii)(I), plus an additional amount for Continuing Disability Reviews and Supplemental Security Income Redeterminations for the Social Security Administration described in clause (ii)(II), the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative not exceeding the amount specified in clause (ii)(II) for that fiscal year.

''(ii) AMOUNTS.—The amounts referred to in clause (i) are as follows:

''(I) For fiscal year 2011, $276,000,000, for fiscal year 2012, $278,000,000, and for fiscal year 2013, $281,000,000.

''(II) For fiscal year 2011, $490,000,000; for fiscal year 2012, and $495,000,000; for fiscal year 2013, $500,000,000.

''(iii) ASSET VERIFICATION.—

''(I) IN GENERAL.—The additional appropriation permitted under clause (ii)(II) may also provide that a portion of that amount, not to exceed the amount specified in subclause (II) for that fiscal year instead may be used for asset verification for Supplemental Security Income recipients, but only if, and to the extent that the Office of the Chief Actuary estimates that the initiative would be at least as cost effective as the redeterminations of eligibility described in this subparagraph.

''(II) AMOUNTS.—For fiscal year 2011, $34,340,000, for fiscal year 2012, $34,683,000, and for fiscal year 2013, $35,030,000.

''(D) HEALTH CARE FRAUD AND ABUSE.—

''(i) IN GENERAL.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes the amount described in clause (ii) for the Health Care Fraud and Abuse Control program at the Department of Health & Human Services for that fiscal year, the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed the amount described in clause (ii).

''(ii) AMOUNT.—The amount referred to in clause (i) is for fiscal year 2011, $314,000,000, for fiscal year 2012, $317,000,000, and for fiscal year 2013, $320,000,000.

''(E) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes $10,000,000, plus an additional amount for in-person reemployment and eligibility assessments and unemployment improper payment reviews for the Department of Labor, the adjustment for purposes paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed—

''(i) with respect to fiscal year 2011, $51,000,000 in new budget authority;

''(ii) with respect to fiscal year 2012, $51,000,000 in new budget authority; and

''(iii) with respect to fiscal year 2013, $52,000,000 in new budget authority.

''(F) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—If a bill or joint resolution is reported making appropriations for fiscal year 2011, 2012, or 2013 that includes $3,200,000,000 in funding for the Low-Income Home Energy Assistance Program and provides an additional amount up to $1,900,000,000 for that program, the adjustment for purposes of paragraph (1) shall be the amount of budget authority in that measure for that initiative but not to exceed $1,900,000,000.

''(d) EMERGENCY SPENDING.—

''(1) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this subsection.

''(2) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this subsection, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), and section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

''(3) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this subsection, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (6).

''(4) DEFINITIONS.—In this subsection, the terms 'direct spending', 'receipts', and 'appropriations for discretionary accounts' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(5) POINT OF ORDER.—

''(A) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

''(B) SUPERMAJORITY WAIVER AND APPEALS.—

''(i) WAIVER.—Subparagraph (A) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(ii) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this paragraph shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

''(C) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of subparagraph (A), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this paragraph.

''(D) FORM OF THE POINT OF ORDER.—A point of order under subparagraph (A) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

''(E) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this paragraph, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

''(6) CRITERIA.—

''(A) IN GENERAL.—For purposes of this subsection, any provision is an emergency requirement if the situation addressed by such provision is—

''(i) necessary, essential, or vital (not merely useful or beneficial);

''(ii) sudden, quickly coming into being, and not building up over time;

''(iii) an urgent, pressing, and compelling need requiring immediate action;

''(iv) subject to clause (ii), unforeseen, unpredictable, and unanticipated; and

''(v) not permanent, temporary in nature.

''(7) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

''(e) LIMITATIONS ON CHANGES TO EXEMPTIONS.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that would exempt any new budget authority, outlays, and receipts from being counted for purposes of this section.

''(f) POINT OF ORDER IN THE SENATE.—

''(1) WAIVER.—The provisions of this section shall be waived or suspended in the Senate only—

''(A) by the affirmative vote of two-thirds of the Members, duly chosen and sworn; or

''(B) in the case of the defense budget authority, if Congress declares war or authorizes the use of force.

''(2) APPEAL.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

''(3) LIMITATIONS ON CHANGES TO THIS SUBSECTION.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, or conference report that would repeal or otherwise change this subsection.''.

(b) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 315 the following new item:

''Sec. 316. Discretionary spending limits.''.

SA 3454. Mr. DEMINT (for himself, Mr. MCCAIN, Mr. COBURN, Mr. GRASSLEY, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FISCAL YEARS 2010 AND 2011 EARMARK MORATORIUM.

(a) BILLS AND JOINT RESOLUTIONS.—

(1) POINT OF ORDER.—It shall not be in order to—

(A) consider a bill or joint resolution reported by any committee that includes an earmark, limited tax benefit, or limited tariff benefit; or

(B) a Senate bill or joint resolution not reported by committee that includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the bill or joint resolution shall be returned to the calendar until compliance with this subsection has been achieved.

(b) CONFERENCE REPORT.—

(1) POINT OF ORDER.—It shall not be in order to vote on the adoption of a report of a committee of conference if the report includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the conference report shall be returned to the calendar.

(c) FLOOR AMENDMENT.—It shall not be in order to consider an amendment to a bill or joint resolution if the amendment contains an earmark, limited tax benefit, or limited tariff benefit.

(d) AMENDMENT BETWEEN THE HOUSES.—

(1) IN GENERAL.—It shall not be in order to consider an amendment between the Houses if that amendment includes an earmark, limited tax benefit, or limited tariff benefit.

(2) RETURN TO THE CALENDAR.—If a point of order is sustained under this subsection, the amendment between the Houses shall be returned to the calendar until compliance with this subsection has been achieved.

(e) WAIVER.—Any Senator may move to waive any or all points of order under this section by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(f) DEFINITIONS.—For the purpose of this section—

(1) the term ''earmark'' means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

(2) the term ''limited tax benefit'' means any revenue provision that—

(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; and

(3) the term ''limited tariff benefit'' means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

(g) FISCAL YEARS 2010 AND 2011.—The point of order under this section shall only apply to legislation providing or authorizing discretionary budget authority, credit authority or other spending authority, providing a

federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal years 2010 and 2011.

(h) APPLICATION.—This rule shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality or congressional district.

SA 3455. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 298, line 15, insert ''the Salt Lake City TRACON,'' after ''Miami TRACON,''.

SA 3456. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; as follows:

At the end, add the following:

TITLE X—DC OPPORTUNITY SCHOLARSHIP PROGRAM

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Scholarships for Opportunity and Results Act of 2010'' or the ''SOAR Act''.

SEC. 1002. FINDINGS.

Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income parents with enhanced public opportunities and private educational environments, regardless of whether such environments are secular or nonsecular.

(3) Public school records raise persistent concerns regarding health and safety problems in District of Columbia public schools. For example, more than half of the District of Columbia's teenage public school students attend schools that meet the District of Columbia's definition of ''persistently dangerous'' due to the number of violent crimes.

(4) While the per student cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to be among the lowest in the Nation. The National Assessment of Educational Progress (NAEP), an annual report released by the National Center for Education Statistics, reported in its 2007 study that students in the District of Columbia were being outperformed by every State in the Nation. On the 2007 NAEP, 61 percent of fourth grade students scored ''below basic'' in reading, and 51 percent scored ''below basic'' in mathematics. Among eighth grade students, 52 percent scored ''below basic'' in reading and 56 percent scored ''below basic'' in mathematics. On the 2007 NAEP reading assessment, only 14 percent of the District of Columbia fourth grade students could read proficiently, while only 12 percent of the eighth grade students scored at the proficient or advanced level.

(5) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126) to provide opportunity scholarships to parents of students in the District of Columbia that could be used by students in kindergarten through grade 12 to attend a private educational institution. The opportunity scholarship program under such Act was part of a comprehensive 3-part funding arrangement that also included additional funds for the District of Columbia public schools, and additional funds for public charter schools of the District of Columbia. The intent of the approach was to ensure that progress would continue to be made to improve public schools and public charter schools, and that funding for the opportunity scholarship program would not lead to a reduction in funding for the District of Columbia public and charter schools. Resources would be available for a variety of educational options that would give families in the District of Columbia a range of choices with regard to the education of their children.

(6) The opportunity scholarship program was established in accordance with the U.S. Supreme Court decision, Zelman v. Simmons-Harris, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(7) Since the opportunity scholarship program's inception, it has consistently been oversubscribed. Parents express strong support for the opportunity scholarship program. A rigorous analysis of the program by the Institute of Education Sciences (IES) shows statistically significant improvements in parental satisfaction and in reading scores that are even more dramatic when only those students consistently using the scholarships are considered.

(8) The DC opportunity scholarship program is a program that offers families in need, in the District of Columbia, important alternatives while public schools are improved. It is the sense of Congress that this program should continue as 1 of a 3-part comprehensive funding strategy for the District of Columbia school system that provides new and equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

SEC. 1003. PURPOSE.

The purpose of this title is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in other schools in the District of Columbia, at least until the public schools in the District of Columbia have adequately addressed shortfalls in health, safety, and security and the students in the District of Columbia public schools are testing in mathematics and reading at or above the national average.

SEC. 1004. GENERAL AUTHORITY.

(a) AUTHORITY.—From funds appropriated to carry out this title, the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 1005 to carry out activities to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this title.

(b) DURATION OF GRANTS.—The Secretary shall make grants under this section for a period of not more than 5 years.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Mayor of the District of Columbia shall enter into a memorandum of understanding regarding the design of, selection of eligible entities to receive grants under, and implementation of, a program assisted under this title.

(d) SPECIAL RULE.—Notwithstanding any other provision of law, funding appropriated for the opportunity scholarship program under the Omnibus Appropriations Act, 2009 (Public Law 111–8), the District of Columbia Appropriations Act, 2010 (Public Law 111–117), or any other Act, may be used to provide opportunity scholarships under section 1007 to new applicants.

SEC. 1005. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under this title, an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under this title unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 1006;

(B) how the entity will ensure that if more eligible students seek admission in the program than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 1006;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities and how the entity will ensure that parents receive sufficient information about their options to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 1007(a);

(F) how the entity will determine the amount that will be provided to parents for the tuition, fees, and transportation expenses, if any;

(G) how the entity will—

(i) seek out private elementary schools and secondary schools in the District of Columbia to participate in the program; and

(ii) ensure that participating schools will meet the reporting and other requirements of this title;

(H) how the entity will ensure that participating schools are financially responsible and will use the funds received under this title effectively;

(I) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(J) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia;

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 1009; and

(3) an assurance that site inspections of participating schools will be conducted at appropriate intervals.

SEC. 1006. PRIORITIES.

In awarding grants under this title, the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) give priority to eligible students who, in the school year preceding the school year for which the eligible student is seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(2) give priority to students whose household includes a sibling or other child who is already participating in the program of the eligible entity under this title, regardless of whether such students have, in the past, been assigned as members of a control study group for the purposes of an evaluation under section 1009;

(3) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(4) provide students and families with the widest range of educational options.

SEC. 1007. USE OF FUNDS.

(a) SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity receiving a grant under this title shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable the eligible students to attend the District of Columbia private elementary school or secondary school of their choice beginning in school year 2010–2011. Each such eligible entity shall ensure that the amount of any tuition or fees charged by a school participating in such eligible entity's program under this title to an eligible student participating in the program does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—An eligible entity receiving a grant under this title shall make scholarship payments under the program under this title to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this title.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, an eligible entity receiving a grant under this title may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—

(i) LIMIT FOR SCHOOL YEAR 2010–2011.—The amount of assistance provided to any eligible student by an eligible entity under a program under this title for school year 2010–2011 may not exceed—

(I) $9,000 for attendance in kindergarten through grade 8; and

(II) $11,000 for attendance in grades 9 through 12.

(ii) CUMULATIVE INFLATION ADJUSTMENT.—The limits described in clause (i) shall apply for each school year following school year 2010–2011, except that the Secretary shall adjust the maximum amounts of assistance (as described in clause (i) and adjusted under this clause for the preceding year) for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

(4) PARTICIPATING SCHOOL REQUIREMENTS.—None of the funds provided under this title for opportunity scholarships may be used by an eligible student to enroll in a participating private school unless the participating school—

(A) has and maintains a valid certificate of occupancy issued by the District of Columbia;

(B) makes readily available to all prospective students information on its school accreditation;

(C) in the case of a school that has been operating for 5 years or less, submits to the eligible entity administering the program proof of adequate financial resources reflecting the financial sustainability of the school and the school's ability to be in operation through the school year;

(D) has financial systems, controls, policies, and procedures to ensure that Federal funds are used according to this title;

(E) ensures that each teacher of core subject matter in the school has a baccalaureate degree or equivalent degree; and

(F) is in compliance with the accreditation and other standards prescribed under the District of Colombia compulsory school attendance laws that apply to educational institutions not affiliated with the District of Columbia Public Schools.

(b) ADMINISTRATIVE EXPENSES.—An eligible entity receiving a grant under this title may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this title during the year, including—

(1) determining the eligibility of students to participate;

(2) selecting eligible students to receive scholarships;

(3) determining the amount of scholarships and issuing the scholarships to eligible students; and

(4) compiling and maintaining financial and programmatic records.

(c) PARENTAL ASSISTANCE.—An eligible entity receiving a grant under this title may use not more than 2 percent of the amount provided under the grant each year for the expenses of educating parents about the program under this title and assisting parents through the application process under this title during the year, including—

(1) providing information about the program and the participating schools to parents of eligible students;

(2) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

(3) streamlining the application process for parents.

(d) STUDENT ACADEMIC ASSISTANCE.—An eligible entity receiving a grant under this title may use not more than 1 percent of the amount provided under the grant each year for expenses to provide tutoring services to participating eligible students that need additional academic assistance in the students' new schools. If there are insufficient funds to pay for these costs for all such students, the eligible entity shall give priority to students who previously attended an elementary school or secondary school that was identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316) as of the time the student attended the school.

SEC. 1008. NONDISCRIMINATION.

(a) IN GENERAL.—An eligible entity or a school participating in any program under this title shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

(b) APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subsection (a) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subsection (a) is inconsistent with the religious tenets or beliefs of the school.

(2) SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single sex school, class, or activity.

(3) APPLICABILITY.—For purposes of this title, the provisions of section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this title as if section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) were part of this title.

(c) CHILDREN WITH DISABILITIES.—Nothing in this title may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(d) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a school participating in any program under this title that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1 et seq.), including the exemptions in such title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this title to eligible students, which are used at a participating school as a result of their parents' choice, shall not, consistent with the first amendment of the United States Constitution, necessitate any change in the participating school's teaching mission, require any participating school to remove religious art, icons, scriptures, or other symbols, or preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(e) RULE OF CONSTRUCTION.—A scholarship (or any other form of support provided to parents of eligible students) under this title shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this title shall not be treated as income of the parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

SEC. 1009. EVALUATIONS.

(a) IN GENERAL.—

(1) DUTIES OF THE SECRETARY AND THE MAYOR.—The Secretary and the Mayor of the District of Columbia shall—

(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the performance of students who received scholarships under the 5-year program under this title, and

(B) make the evaluations public in accordance with subsection (c).

(2) DUTIES OF THE SECRETARY.—The Secretary, through a grant, contract, or cooperative agreement, shall—

(A) ensure that the evaluation is conducted using the strongest possible research design for determining the effectiveness of the program funded under this title that addresses the issues described in paragraph (4); and

(B) disseminate information on the impact of the program in increasing the academic

growth and achievement of participating students, and on the impact of the program on students and schools in the District of Columbia.

(3) DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.—The Institute of Education Sciences shall—

(A) use a grade appropriate measurement each school year to assess participating eligible students;

(B) measure the academic achievement of all participating eligible students; and

(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this title (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this title, agree that the student will participate in the measurements given annually by the Institute of Educational Sciences for the period for which the student applied for or received the scholarship, respectively, except that nothing in this subparagraph shall affect a student's priority for an opportunity scholarship as provided under section 1006(2).

(4) ISSUES TO BE EVALUATED.—The issues to be evaluated include the following:

(A) A comparison of the academic growth and achievement of participating eligible students in the measurements described in this section to the academic growth and achievement of—

(i) students in the same grades in the District of Columbia public schools; and

(ii) the eligible students in the same grades in the District of Columbia public schools who sought to participate in the scholarship program but were not selected.

(B) The success of the program in expanding choice options for parents.

(C) The reasons parents choose for their children to participate in the program.

(D) A comparison of the retention rates, dropout rates, and (if appropriate) graduation and college admission rates, of students who participate in the program funded under this title with the retention rates, dropout rates, and (if appropriate) graduation and college admission rates of students of similar backgrounds who do not participate in such program.

(E) The impact of the program on students, and public elementary schools and secondary schools, in the District of Columbia.

(F) A comparison of the safety of the schools attended by students who participate in the program funded under this title and the schools attended by students who do not participate in the program, based on the perceptions of the students and parents and on objective measures of safety.

(G) Such other issues as the Secretary considers appropriate for inclusion in the evaluation.

(H) An analysis of the issues described in subparagraphs (A) through (G) with respect to the subgroup of eligible students participating in the program funded under this title who consistently use the opportunity scholarships to attend a participating school.

(I) An assessment of the academic value added by participating schools on a school-by-school basis based on test results from participating eligible students using the same test as is administered to students attending District of Columbia public schools, except that if the evaluator is able certify that other means are available to compare results from the test administrated in District of Columbia public schools to the nationally normed test used at the participating school, such nationally normed test may be used. Such assessment shall be based on the strongest possible research design and shall, to the extent possible, test students under conditions that yield scientifically valid results. Such assessment shall also provide, to the extent possible, a scientifically valid analysis of how such schools provide academic value added as compared to public schools in the District of Columbia. The results of the assessment shall be supplied to parents and included in all reports to Congress so as to ensure that Federal dollars used for the purposes of the program are positively impacting the achievement levels of student participants.

(5) PROHIBITION.—Personally identifiable information regarding the results of the measurements used for the evaluations may not be disclosed, except to the parents of the student to whom the information relates.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and Labor, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate—

(1) annual interim reports, not later than December 1 of each year for which a grant is made under this title, on the progress and preliminary results of the evaluation of the program funded under this title; and

(2) a final report, not later than 1 year after the final year for which a grant is made under this title, on the results of the evaluation of the program funded under this title.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 5 percent of the total amount appropriated to carry out this title for the fiscal year.

SEC. 1010. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each eligible entity receiving funds under this title during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each grantee receiving funds under this title shall, not later than September 1 of the year during which the second academic year of the grantee's program is completed and each of the next 2 years thereafter, submit to the Secretary a report, including any pertinent data collected in the preceding 2 academic years, concerning—

(A) the academic growth and achievement of students participating in the program;

(B) the graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENT.—

(1) IN GENERAL.—Each grantee receiving funds under this title shall ensure that each school participating in the grantee's program under this title during a year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate; and

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 1011. OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) TESTING.—Students participating in a program under this title shall take a nationally norm-referenced standardized test in reading and mathematics. Results of such test shall be reported to the student's parent and the Institute of Education Sciences. To preserve confidentiality, at no time should results for individual students or schools be released to the public.

(b) REQUESTS FOR DATA AND INFORMATION.—Each school participating in a program funded under this title shall comply with all requests for data and information regarding evaluations conducted under section 1009(a).

(c) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including a participating school described in section 1008(d), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

SEC. 1012. DEFINITIONS.

In this title:

(1) ELEMENTARY SCHOOL.—The term ''elementary school'' means an institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under District of Columbia law.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means any of the following:

(A) A nonprofit organization.

(B) A consortium of nonprofit organizations.

(3) ELIGIBLE STUDENT.—The term ''eligible student'' means a student who is a resident of the District of Columbia and comes from a household—

(A) receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

(B) whose income does not exceed—

(i) 185 percent of the poverty line;

(ii) in the case of a student in a household that had a student participating in a program under this title for the preceding school year, 250 percent of the poverty line; or

(iii) in the case of a student in a household that had a student participating in a program under the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126) on or before the date of enactment of this title, 300 percent of the poverty line.

(4) PARENT.—The term ''parent'' has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) POVERTY LINE.—The term ''poverty line'' has the meaning given that term in

section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) SECONDARY SCHOOL.—The term ''secondary school'' means an institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 1013. TRANSITION PROVISIONS.

(a) REPEAL; SUNSET OF OTHER PROVISIONS.—

(1) REPEAL.—The DC School Choice Incentive Act of 2003 (title III of division C of the Consolidated Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126)) is repealed.

(2) SUNSET OF OTHER PROVISIONS.—Notwithstanding any other provision of law, all of the provisos under the heading ''FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT'' under the District of Columbia Appropriations Act, 2010 (Public Law 111–117), shall cease to have effect on and after the date of enactment of this Act.

(b) REAUTHORIZATION OF PROGRAM.—This title shall be deemed to be the reauthorization of the opportunity scholarship program under the DC School Choice Incentive Act of 2003.

(c) ORDERLY TRANSITION.—Subject to subsections (d) and (e), the Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this title from any authority under the provisions of the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(d) RULE OF CONSTRUCTION.—Nothing in this title or a repeal made by this title shall be construed to alter or affect the memorandum of understanding entered into with the District of Columbia, or any grant or contract awarded, under the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title.

(e) MULTI-YEAR AWARDS.—The recipient of a multi-year grant or contract award under the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), as the DC School Choice Incentive Act of 2003 was in effect on the day before the date of enactment of this title, shall continue to receive funds in accordance with the terms and conditions of such award.

SEC. 1014. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) to carry out this title, $20,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years;

(2) for the District of Columbia public schools, in addition to any other amounts available for District of Columbia public schools, $20,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years; and

(3) for District of Columbia public charter schools, in addition to any other amounts available for District of Columbia public charter schools, $20,000,000 for fiscal year 2010 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SA 3457. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 61, between lines 5 and 6, insert the following:

(4) The Administrator may not consolidate any additional approach control facilities into the Salt Lake City TRACON until the Board's recommendations are completed.

SA 3458. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 7___. COASTAL IMPACT ASSISTANCE PROGRAM AMENDMENTS.

Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) is amended—

(1) in subsection (c), by adding at the end the following:

''(5) APPLICATION REQUIREMENTS; AVAILABILITY OF FUNDING.—On approval of a plan by the Secretary under this section, the producing State shall—

''(A) not be subject to any additional application or other requirements (other than notifying the Secretary of which projects are being carried out under the plan) to receive the payments; and

''(B) be immediately eligible to receive payments under this section.''; and

(2) by adding at the end the following:

''(e) FUNDING.—

''(1) ENVIRONMENTAL REQUIREMENTS.—A project funded under this section that does not involve wetlands shall not be subject to environmental review requirements under Federal law.

''(2) COST-SHARING REQUIREMENTS.—Any amounts made available to producing States under this section may be used to meet the cost-sharing requirements of other Federal grant programs, including grant programs that support coastal wetland protection and restoration.''.

SA 3459. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, to commend the American Sail Training Association for advancing international goodwill and character building under sail; as follows:

Strike paragraph (3) of the resolving clause and insert the following:

(3) encourages all people of the United States and the world to join in celebration of the ''Tall Ships Challenge'' races and in the character-building and educational experience that the races represent for the youth of all nations.

SA 3460. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the resolution S. Res. 158, to commend the American Sail Training Association for advancing international goodwill and character building under sail; as follows:

Strike the 12th whereas clause of the preamble and insert the following:

Whereas ATSA collaborates with port partners around North America to produce the ''Tall Ships Challenge'' races and maritime events, drawing sail training vessels from around the world: Now, therefore, be it

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SA 3461. Mr. DORGAN (for Mr. FEINGOLD) proposed an amendment to the bill S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes; as follows:

On page 21, line 4, strike ''(a) AUTHORITY.—''.

On page 21, strike lines 12 through 14.

On page 26, strike lines 1 through 3.

On page 27, strike line 10 and insert the following:

SEC. 9. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that—

(1) of the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) of the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. DEFINITIONS.

SA 3462. Mr. BENNETT (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RELEASE FROM RESTRICTIONS.

(a) IN GENERAL.—Subject to subsection (b), and notwithstanding section 16 of the Federal Airport Act (as in effect on August 28, 1973) and sections 47125 and 47153 of title 49, United States Code, the Secretary of Transportation is authorized to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated August 28, 1973, under which the United States conveyed certain property to the city of St. George, Utah, for airport purposes.

(b) CONDITION.—Any release granted by the Secretary of Transportation pursuant to subsection (a) shall be subject to the following conditions:

(1) The city of St. George, Utah, shall agree that in conveying any interest in the property which the United States conveyed to the city by deed on August 28, 1973, the city will receive an amount for such interest which is equal to its fair market value.

(2) Any amount received by the city under paragraph (1) shall be used by the city of St. George, Utah, for the development or improvement of a replacement public airport.

SA 3463. Mr. BENNETT (for himself, Mr. HATCH, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3452 proposed by Mr. ROCKEFELLER to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

On page 360, between lines 10 and 11, insert the following:

SEC. 419. PRESERVATION AND EXPANSION OF ACCESS FOR SMALL COMMUNITIES.

Section 41718 is amended by adding at the end the following:

''(g) ADDITIONAL BEYOND-PERIMETER EXEMPTIONS.—

''(1) IN GENERAL.—Notwithstanding section 49109, an air carrier that holds or operates 2 or more slots at Ronald Reagan Washington National Airport (referred to in this subsection as 'DCA') as of the date of the enactment of this subsection, and is utilizing such slots for scheduled service between DCA and a large hub airport, may, subject to approval by the Secretary, use up to 2 such slots for service to a large hub airport that is more than 1,250 statute miles away from DCA (referred to in this subsection as 'beyond the perimeter').

''(2) CRITERIA FOR REVIEW.—In reviewing slot exchange requests under this subsection, the Secretary—

''(A) shall ensure that each slot exchange provides through service benefits to small communities that are beyond the perimeter in determining whether or not to grant such a request; and

''(B) may not grant such a request if the Secretary determines that such an exchange would result in the reduction of nonstop service to or from a small or medium hub airport that is not beyond the perimeter.

''(3) ANNUAL AUDIT.—The Secretary shall conduct an annual audit of the use of slots exchanged under paragraph (1) to determine if small communities that are beyond the perimeter are benefiting from such exchanges.''.

SA 3464. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

After title VII, insert the following:

TITLE VIII—LIABILITY PROTECTION TO CERTAIN VOLUNTEER PILOT ORGANIZATIONS

SEC. 801. SHORT TITLE.

This title may be cited as the ''Volunteer Pilot Organization Protection Act of 2010''.

SEC. 802. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Many volunteer pilot nonprofit organizations fly for public benefit and provide valuable services to communities and individuals.

(2) In calendar year 2006, volunteer pilot nonprofit organizations provided long-distance, no-cost transportation for more than 58,000 people during times of special need.

(3) Such nonprofit organizations are no longer able to purchase non-owned aircraft liability insurance to provide liability protection at a reasonable price, and therefore face a highly detrimental liability risk.

(4) Such nonprofit organizations have supported the homeland security of the United States by providing volunteer pilot services during times of national emergency.

(b) PURPOSE.—The purpose of this title is to promote the activities of volunteer pilot nonprofit organizations that fly for public benefit and to sustain the availability of the services that such nonprofit organizations provide, including the following:

(1) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.

(2) Flights for humanitarian and charitable purposes.

(3) Other flights of compassion.

SEC. 803. LIABILITY PROTECTION FOR VOLUNTEER PILOT NONPROFIT ORGANIZATIONS THAT FLY FOR PUBLIC BENEFIT AND TO PILOTS AND STAFF OF SUCH NONPROFIT ORGANIZATIONS.

Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) in subsection (a)(4)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by striking ''the harm'' and inserting ''(A) except in the case of subparagraph (B), the harm'';

(C) in subparagraph (A)(ii), as redesignated by this paragraph, by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(B) the volunteer—

''(i) was operating an aircraft in furtherance of the purpose of a volunteer pilot nonprofit organization that flies for public benefit; and

''(ii) was properly licensed and insured for the operation of such aircraft.''; and

(2) in subsection (c)—

(A) by striking ''Nothing in this section'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—A volunteer pilot nonprofit organization that flies for public benefit, the staff, mission coordinators, officers, and directors (whether volunteer or otherwise) of such nonprofit organization, and a referring agency of such nonprofit organization shall not be liable for harm caused to any person by a volunteer of such nonprofit organization while such volunteer—

''(A) is operating an aircraft in furtherance of the purpose of such nonprofit organization;

''(B) is properly licensed for the operation of such aircraft; and

''(C) has certified to such nonprofit organization that such volunteer has insurance covering the volunteer's operation of such aircraft.''.

SA 3465. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 1586, to impose an additional tax on bonuses received from certain TARP recipients; which was ordered to lie on the table; as follows:

After title VII, insert the following:

TITLE VIII—ACCESS TO GENERAL AVIATION AIRPORTS

SEC. 801. SHORT TITLE.

This title may be cited as the ''Community Airport Access and Protection Act of 2010''.

SEC. 802. AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.

(a) IN GENERAL.—Section 47107 is amended by adding at the end the following:

''(t) AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.—

''(1) IN GENERAL.—Subject to paragraph (2), a sponsor of a general aviation airport shall not be considered to be in violation of this subtitle, or to be in violation of a grant assurance made under this section or under any other provision of law as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor enters into an agreement that grants to a person that owns real property adjacent to the airport, including any residential, nonresidential, or commercial property, access for aircraft located on that property to the airfield of the airport.

''(2) THROUGH THE FENCE AGREEMENTS.—

''(A) IN GENERAL.—An agreement described in paragraph (1) between an airport sponsor and a property owner shall be a written agreement that prescribes the rights, responsibilities, charges, duration, and other terms determined necessary to establish and manage the airport sponsor's relationship with the property owner.

''(B) TERMS AND CONDITIONS.—An agreement described in paragraph (1) between an airport sponsor and a property owner shall require the property owner, at minimum—

''(i) to pay airport access charges that are not less than those charged to tenants and operators on-airport making similar use of the airport;

''(ii) to bear the cost of building and maintaining the infrastructure necessary to provide aircraft located on the property adjacent to the airport access to the airfield of the airport; and

''(iii) to operate and maintain the property, and conduct any construction activities on the property, at no cost to the airport and in a manner that—

''(I) is consistent with subsections (a)(7) and (a)(9);

''(II) does not alter the airport, including the facilities of the airport;

''(III) does not adversely affect the safety, utility, or efficiency of the airport;

''(IV) is compatible with the normal operations of the airport; and

''(V) is consistent with the airport's role in the National Plan of Integrated Airport Systems.

''(3) GENERAL AVIATION AIRPORT DEFINED.—In this subsection, the term 'general aviation airport' means a public airport that is located in a State and that, as determined by the Secretary of Transportation—

''(A) does not have scheduled service; or

''(B) has scheduled service with less than 2,500 passenger boardings each year.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to an agreement between an airport sponsor and a property owner entered into before, on, or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., to hold a hearing entitled ''Building on Success: New Directions in Global Health.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 10, 2010, at 2 p.m. in the President's Room.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m. to conduct a hearing entitled ''The Lessons and Implications of the Christmas Day Attack: Watchlisting and Pre-Screening.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''We the People? Corporate Spending in American Elections after Citizens United.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL OPERATIONS AND ORGANIZATIONS, DEMOCRACY AND HUMAN RIGHTS SUBCOMMITTEE

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 3 p.m. to hold an International Operations and Organizations, Democracy and Human Rights subcommittee hearing entitled ''The Future of U.S. Public Diplomacy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010 at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. WARNER. Mr. President, I ask unanimous consent that the subcommittee on Public lands and Forests be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. WARNER. Mr. President, I ask unanimous consent that the subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the following Finance Committee fellows and interns be accorded floor privileges for the consideration of the FAA bill: Aislinn Baker, Mary Baker, Brittany Durrell, Scott Matthews, Greg Sullivan, Maximilian Updike, Meena Sharma; as well as Jim Connelly and Rajat Mathur, both detailees for the Committee on Commerce, Science, and Transportation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that Stephen Obenhaus, who is a fellow involved in matters of education from our office be granted floor privileges for the duration of the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 706, 707, 708, 709, 713, 714, 715, 716, 717, 718, 719, 720, 721, 723, 724, 725, 727, 734, 735, and all nominations on the Secretary's Desk in the Foreign Service; that the nominations be confirmed en bloc and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Genevieve Lynn May, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years.

DEPARTMENT OF STATE

Donald E. Booth, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Ethiopia.

Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Democratic Republic of Nepal.

Beatrice Wilkinson Welters, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Trinidad and Tobago.

Ian C. Kelly, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

AFRICAN DEVELOPMENT BANK

Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

UNITED STATES TRADE AND DEVELOPMENT AGENCY

Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.

DEPARTMENT OF STATE

Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with a rank of Ambassador.

Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations.

INTERNATIONAL MONETARY FUND

Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

DEPARTMENT OF JUSTICE

William Joseph Hochul, Jr., of New York, to be United States Attorney for the Western District of New York for the term of four years.

Sally Quillian Yates, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

DEPARTMENT OF EDUCATION

Kathleen S. Tighe, of Virginia, to be Inspector General, Department of Education.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Larry Persily, of Alaska, to be Federal Coordinator for Alaska Natural Gas Transportation Projects for the term prescribed by law.

NORTHERN BORDER REGIONAL COMMISSION

Sandford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission.

APPALACHIAN REGIONAL COMMISSION

Earl F. Gohl, Jr., of the District of Columbia, to be Federal Cochairman of the Appalachian Regional Commission.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN1017–3 FOREIGN SERVICE nomination of Earl W. Gast, which was received by the Senate and appeared in the Congressional Record of September 25, 2009.

PN1185 FOREIGN SERVICE nominations (3) beginning Suzanne E. Heinen, and ending Bernadette Borris, which nominations were received by the Senate and appeared in the Congressional Record of November 17, 2009.

PN1271 FOREIGN SERVICE nominations (99) beginning Sean J. McIntosh, and ending William Qian Yu, which nominations were received by the Senate and appeared in the Congressional Record of December 11, 2009.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

COMMENDING THE AMERICAN SAIL TRAINING ASSOCIATION

Mr. DORGAN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 158, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 158) to commend the American Sail Training Association for advancing international goodwill and character building under sail.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. Mr. President, I ask unanimous consent that a Kerry amendment to the resolution, which is at the desk, be agreed to; the resolution, as amended, be agreed to; that a Kerry amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3459) was agreed to, as follows:

Strike paragraph (3) of the resolving clause and insert the following:

(3) encourages all people of the United States and the world to join in celebration of the ''Tall Ships Challenge'' races and in the character-building and educational experience that the races represent for the youth of all nations.

The resolution (S. Res. 158), as amended, was agreed to.

The amendment (No. 3460) was agreed to, as follows:

Strike the 12th whereas clause of the preamble and insert the following:

Whereas ATSA collaborates with port partners around North America to produce the ''Tall Ships Challenge'' races and maritime events, drawing sail training vessels from around the world: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 158

Whereas the American Sail Training Association (ASTA) is an educational nonprofit corporation whose declared mission is ''to encourage character building through sail training, promote sail training to the North American public and support education under sail'';

Whereas since its founding in 1973, ASTA has supported character-building experiences aboard traditionally rigged sail training vessels and has established a program of scholarship funds to support such experiences;

Whereas ASTA has a long history of tall ship races, rallies, and maritime festivals, dating back as far as 1976;

Whereas each year since 2001, ASTA has held the ''Tall Ships Challenge'', a series of races and maritime festivals that involve sail training vessels, trainees, and crews from all the coasts of the United States and around the world;

Whereas the Tall Ships Challenge series has reached an audience of approximately 8,000,000 spectators and brought more than $400,000,000 to more than 30 host communities;

Whereas ASTA supports a membership of more than 200 sail training vessels, including barks, barques, barkentines, brigantines, brigs, schooners, sloops, and full-rigged ships, which carry the flags of the United States, Canada, and many other nations and have brought life-changing adventures to thousands of young trainees;

Whereas ASTA has held a series of more than 30 annual sail training conferences in cities throughout the United States and Canada, including the Safety Under Sail Forum and the Education Under Sail Forum;

Whereas ASTA has collaborated extensively with the Coast Guard and with the premier sail training vessel of the United States, the square-rigged barque USCGC Eagle;

Whereas ASTA publishes ''Sail Tall Ships'', a periodic directory of sail training opportunities;

Whereas in 1982, ASTA supported the enactment of the Sailing School Vessel Act of 1982, title II of Public Law 97–322 (96 Stat. 1588);

Whereas ASTA has ably represented the United States as a founding member of the national sail training organization in Sail Training International, the recognized international body for the promotion of sail training, which has hosted a series of international races of square-rigged and other traditionally rigged vessels since the 1950s; and

Whereas ATSA collaborates with port partners around North America to produce the ''Tall Ships Challenge'' races and maritime events, drawing sail training vessels from around the world: Now, therefore, be it

Resolved, That the Senate—

(1) commends the American Sail Training Association for advancing character building experiences for youth at sea in traditionally rigged sailing vessels and the finest traditions of the sea;

(2) commends the American Sail Training Association for acting as the national sail training association of the United States and representing the sail training community of the United States in the international forum; and

(3) encourages all people of the United States and the world to join in celebration of the ''Tall Ships Challenge'' races and in the character-building and educational experience that the races represent for the youth of all nations.

LORD'S RESISTANCE ARMY DISARMAMENT AND NORTHERN UGANDA RECOVERY ACT OF 2009

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 228, S. 1067.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1067) to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

There being no objection, the Senate proceeded to consider the bill (S. 1067) to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For over 2 decades, the Government of Uganda engaged in an armed conflict with the Lord's Resistance Army (LRA) in northern Uganda that led to the internal displacement of more than 2,000,000 Ugandans from their homes.

(2) The members of the Lord's Resistance Army used brutal tactics in northern Uganda, including mutilating, abducting and forcing individuals into sexual servitude and forcing a large number of children and youth in Uganda, estimated by the Survey for War Affected Youth to be over 66,000, to fight as part of the rebel force.

(3) The Secretary of State has placed the Lord's Resistance Army on the Terrorist Exclusion list pursuant to section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)), and LRA leader Joseph Kony has been designated a ''specially designated global terrorist'' pursuant to Executive Order 13224.

(4) In late 2005, according to the United Nations Office for Coordination of Humanitarian Affairs, the Lord's Resistance Army shifted their primary base of operations from southern Sudan to northeastern Democratic Republic of Congo, and the rebels have since withdrawn from northern Uganda.

(5) Representatives of the Government of Uganda and the Lord's Resistance Army began peace negotiations in 2006, mediated by the Government of Southern Sudan in Juba, Sudan, and signed the Cessation of Hostilities Agreement on August 20, 2006, which provided for hundreds of thousands of internally displaced people to return home in safety.

(6) After nearly 2 years of negotiations, representatives from the parties reached the Final Peace Agreement in April 2008, but Joseph Kony, the leader of the Lord's Resistance Army, refused to sign the Final Peace Agreement in May 2008 and his forces launched new attacks in northeastern Congo.

(7) According to the United Nations Office for the Coordination of Humanitarian Relief and the United Nations High Commissioner for Refugees, the new activity of the Lord's Resistance Army in northeastern Congo and southern Sudan since September 2008 has led to the abduction of at least 1,500 civilians, including hundreds of children, and the displacement of more than 540,000 people.

(8) In December 2008, the military forces of Uganda, the Democratic Republic of Congo, and southern Sudan launched a joint operation against the Lord's Resistance Army's bases in northeastern Congo, but the operation failed to apprehend Joseph Kony, and his forces retaliated with a series of new attacks and massacres in Congo and southern Sudan, killing an estimated 900 people in 2 months alone.

(9) Despite the refusal of Joseph Kony to sign the Final Peace Agreement, the Government of Uganda has committed to continue reconstruction plans for northern Uganda, and to implement those mechanisms of the Final Peace Agreement not conditional on the compliance of the Lord's Resistance Army.

(10) Since 2008, recovery efforts in northern Uganda have moved forward with the financial support of the United States and other donors, but have been hampered by a lack of strategic coordination, logistical delays, and limited leadership from the Government of Uganda.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by—

(1) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord's Resistance Army, to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining Lord's Resistance Army fighters;

(2) targeting assistance to respond to the humanitarian needs of populations in northeastern Congo, southern Sudan, and Central African Republic currently affected by the activity of the Lord's Resistance Army; and

(3) further supporting and encouraging efforts of the Government of Uganda and civil society to promote comprehensive reconstruction, transitional justice, and reconciliation in northern Uganda as affirmed in the Northern Uganda Crisis Response Act of 2004 (Public Law 108–283) and subsequent resolutions, including Senate Resolution 366, 109th Congress, agreed to February 2, 2006, Senate Resolution 573, 109th Congress, agreed to September 19, 2006, Senate Concurrent Resolution 16, 110th Congress, agreed to in the Senate March 1, 2007, and House Concurrent Resolution 80, 110th Congress, agreed to in the House of Representatives June 18, 2007.

SEC. 4. REQUIREMENT OF A STRATEGY TO SUPPORT THE DISARMAMENT OF THE LORD'S RESISTANCE ARMY.

(a) REQUIREMENT FOR STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and submit to the appropriate committees of Congress a strategy to guide future United States support across the region for viable multilateral efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord's Resistance Army.

(b) CONTENT OF STRATEGY.—The strategy shall include the following:

(1) A plan to help strengthen efforts by the United Nations and regional governments to protect civilians from attacks by the Lord's Resistance Army while supporting the development of institutions in affected areas that can help to maintain the rule of law and prevent conflict in the long term.

(2) An assessment of viable options through which the United States, working with regional governments, could help develop and support multilateral efforts to eliminate the threat posed by the Lord's Resistance Army.

(3) An interagency framework to plan, coordinate, and review diplomatic, economic, intelligence, and military elements of United States policy across the region regarding the Lord's Resistance Army.

(4) A description of the type and form of diplomatic engagement across the region undertaken to coordinate and implement United States policy regarding the Lord's Resistance Army and to work multilaterally with regional mechanisms, including the Tripartite Plus Commission and the Great Lakes Pact.

(5) A description of how this engagement will fit within the context of broader efforts and policy objectives in the Great Lakes Region.

(c) FORM.—The strategy under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 5. HUMANITARIAN ASSISTANCE FOR AREAS OUTSIDE UGANDA AFFECTED BY THE LORD'S RESISTANCE ARMY.

(a) AUTHORITY.—In accordance with section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and section 2 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601), the President is authorized to provide additional assistance to the Democratic Republic of Congo, southern Sudan, and Central African Republic to respond to the humanitarian needs of populations directly affected by the activity of the Lord's Resistance Army.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for fiscal year 2011 to carry out this section.

SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUCTION IN NORTHERN UGANDA.

(a) AUTHORITY.—It is the sense of Congress that the President should support efforts by the people of northern Uganda and the Government of Uganda—

(1) to assist internally displaced people in transition and returnees to secure durable solutions by spurring economic revitalization, supporting livelihoods, helping to alleviate poverty, and advancing access to basic services at return sites, specifically clean water, health care, and schools;

(2) to enhance the accountability and administrative competency of local governance institutions and public agencies in northern Uganda with regard to budget management, provision of public goods and services, and related oversight functions;

(3) to strengthen the operational capacity of the civilian police in northern Uganda to enhance public safety, prevent crime, and deal sensitively with gender-based violence, while strengthening accountability measures to prevent corruption and abuses;

(4) to rebuild and improve the capacity of the justice system in northern Uganda, including the courts and penal systems, with particular sensitivity to the needs and rights of women and children;

(5) to establish mechanisms for the disarmament, demobilization, and reintegration of former combatants and those abducted by the LRA, including vocational education and employment opportunities, with attention given to the roles and needs of men, women and children; and

(6) to promote programs to address psychosocial trauma, particularly post-traumatic stress disorder.

(b) FUTURE YEAR FUNDING.—It is the sense of Congress that the Secretary of State and Administrator of the United States Agency for International Development should work with the appropriate committees of Congress to increase assistance in future fiscal years to support activities described in this section if the Government of Uganda demonstrates a commitment to transparent and accountable reconstruction in war-affected areas of northern Uganda, specifically by—

(1) finalizing the establishment of mechanisms within the Office of the Prime Minister to sufficiently manage and coordinate the programs under the framework of the Peace Recovery and Development Plan for Northern Uganda (PRDP);

(2) increasing oversight activities and reporting, at the local and national level in Uganda, to ensure funds under the Peace Recovery and Development Plan for Northern Uganda framework are used efficiently and with minimal waste; and

(3) committing substantial funds of its own, above and beyond standard budget allocations to local governments, to the task of implementing the Peace Recovery and Development Plan for Northern Uganda such that communities affected by the war can recover.

(c) COORDINATION WITH OTHER DONOR NATIONS.—The United States should work with other donor nations to increase contributions for recovery efforts in northern Uganda and better leverage those contributions to enhance the capacity and encourage the leadership of the Government of Uganda in promoting transparent and accountable reconstruction in northern Uganda.

(d) TERMINATION OF ASSISTANCE.—It is the sense of Congress that the Secretary of State should withhold non-humanitarian bilateral assistance to the Republic of Uganda if the Secretary determines that the Government of Uganda is not committed to reconstruction and reconciliation in the war-affected areas of northern Uganda and is not taking proactive steps to ensure this process moves forward in a transparent and accountable manner.

SEC. 7. ASSISTANCE FOR RECONCILIATION AND TRANSITIONAL JUSTICE IN NORTHERN UGANDA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, despite reconstruction and development efforts, a continued failure to take meaningful steps toward national reconciliation and accountability risks perpetuating longstanding political grievances and fueling new conflicts.

(b) AUTHORITY.—In accordance with section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346), the President is authorized to support efforts by the people of northern Uganda and the Government of Uganda to advance efforts to promote transitional justice and reconciliation on both local and national levels, including to encourage implementation of the mechanisms outlined in the Annexure to the Agreement on Accountability and Reconciliation between the Government of Uganda and the Lord's Resistance Army/Movement, signed at Juba February 19, 2008, namely—

(1) a body to investigate the history of the conflict, inquire into human rights violations committed during the conflict by all sides, promote truth-telling in communities, and encourage the preservation of the memory of events and victims of the conflict through memorials, archives, commemorations, and other forms of preservation;

(2) a special division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecutions in support of trials;

(3) a system for making reparations to victims of the conflict; and

(4) a review and strategy for supporting transitional justice mechanisms in affected areas to promote reconciliation and encourage individuals to take personal responsibility for their conduct during the war.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2011 through 2013 to carry out this section.

SEC. 8. REPORT.

(a) REPORT REQUIRED.—Not later than 1 year after the submission of the strategy required under section 4, the Secretary of State shall prepare and submit to the appropriate committees of Congress a report on the progress made toward the implementation of the strategy required under section 4 and a description and evaluation of the assistance provided under this Act toward the policy objectives described in section 3.

(b) CONTENTS.—The report required under section (a) shall include—

(1) a description and evaluation of actions taken toward the implementation of the strategy required under section 4;

(2) a description of assistance provided under sections 5, 6, and 7;

(3) an evaluation of bilateral assistance provided to the Republic of Uganda and associated programs in light of stated policy objectives;

(4) a description of the status of the Peace Recovery and Development Plan for Northern Uganda and the progress of the Government of Uganda in fulfilling the steps outlined in section 6(b); and

(5) a description of amounts of assistance committed, and amounts provided, to northern Uganda during the reporting period by the Government of Uganda and each donor country.

(c) FORM.—The report under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 9. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(2) GREAT LAKES REGION.—The term ''Great Lakes Region'' means the region comprising Burundi, Democratic Republic of Congo, Rwanda, southern Sudan, and Uganda.

(3) LRA-AFFECTED AREAS.—The term ''LRA-affected areas'' means those portions of northern Uganda, southern Sudan, northeastern Democratic Republic of Congo, and southeastern Central African Republic determined by the Secretary of State to be affected by the Lord's Resistance Army as of the date of the enactment of this Act.

Mr. DORGAN. I ask unanimous consent the committee-reported substitute amendment be considered; that a Feingold amendment which is at the desk be agreed to; the substitute amendment, as amended, be agreed to; the bill as amended be read a third time and passed, the motions to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3461) was agreed to, as follows:

(Purpose: To express the sense of Congress regarding the funding of activities under this Act)

On page 21, line 4, strike ''(a) AUTHORITY.—''.

On page 21, strike lines 12 through 14.

On page 26, strike lines 1 through 3.

On page 27, strike line 10 and insert the following:

SEC. 9. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that—

(1) of the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) of the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. DEFINITIONS.

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

The bill (S. 1067), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1067

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 ''Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) For over 2 decades, the Government of Uganda engaged in an armed conflict with the Lord's Resistance Army (LRA) in northern Uganda that led to the internal displacement of more than 2,000,000 Ugandans from their homes.

(2) The members of the Lord's Resistance Army used brutal tactics in northern Uganda, including mutilating, abducting and forcing individuals into sexual servitude and forcing a large number of children and youth in Uganda, estimated by the Survey for War Affected Youth to be over 66,000, to fight as part of the rebel force.

(3) The Secretary of State has placed the Lord's Resistance Army on the Terrorist Exclusion list pursuant to section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)), and LRA leader Joseph Kony has been designated a ''specially designated global terrorist'' pursuant to Executive Order 13224.

(4) In late 2005, according to the United Nations Office for Coordination of Humanitarian Affairs, the Lord's Resistance Army shifted their primary base of operations from southern Sudan to northeastern Democratic Republic of Congo, and the rebels have since withdrawn from northern Uganda.

(5) Representatives of the Government of Uganda and the Lord's Resistance Army began peace negotiations in 2006, mediated by the Government of Southern Sudan in Juba, Sudan, and signed the Cessation of Hostilities Agreement on August 20, 2006, which provided for hundreds of thousands of internally displaced people to return home in safety.

(6) After nearly 2 years of negotiations, representatives from the parties reached the Final Peace Agreement in April 2008, but Joseph Kony, the leader of the Lord's Resistance Army, refused to sign the Final Peace Agreement in May 2008 and his forces launched new attacks in northeastern Congo.

(7) According to the United Nations Office for the Coordination of Humanitarian Relief and the United Nations High Commissioner for Refugees, the new activity of the Lord's Resistance Army in northeastern Congo and southern Sudan since September 2008 has led to the abduction of at least 1,500 civilians, including hundreds of children, and the displacement of more than 540,000 people.

(8) In December 2008, the military forces of Uganda, the Democratic Republic of Congo, and southern Sudan launched a joint operation against the Lord's Resistance Army's bases in northeastern Congo, but the operation failed to apprehend Joseph Kony, and his forces retaliated with a series of new attacks and massacres in Congo and southern Sudan, killing an estimated 900 people in 2 months alone.

(9) Despite the refusal of Joseph Kony to sign the Final Peace Agreement, the Government of Uganda has committed to continue reconstruction plans for northern Uganda, and to implement those mechanisms of the Final Peace Agreement not conditional on the compliance of the Lord's Resistance Army.

(10) Since 2008, recovery efforts in northern Uganda have moved forward with the financial support of the United States and other donors, but have been hampered by a lack of strategic coordination, logistical delays, and limited leadership from the Government of Uganda.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by—

(1) providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the Lord's Resistance Army, to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining Lord's Resistance Army fighters;

(2) targeting assistance to respond to the humanitarian needs of populations in northeastern Congo, southern Sudan, and Central African Republic currently affected by the activity of the Lord's Resistance Army; and

(3) further supporting and encouraging efforts of the Government of Uganda and civil society to promote comprehensive reconstruction, transitional justice, and reconciliation in northern Uganda as affirmed in the Northern Uganda Crisis Response Act of 2004 (Public Law 108–283) and subsequent resolutions, including Senate Resolution 366, 109th Congress, agreed to February 2, 2006, Senate Resolution 573, 109th Congress, agreed to September 19, 2006, Senate Concurrent Resolution 16, 110th Congress, agreed to in the Senate March 1, 2007, and House Concurrent Resolution 80, 110th Congress, agreed to in the House of Representatives June 18, 2007.

SEC. 4. REQUIREMENT OF A STRATEGY TO SUPPORT THE DISARMAMENT OF THE LORD'S RESISTANCE ARMY.

(a) REQUIREMENT FOR STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall develop and submit to the appropriate committees of Congress a strategy to guide future United States support across the region for viable multilateral efforts to mitigate and eliminate the threat to civilians and regional stability posed by the Lord's Resistance Army.

(b) CONTENT OF STRATEGY.—The strategy shall include the following:

(1) A plan to help strengthen efforts by the United Nations and regional governments to protect civilians from attacks by the Lord's Resistance Army while supporting the development of institutions in affected areas that can help to maintain the rule of law and prevent conflict in the long term.

(2) An assessment of viable options through which the United States, working with regional governments, could help develop and support multilateral efforts to eliminate the threat posed by the Lord's Resistance Army.

(3) An interagency framework to plan, coordinate, and review diplomatic, economic, intelligence, and military elements of United States policy across the region regarding the Lord's Resistance Army.

(4) A description of the type and form of diplomatic engagement across the region undertaken to coordinate and implement United States policy regarding the Lord's Resistance Army and to work multilaterally with regional mechanisms, including the Tripartite Plus Commission and the Great Lakes Pact.

(5) A description of how this engagement will fit within the context of broader efforts and policy objectives in the Great Lakes Region.

(c) FORM.—The strategy under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 5. HUMANITARIAN ASSISTANCE FOR AREAS OUTSIDE UGANDA AFFECTED BY THE LORD'S RESISTANCE ARMY.

In accordance with section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and section 2 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601), the President is authorized to provide additional assistance to the Democratic Republic of Congo, southern Sudan, and Central African Republic to respond to the humanitarian needs of populations directly affected by the activity of the Lord's Resistance Army.

SEC. 6. ASSISTANCE FOR RECOVERY AND RECONSTRUCTION IN NORTHERN UGANDA.

(a) AUTHORITY.—It is the sense of Congress that the President should support efforts by the people of northern Uganda and the Government of Uganda—

(1) to assist internally displaced people in transition and returnees to secure durable solutions by spurring economic revitalization, supporting livelihoods, helping to alleviate poverty, and advancing access to basic services at return sites, specifically clean water, health care, and schools;

(2) to enhance the accountability and administrative competency of local governance institutions and public agencies in northern Uganda with regard to budget management, provision of public goods and services, and related oversight functions;

(3) to strengthen the operational capacity of the civilian police in northern Uganda to enhance public safety, prevent crime, and deal sensitively with gender-based violence, while strengthening accountability measures to prevent corruption and abuses;

(4) to rebuild and improve the capacity of the justice system in northern Uganda, including the courts and penal systems, with particular sensitivity to the needs and rights of women and children;

(5) to establish mechanisms for the disarmament, demobilization, and reintegration of former combatants and those abducted by the LRA, including vocational education and employment opportunities, with attention given to the roles and needs of men, women and children; and

(6) to promote programs to address psychosocial trauma, particularly post-traumatic stress disorder.

(b) FUTURE YEAR FUNDING.—It is the sense of Congress that the Secretary of State and Administrator of the United States Agency for International Development should work with the appropriate committees of Congress to increase assistance in future fiscal years to support activities described in this section if the Government of Uganda demonstrates a commitment to transparent and accountable reconstruction in war-affected areas of northern Uganda, specifically by—

(1) finalizing the establishment of mechanisms within the Office of the Prime Minister to sufficiently manage and coordinate the programs under the framework of the Peace Recovery and Development Plan for Northern Uganda (PRDP);

(2) increasing oversight activities and reporting, at the local and national level in Uganda, to ensure funds under the Peace Recovery and Development Plan for Northern Uganda framework are used efficiently and with minimal waste; and

(3) committing substantial funds of its own, above and beyond standard budget allocations to local governments, to the task of implementing the Peace Recovery and Development Plan for Northern Uganda such that communities affected by the war can recover.

(c) COORDINATION WITH OTHER DONOR NATIONS.—The United States should work with other donor nations to increase contributions for recovery efforts in northern Uganda and better leverage those contributions to enhance the capacity and encourage the leadership of the Government of Uganda in promoting transparent and accountable reconstruction in northern Uganda.

(d) TERMINATION OF ASSISTANCE.—It is the sense of Congress that the Secretary of State should withhold non-humanitarian bilateral assistance to the Republic of Uganda if the Secretary determines that the Government of Uganda is not committed to reconstruction and reconciliation in the war-affected areas of northern Uganda and is not taking proactive steps to ensure this process moves forward in a transparent and accountable manner.

SEC. 7. ASSISTANCE FOR RECONCILIATION AND TRANSITIONAL JUSTICE IN NORTHERN UGANDA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, despite reconstruction and development efforts, a continued failure to take meaningful steps toward national reconciliation and accountability risks perpetuating longstanding political grievances and fueling new conflicts.

(b) AUTHORITY.—In accordance with section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346), the President is authorized to support efforts by the people of northern Uganda and the Government of Uganda to advance efforts to promote transitional justice and reconciliation on both local and national levels, including to encourage implementation of the mechanisms outlined in the Annexure to the Agreement on Accountability and Reconciliation between the Government of Uganda and the Lord's Resistance Army/Movement, signed at Juba February 19, 2008, namely—

(1) a body to investigate the history of the conflict, inquire into human rights violations committed during the conflict by all sides, promote truth-telling in communities, and encourage the preservation of the memory of events and victims of the conflict through memorials, archives, commemorations, and other forms of preservation;

(2) a special division of the High Court of Uganda to try individuals alleged to have committed serious crimes during the conflict, and a special unit to carry out investigations and prosecutions in support of trials;

(3) a system for making reparations to victims of the conflict; and

(4) a review and strategy for supporting transitional justice mechanisms in affected areas to promote reconciliation and encourage individuals to take personal responsibility for their conduct during the war.

SEC. 8. REPORT.

(a) REPORT REQUIRED.—Not later than 1 year after the submission of the strategy required under section 4, the Secretary of State shall prepare and submit to the appropriate committees of Congress a report on the progress made toward the implementation of the strategy required under section 4 and a description and evaluation of the assistance provided under this Act toward the policy objectives described in section 3.

(b) CONTENTS.—The report required under section (a) shall include—

(1) a description and evaluation of actions taken toward the implementation of the strategy required under section 4;

(2) a description of assistance provided under sections 5, 6, and 7;

(3) an evaluation of bilateral assistance provided to the Republic of Uganda and associated programs in light of stated policy objectives;

(4) a description of the status of the Peace Recovery and Development Plan for Northern Uganda and the progress of the Government of Uganda in fulfilling the steps outlined in section 6(b); and

(5) a description of amounts of assistance committed, and amounts provided, to northern Uganda during the reporting period by the Government of Uganda and each donor country.

(c) FORM.—The report under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 9. SENSE OF CONGRESS ON FUNDING.

It is the sense of Congress that—

(1) of the total amounts to be appropriated for fiscal year 2011 for the Department of State and foreign operations, up to $10,000,000 should be used to carry out activities under section 5; and

(2) of the total amounts to be appropriated for fiscal year 2011 through 2013 for the Department of State and foreign operations, up to $10,000,000 in each such fiscal year should be used to carry out activities under section 7.

SEC. 10. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives.

(2) GREAT LAKES REGION.—The term ''Great Lakes Region'' means the region comprising Burundi, Democratic Republic of Congo, Rwanda, southern Sudan, and Uganda.

(3) LRA-AFFECTED AREAS.—The term ''LRA-affected areas'' means those portions of northern Uganda, southern Sudan, northeastern Democratic Republic of Congo, and southeastern Central African Republic determined by the Secretary of State to be affected by the Lord's Resistance Army as of the date of the enactment of this Act.

ORDERS FOR THURSDAY, MARCH 11, 2010

Mr. DORGAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, March 11; 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 proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes; that following morning business, the Senate resume consideration of H.R. 1586, the legislative vehicle for the Federal Aviation Administration reauthorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DORGAN. Mr. President, rollcall votes are expected to occur throughout the day tomorrow. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DORGAN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Thursday, March 11, 2010, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

OVERSEAS PRIVATE INVESTMENT CORPORATION

MIMI E. ALEMAYEHOU, OF THE DISTRICT OF COLUMBIA, TO BE EXECUTIVE VICE PRESIDENT OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION, VICE JOHN A. SIMON, RESIGNED.

DEPARTMENT OF DEFENSE

ELIZABETH A. MCGRATH, OF VIRGINIA, TO BE DEPUTY CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE. (NEW POSITION)

THE JUDICIARY

RAYMOND JOSEPH LOHIER, JR., OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE SONIA SOTOMAYOR, ELEVATED.

KATHLEEN M. O'MALLEY, OF OHIO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE ALVIN A. SCHALL, RETIRED.

CATHERINE C. EAGLES, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA, VICE NORWOOD CARLTON TILLEY, JR., RETIRED.

JOHN J. MCCONNELL, JR., OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND, VICE ERNEST C. TORRES, RETIRED.

KIMBERLY J. MUELLER, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE FRANK C. DAMRELL, JR., RETIRED.

DEPARTMENT OF JUSTICE

THOMAS EDWARD DELAHANTY II, OF MAINE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MAINE FOR THE TERM OF FOUR YEARS, VICE JAY PATRICK MCCLOSKEY.

WENDY J. OLSON, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE THOMAS E. MOSS.

CATHY JO JONES, OF OHIO, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS, VICE JAMES MICHAEL WAHLRAB, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER SECTION 211(A)(2), TITLE 14, U.S. CODE:

To be lieutenant commander

KAREN R. ANDERSON
PATRICK M. FLYNN
KEITH A. JERNIGAN
STEVEN M. LONG

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, AND TO BE A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

LT. GEN. CHARLES H. JACOBY, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. SCOTT R. VAN BUSKIRK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MARK I. FOX

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

ELIZABETH R. ANDERSONDOZE
MARY T. GUEST

To be major

LISA M. ALESSI
MARCIA A. BRIMM
NICHOLAS B. DUVALL
CAMELLA D. NULTY
JENNIFER R. RATCLIFF
CHRISTINE R. RIVERA
WILLIAM P. TRIPLETT
RODNEY C. WADLEY
KAREN M. WHARTON

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEPHEN T. SAUTER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

MILES T. GENGLER

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, March 10, 2010:

DEPARTMENT OF STATE

DONALD E. BOOTH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

SCOTT H. DELISI, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

BEATRICE WILKINSON WELTERS, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO.

IAN C. KELLY, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE U.S. REPRESENTATIVE TO THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE, WITH THE RANK OF AMBASSADOR.

AFRICAN DEVELOPMENT BANK

WALTER CRAWFORD JONES, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

IAN HODDY SOLOMON, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

UNITED STATES TRADE AND DEVELOPMENT AGENCY

LEOCADIA IRINE ZAK, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY.

DEPARTMENT OF STATE

BROOKE D. ANDERSON, OF CALIFORNIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

BROOKE D. ANDERSON, OF CALIFORNIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HER TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

ROSEMARY ANNE DICARLO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

ROSEMARY ANNE DICARLO, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

INTERNATIONAL MONETARY FUND

DOUGLAS A. REDIKER, OF MASSACHUSETTS, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS.

DEPARTMENT OF EDUCATION

KATHLEEN S. TIGHE, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

LARRY PERSILY, OF ALASKA, TO BE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS FOR THE TERM PRESCRIBED BY LAW.

NORTHERN BORDER REGIONAL COMMISSION

SANDFORD BLITZ, OF MAINE, TO BE FEDERAL COCHAIRPERSON OF THE NORTHERN BORDER REGIONAL COMMISSION.

APPALACHIAN REGIONAL COMMISSION

EARL F. GOHL, JR., OF THE DISTRICT OF COLUMBIA, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

GENEVIEVE LYNN MAY, OF LOUISIANA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS.

WILLIAM JOSEPH HOCHUL, JR., OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

SALLY QUILLIAN YATES, OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF EARL W. GAST.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SUZANNE E. HEINEN AND ENDING WITH BERNADETTE BORRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 17, 2009.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SEAN J. MC INTOSH AND ENDING WITH WILLIAM QIAN YU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 11, 2009.

EXTENSIONS OF REMARKS

IN APPRECIATION OF DEDICATION TO COMMUNITY

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. DAVIS of Tennessee. Madam Speaker, I rise today to honor the life of a remarkable Tennessean.

Mr. Robert Bryson Brindley, Sr. is remembered by everyone who knew him as a man of great integrity and principle.

In 1960, Mr. Brindley, along with his father, founded Brindley Construction in Pulaski, Tennessee. Due to the tireless work and steadfast commitment of his devoted employees, Mr. Brindley, together with his father and sons, grew Brindley Construction into one of the leading general contracting companies in middle Tennessee.

Mr. Brindley, equipped with his legendary moral character, earned himself the highest distinction among his peers and colleagues. He was recently posthumously awarded the prestigious Eagle Lifetime Achievement Award from the Associated Builders and Contractors of North Alabama. This annual award honors the contributions of the recipient for a lifetime of work in the field of construction.

While I, along with his family, employees, church, community and peers within the construction industry continue to mourn his passing, we will continue to remember and commend the life he led.

HONORING MR. DONALD JOHNSTON

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 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. Donald Johnston. Mr. Johnston served his constituency faithfully and justly during his tenure as the Ripley Town Justice.

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. Johnston 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. Johnston is one of those people and that is why, Madam Speaker, I rise in tribute to him today.

CONGRATULATING MICHAEL YOUNG

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Michael Young, named one of Arizona's top youth volunteers for 2010 by the Prudential Spirit of Community Awards. This award recognizes Michael's outstanding volunteerism and his contributions to the animal-assisted therapy program at Phoenix Children's Hospital.

At only 12 years of age, Michael founded the Swing Fore Kids Golf Classic, an annual charity golf tournament. In the four years since its inception, the Classic has raised approximately $200,000, ensuring that the hospital's patients will have the opportunity to receive animal-assisted therapy. This therapy has been proven to provide positive physical and emotional benefits by motivating patients to help themselves.

A community's quality of life is determined by many factors, such as the policies set by city government and the programs available to its citizens. However, I believe that a community rises and falls on the shoulders of its citizens, and the contributions they make to that community. Michael exemplifies this commitment and raises the bar for everyone around him.

Madam Speaker, please join me in recognizing Michael Young's continuing work for the animal-assisted therapy program at Phoenix Children's Hospital in Arizona.

A TRIBUTE TO MAYOR JACK HAMMONS

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to pay tribute to the life and achievements of Mayor Jack Hammons who passed away on March 5, 2010. Until his death, Mayor Hammons was a dedicated public servant. His strong connection and unwavering support of his dearly loved town of Winnsboro are qualities for which he will always be remembered.

Before being elected as mayor three times, Mayor Hammons also served two terms on the city council. In addition to his long history of public service, he had a 40 year background as a businessman.

Among his impressive list of endeavors and recognitions, he served for 12 years on the Franklin Medical Center Board of Commissioners, serving six as chairman. He was a member and past president of the Winnsboro-Franklin Parish Chamber of Commerce and was awarded the Chamber of Commerce's "Spirit Award" for his remarkable volunteer work. He also served as president of the Winnsboro Merchants Association for eight years, president of the Winnsboro Economic Development Foundation for seven years, a Franklin Parish Head Start advisory member for six years.

But his commitment to others did not end there. Mayor Hammons was also a devoted family man. He is survived by his wife, Bobbie, and their three daughters, Paula, Sandy and Rhonda.

Mayor Hammons was truly an inspiration to all who knew him. I wish to express my deepest condolences to his family, and may God continue to bless the memory of a man who will be missed by his family, his friends and his community.

Madam Speaker, I ask my colleagues to join with me to pay tribute to Mayor Jack Hammons. He will always be remembered by all as a loving husband and father, a faithful public servant and an integral part of the Winnsboro community.

RECOGNIZING CONTRIBUTIONS OF KOREAN AMERICANS

SPEECH OF

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. KING of New York. Madam Speaker, today I rise in support of H. Res. 1036, recognizing the contributions of Korean Americans to the United States. As a cosponsor of this resolution, I join with 50 of my colleagues in urging the House to pass this resolution today.

For six decades now the United States and the Republic of Korea have maintained a strong alliance that rests on a shared commitment to peace, democracy, and freedom not only on the Korean peninsula but throughout Asia and the rest of the world. And this alliance between the U.S. and the Republic of Korea remains resilient and firm based on the shared values, mutual trust, and common interests of our peoples.

The Korean War was a major battlefield in the Cold War as American forces and our allies fought so heroically to resist North Korean aggression and prevent communist forces from imposing their rule on the Republic of Korea. Nearly seven million Americans served during the Korean War period and the United States suffered 54,246 casualties and over 8,000 POW/MIAs during this "Forgotten War." The nearly 30,000 American soldiers who remain stationed in the Republic of Korea are a testament to this relationship.

One of the fastest growing immigrant communities with over a million people in the United States, Korean Americans have made great contributions to all facets of American society.

Madam Speaker, I urge the House to pass this resolution today.

HARMFUL ALGAL BLOOMS AND HYPOXIA RESEARCH AND CONTROL AMENDMENTS ACT OF 2010

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Ms. WOOLSEY. Madam Speaker, keeping our oceans productive and healthy is of vital interest to coastal and inland communities across the world. As a Member who represents one of the biologically richest coastal Congressional Districts in the county, I rise today in support of H.R. 3650, the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act, which will take necessary steps toward maintaining the oceans' ecological health.

Harmful algal bloom (HAB) produces toxins harmful to shellfish, fish, and biomass, which affect other organisms along the food chain and pose real dangers to the vitality of all coastal areas. HAB can also decrease the sunlight entering the water and use up available oxygen, creating hypoxia or oxygen depletion. In extremely low oxygen environments, sedentary species perish, mobile species migrate, and spawning areas are jeopardized. If these conditions continue, the hypoxia may become permanent as coastal areas become lined with dead zones in which little marine life can exist.

Although algal blooms occur naturally, they are exacerbated by human activities, including the runoff from lawns and livestock feedlots, point-source discharge from sewage plants, and emissions from vehicles. All of these activities lead to elevated levels of nutrients and an increase of algal growth. HAB and hypoxia are growing more severe and more prevalent in our oceans.

The Marin and Sonoma coastline in my District is one of the most biologically productive regions in the world. This coastline includes one of only four coastal upwelling zones on the planet, which make up only 1 percent of the ocean but produce 20 percent of its fish. Unfortunately, even this biological hot spot has been impacted by algal blooms. As recently as last October, northward currents carried a large HAB from Point Reyes up the coast to Bodega Bay, harming marine life and irritating swimmers and divers. Increasing our understanding of these events and undertaking new efforts to monitor, control, prevent, and mitigate them must be a priority.

H.R. 3650 would establish a National Harmful Algal Bloom and Hypoxia Program to develop and coordinate a comprehensive strategy to address HABs and hypoxia.

Additionally this legislation will implement regional action plans to reduce HABs and hypoxia.

Madam Speaker, as a cosponsor of H.R. 3650, I commend my colleagues on the Science and Technology Committee for their hard work on this issue, and I look forward to this legislation becoming law. The increasing type, frequency, location, duration, and severity of these dangerous events demonstrate how urgently we need to implement solutions to these problems.

RECOGNIZING THE 189TH ANNIVERSARY OF GREEK INDEPENDENCE

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. VAN HOLLEN. Madam Speaker, As a lead sponsor of this resolution, I am proud to stand with my colleagues to commemorate the 189th anniversary of Greek independence. We gather here today not only in recognition of Greece's proud history, and in appreciation of the warm friendship our two countries share, but also to thank the Greek people for standing by our side in good times and bad, in peace and in war.

The U.S. connection to Greece reaches back to the days before the United States was even a country. It is well known that the Founding Fathers were well versed in Greek political philosophy and drew on that knowledge in their efforts to lay the political foundation of this Nation. Thomas Jefferson once said of Greece that it was "the first of civilized nations, (and) presented examples of what man should be." Indeed, many of the political ideas attributed to the United States today, such as freedom of speech and the respect for democratic governance can trace their origins back to ancient Greece.

On this 189th anniversary of Greek independence, let us all reflect on what we as Americans owe to Greece for our historical ties, for the role ancient Greece played in the shaping of our democracy and for the enduring friendship between the peoples of the United States and Greece.

HONORING THE LIFE OF CLARENCE FAULK

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to honor the life and achievements of Mr. Clarence E. Faulk, Jr., who passed away at his residence on March 5, 2010.

Mr. Faulk was born on January 9, 1909 in West Monroe, La., and recently celebrated the occasion of his 100th birthday.

In 2003, Mr. Faulk lost his beloved wife of 72 years, Louise Benson Page. The couple is survived by their two sons and daughter, as well as their 10 grandchildren and seven great grandchildren.

Having been raised by a family with deep roots in publishing, Mr. Faulk was well suited for a career path loaded with journalism and broadcasting endeavors. Mr. Faulk was the publisher of the Ruston Daily Leader from 1931 to 1962, the owner of radio station KRUS, the first radio station in Ruston, La. from 1947 to 1968. In addition, he served many years as the president of the Louisiana Press Association and the Louisiana Broadcasters Association.

Outside of this field, Mr. Faulk owned numerous rent homes and commercial buildings in Ruston, and even received the Russ Award from the Ruston-Lincoln Parish Chamber of Commerce for his efforts in support of his treasured Ruston community.

Mr. Faulk was a friend to many, and deemed a gracious and hardworking person by all who knew him. It is my privilege to honor Mr. Faulk as a man emblematic of the true spirit of North Louisiana. He will surely be remembered by all as a loving husband and father, a successful businessman and an important part of the Ruston community.

Madam Speaker, I ask my colleagues to join me in honoring the late Clarence Faulk.

RECOGNIZING THE 2010 ℞IMPACT DAY HELD BY THE NATIONAL ASSOCIATION OF CHAIN DRUG STORES

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ROSKAM. Madam Speaker, I rise today to recognize the 2010 ℞IMPACT Day held by the National Association of Chain Drug Stores (NACDS).

Founded in 1933, NACDS has worked tirelessly to promote the positive community impact of the chain drug industry. Throughout its history, NACDS and its 150 chains and 39,000 individual pharmacy members have worked to adapt to the changing needs of consumers. ℞IMPACT Day allows community pharmacies to share the numerous benefits of their industry.

I am delighted to recognize the chain drug stores nationwide that have a significant presence in my district. Not only do they provide thousands of quality jobs, but these pharmacies also provide a vital service as part of the healthcare delivery system of my district.

Madam Speaker and Distinguished Colleagues, please join me in recognizing The 2010 ℞IMPACT Day, the National Association of Chain Drug Stores, and the work these tireless professionals are doing to provide high quality health services to the public.

HONORING THE PLUMBERS AND PIPEFITTERS LOCAL 230

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, for more than 120 years the United Association—the union of plumbers, pipefitters, welders and HVAC technicians—has built the infrastructure of cities and towns across the United States.

In the 1930s the UA helped pull the country out of the Great Depression as members built dams, roads, libraries, schools, public buildings and housing projects as part of President Franklin D. Roosevelt's New Deal.

During World War II, thousands of UA members answered our nation's call and volunteered for the armed forces. Once completing their duty, members returned home and continued to build across the country.

In San Diego, UA Local 230 members have had a hand in building iconic structures such as Petco Park, Sharp Memorial Hospital, Palomar Medical Center and the new Hilton Bayfront.

In addition to being a part of building the San Diego of today, Local 230 has helped to

build a strong and unified labor community in San Diego and Imperial Counties by being a leader in the Labor Council's foundation of great volunteers.

The members of Local 230 can be found volunteering at nearly every Labor Council event, from precinct walks to the Cesar Chavez Day March to the Letter Carriers Food Drive.

Led by their Business Manager, Kirk Crosswhite, the plumbers and pipefitters of Local 230 have stood in dedicated support of their union brothers and sisters.

For creating a solid infrastructure through volunteering and participation, Plumbers and Pipefitters Local 230 are the Labor Council's 2009–2010 "Union of the Year."

PREVENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Mr. CONYERS. Mr. Speaker, I rise in support of H.R. 4621, the "Prevent Deceptive Census Look Alike Mailings Act," and commend Representative MALONEY for bringing this issue to the Floor. Like my colleague from New York, I am concerned about any mailing that could cause confusion and impact the response rate in the 2010 Census. Because of the importance of the Census, with its count determining many important calculations for federal funds and political representation, we must make every effort to ensure the integrity of the process.

I believe this legislation will mitigate some of the confusion and fraudulence that could cause underreporting, especially among targeted populations. The requirement for organizations that include "Census" on their mailings to provide a disclaimer that they are not writing on behalf of the federal government will help our constituents know that those materials are not part of the official 2010 United States Census.

I encourage my colleagues to support this legislation.

WHEN, HEARTS TOOK FLIGHT, IN HONOR OF THE MAGNIFICENT WOMEN OF THE AIRFORCE SERVICE PILOTS THE WASP AND THEIR COURAGEOUS ACTS DURING WWII AND THE CONGRESSIONAL GOLD MEDAL CEREMONY MARCH 10, 2010 AT THE UNITED STATES CAPITOL "SAVING THE WORLD"

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. WILSON of South Carolina. Madam Speaker, I rise today in honor of The Magnificent Women of the WASP, Women Airforce Service Pilots of World War II and the presentation of the Congressional Gold Medals to them on this day, March 10th 2010 in the United States Capitol. Our nation owes a great debt of gratitude to these women of faith and courage, who helped set the stage so that this war could be won. Breaking and fighting stereotypes, they helped to forge the way for women in today's world. As their courage, character and dedication were key to Saving The World. As the son of a World War II Flying Tiger of the 14th Air force, Hugh deV. Wilson, I appreciate firsthand the extraordinary pilots who protected the people of India and China defeating totalitarians worldwide. For as this darkness approached and mankind bled, they stood at the edge and helped To Save The World. I ask that this poem penned in honor of them and their families by Albert Caswell, a very thoughtful poet and patriot, of the United States Capitol Guide Service be placed in the RECORD.

WHEN, HEARTS TOOK FLIGHT

As a time ago . . .
As when, it looked as though . . .
The world stood, at its edge . . .
As Woman and Mankind bled . . .
With Satan on the rise . . .
As his son's filled the darkened skies . . .
With all his dark death and hate, as this evil begins!
Would this be the end, of woman and mankind?
As upon them, all our hopes hinged . . .
When, Hearts took flight!
To but bring their light!
Lifting us all above, to such high heights!
To all of those wrongs, to right!
All in their strength, and might!
To help Save The World . . .
But, for their country they so loved . . .
Upon, the wings of a dove!
As a darkness approached!
As upon them, were placed all our hopes . . .
As out across the world, such an evil unfurled!
When, came such women of faith To Save The World . . .
To rise up, with such splendid courage in eyes!
To fight a war, and all those stereotypes . . . those lies!
To but bring their light!
As this fearless force of women, so won the night!
All out upon their most heroic course . . .
With, but only their most courageous hearts to voice . . .
To Fly!
As was but a time When Hearts Took Flight!
To win that day, that night!
To Soar so bright, and reach for the skies . . .
Heroines, pioneers on the cutting edge!
Upon, these machines of steel their fine lives were pledged!
Magnificent test pilots, who died and bled!
Carriers of freedom, who all in their actions so led!
Who flew the planes to the theater, as the blood ran red!
Over 25,000, would apply . . .
But only 1,074 . . . the cream of the crop, would fly!
As The WASP . . .
The WOMEN AIRFORCE SERVICE PILOTS, so filled the skies!
All for God and Country, but ready to die!
For no war could be won, without these ones!
All in what they had done, now all so etched in history's sun!
To "Help Save The World!"
To teach all of our little boys and girls!
What can be done, when courage is unfurled!
And hearts take, flight!
So on this day, we now bestow . . .
Upon, all of these . . . and all of those!
Most Magnificent Patriots of Peace we know . . .
The Congressional Gold Medal . . . So!
Great American patriots, with such hearts of gold!
And Ladies, your final flight . . .
Will be, up to our Lord in Heaven's light!
Because, you helped . . . "Save The World"!
As history will find!
It was but a time, when hearts took flight!
Amen . . .

HONORING UFCW INTERNATIONAL PRESIDENT JOSEPH T. HANSEN

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, Joseph T. Hansen is leading the transformation of the UFCW into a dynamic, growth-focused organization poised to unite the millions of North American workers who want and need a union. After four decades of union activism, Joe's mission is essentially the same as it was when he began his career: organizing workers for power and uniting them at the bargaining table to win middle class wages, benefits, and respect on the job.

Today, Hansen stands at the helm of the broad-based worker movement to win respect for work and those who do the work. Joe is an effective voice for working people, advocating for affordable, quality health care for all; for comprehensive and humane immigration reform; and for the millions of working people who want a voice on the job. He is helping revitalize the labor movement to meet the challenges of the global economy—by delivering union jobs that provide wages that pay the bills, retirement security, and affordable health care. His leadership is bringing new hope and opportunity for workers and their families to improve their living standards and live a middle class life.

Joe began his career as a meat cutter in Milwaukee, Wisconsin. Since that time, Hansen has been activating and empowering members. He spent more than 11 years working at his trade while serving as a volunteer organizer for his local union—Local 73 of the Amalgamated Meat Cutters and Butcher Workmen of North America. His activism helped keep Milwaukee a union town, where new grocery stores were quickly met with organizing activity. His passion for organizing led Hansen to become one of the youngest members of his local union's executive board. Hansen was elected to serve as International Secretary-Treasurer in 1997 and International President in 2004.

Hansen has been active in the global union movement since 1994. His early experience with global unionism provided him with the foresight to realize that only global solidarity can confront global corporations. He took office as president of Union Network International (UNI), an international labor organization representing 15 million workers in 900 unions in more than 100 countries, in 2003. He was reelected president at its second World Congress in Chicago in 2005.

In the United States, lawmakers and opinion leaders seek his perspective and leadership on two of the most important challenges facing American workers in the 21st century—health care and immigration reform. In 2005, the U.S. Congress named Hansen to the 14-member

Citizens' Health Care Working Group. The panel did groundbreaking work to bring the American people together to confront the health care crisis and facilitated the direct communication of their views and concerns to lawmakers. His leadership on the panel established Hansen as a key leader and trusted advisor to Congress and the Obama administration on the primary health care issues facing working families and the elements of comprehensive health care reform.

Hansen is the Founding National Chair of the National Commission on Immigration and Customs Enforcement (ICE) Misconduct and Violations of 4th Amendment Rights. The commission examined ICE misconduct during the Bush administration's workplace raids. It presented the findings to the American people in a report that documents the terrible costs and human suffering caused by ICE misconduct and outlined key elements of needed immigration policy reforms.

Hansen is a founding architect of the Change to Win Federation that has set a new course for the labor movement. Recognizing that industry-wide organizing is the best way to give workers the power to raise working and living standards, Hansen is leading the UFCW through a dramatic shift in priorities as more staff and resources than ever before are dedicated to uniting workers and bringing them under a union contract.

At the core of Hansen's leadership is the spirit and exuberance that he demonstrated as a young volunteer organizer and activist. He knows that activated members can organize, that they can build their union, and that they can confront corporate power and win. After all, Hansen did all of those things as a rank-and-file member—today he is activating and leading a new generation of workers and building a 21st century union.

50TH ANIVERSARY OF AEROSPACE CORPORATION

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. HARMAN. Madam Speaker, I rise today to celebrate the Aerospace Corporation's 50th anniversary.

Fifty years ago the United States Congress had the foresight to create the Aerospace Corporation, a federally funded research and development center.

The Aerospace Corporation doesn't make the things that orbit in space. It makes the things that orbit in space work properly, and helps get them there safely.

The Aerospace Corporation has been involved in every Defense Department space program since 1960. From blueprint to launch and system architecture, the Aerospace Corporation is the Pentagon's technical conscience, its independent math checker.

The Aerospace Corporation has played a key role in developing and maintaining the space systems Americans and people around the world now take for granted, like GPS and weather satellites. And it makes sure the launches of those satellites are safe and successful.

Fifty years after its creation, we need The Aerospace Corporation more than ever.

The United States is at a crossroads in space. China launched a shot across our bow in 2007 when it destroyed a satellite in low-Earth orbit. That sent me a very clear message. While the United States may still enjoy superiority in space, we're no longer the only player.

We must protect our space assets, and build a constellation of robust, redundant, low-cost communication, navigation and reconnaissance satellites that can withstand an attack or a catastrophic accident. If we don't start now we are going to be too late.

We not only need a new generation of spacecraft, we need a new generation of space engineers.

Our space workforce is aging. Some 60% of aerospace workers are over age 50, and almost 26% are eligible for retirement this year. Not enough young scientists and engineers are signing up to take their place.

While the United States graduates 70,000 engineers, a meager 15 percent of our college graduates every year, China graduates more than half a million.

China has decided the most important asset to a space program and its future as a super power is human capital—the scientists, engineers, and technicians that design and build satellites, rockets, and space vehicles.

And while we struggle to educate enough engineers to keep up internationally, we're losing many of them to the sexy new world of Internet technology.

It used to be that being a rocket scientist was synonymous with genius. Now it seems that mantle has slipped onto the shoulders of those who invented Facebook, eBay and Google.

If we want to continue to be the world's leader in space, we have to get our young people to dream again—dreaming out of this world, literally. We need to inspire our young people the same way President Kennedy did nearly 50 years ago when he committed the United States to winning the space race.

I've lived through a half century of U.S. space superiority. Only with sustained focus and leadership will my kids and grandchildren enjoy another half century of U.S. dominance. At this milestone, let us chart a path to that century.

THE INTRODUCTION OF THE RESTORING PROTECTION TO VICTIMS OF PERSECUTION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. STARK. Madam Speaker, I rise with my colleagues, Mr. MORAN of Virginia and Ms. WATSON of California, to end a part of our immigration system that has denied protection to those who need it the most. The Restoring Protection to Victims of Persecution Act ends the practice of barring asylum claims by those who have been in our country for more than a year.

Enacted as part of the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996, the one-year bar to asylum has failed. Instead of preventing fraudulent asylum claims as intended, the one-year limitation has turned away individuals who would most benefit from sanctuary. A disproportionate number of these immigrants are women who are the targets of gender-based persecution, including domestic violence, female genital cutting, and ''honor'' crimes.

Although the law includes exceptions to excuse those who are determined to have valid reasons for applying for asylum after one year, adjudicators routinely deny applicants who meet these exceptions. People who are attempting to care for their children, hide from their abusers, cope with past trauma, and deal with the challenges of surviving in a new country are repeatedly and arbitrarily denied asylum status because of missing the one-year deadline.

Once denied, an applicant has only two other possibilities for safety: to petition for withholding of removal or to seek protection under the Convention Against Torture. Both these forms of relief demand an applicant surmount a much higher standard of proof than asylum and never provide them permanency or allow reunification with family members.

I.also thank my colleague, Mr. ORTIZ, for introducing a comprehensive immigration reform bill that includes language to end the one-year bar. I hope that by giving this issue its own legislation, Congress can move swiftly to help these victims who are being turned away every day. Since its enactment in 1996, more than 35,000 people have been denied asylum solely because of the one-year bar.

As a country, we pride ourselves in our advocacy for democracy and human rights around the world. Please join us in supporting this bill so that we can prove we are as good as our word.

HONORING AL SHUR: LABOR LEADER OF THE YEAR

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, in his more than four decades of union activism, International Brotherhood of Electrical Workers Local 569 Business Manager Al Shur has earned a well-deserved reputation as labor's ''greenest'' leader.

Al, a member of IBEW since 1967, quickly distinguished himself through his political involvement as a rank-and-file member. His activism eventually led him to serve on Local 569's executive board until being elected business manager in 1995.

As business manager, Al has supported development and construction that focuses on improving job quality, the community and the environment.

Under Al's leadership, IBEW Local 569 has been an outspoken advocate for responsible, sustainable development, as well as serving as a model for using green technologies in the construction industry.

IBEW Local 569's offices and training center proudly display a vast network of solar panels which allow the union to operate almost completely free of a traditional power grid.

Al has also worked tirelessly to build relationships with San Diego's environmental leaders through his work with organizations such as the Apollo Alliance, the Environmental Health Coalition and San Diego Coastkeeper.

By working together, the partnership between the labor movement and the environmentalist has become a powerful force for change in San Diego and Imperial Counties.

For his dedication to building alliances between labor and the environmental community, the Executive Board of the Labor Council has named Al Shur our 2009–2010 "Labor Leader of the Year."

HONORING RICHARD RECHTIEN

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to congratulate Richard (Dick) Rechtien and his business, Rechtien International Trucks, which received the prestigious honor of the International Circle of Excellence Award for 2009.

The Circle of Excellence Award is awarded by the international dealer organization of Navistar, Inc., and 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.

Rechtien International Trucks was founded in 1981 and is headquartered in Miami. Under his leadership, it has grown into one of the preeminent truck dealerships in the Southeast and the entire nation, with 188 employees and four dealer locations, including Miami, Riviera Beach, Fort Pierce and Broward County. Dick has served as chairman of the International Dealer Council and of the Florida Trucking Association, and as co-chair of numerous dealer advisory groups for Navistar. With this most recent award, Rechtien International will now receive the Circle of Excellence Award, under Dick's leadership, a total of 23 times.

Through his commitment to hard work and outstanding customer service, he has built an economically vital business of which he can be justly proud. Madam Speaker, I ask our colleagues to join with me in congratulating Dick Rechtien for his record of accomplishment and for his many contributions to our South Florida community.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. WOOLSEY. Madam Speaker, on March 9, 2010, I was unavoidably detained and was unable to record my vote for rollcall Nos. 92–94. Had I been present I would have voted:

Rollcall No. 92 "yes"—Harmful Algal Blooms and Hypoxia Research and Control Amendments Act.

Rollcall No. 93 "yes"—Congratulating Willard S. Boyle and George E. Smith for being awarded the Nobel Prize in physics.

Rollcall No. 94 "yes"—Honoring John E. Warnock, Charles M. Geschke, Forrest M. Bird, Esther Sans Takeuchi, and IBM Corporation for receiving the 2008 National Medal of Technology and Innovation.

HONORING ED GOTTHARDT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 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. lie 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.

HONORING MS. ERIN CONATON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. SKELTON. Madam Speaker, I rise to pay tribute to Ms. Erin Conaton, the Majority Staff Director of the House Armed Services Committee, who leaves our staff today to become the new Under Secretary of the Air Force.

Madam Speaker, this is a bittersweet moment for me. I have come to depend upon Erin Conaton as a trusted advisor and friend since she joined the House Armed Services Committee staff in 2001. Seldom does one person have the combination of talent, good judgment, knowledge, devotion to duty, common sense, and, as we say in Missouri, "good get along," but Erin is blessed with all of these qualities. And while I am not happy about losing her to the Pentagon and no longer working with her on a daily basis, I know that our country will not just be in good hands, but better hands, with Erin as Under Secretary of the Air Force.

Erin has an impressive academic and professional background. She holds a bachelor's degree from Georgetown University's School of Foreign Service and a master's degree from the Fletcher School of Law and Diplomacy at Tufts University. Before becoming a Congressional staffer, Erin was highly recommended to me as a result of her outstanding work as the Research Staff Director for the U.S. Commission on National Security/21st Century, also known as the Hart-Rudman Commission.

Erin joined the House Armed Services Committee staff in 2001, serving as a Professional Staff Member covering a range of defense policy issues. In 2005, she became the committee's Minority Staff Director. And at the start of the 110th Congress in 2007, Erin assumed the post of Majority Staff Director, serving all of the members of our committee and overseeing the committee's 70-person staff. She has run the House Armed Services Committee as well as anyone in my 33 years in Congress.

In the nine years that I have had the privilege to know and work closely with Erin, she has consistently demonstrated her leadership ability, mastery of national security issues, and dedication to our men and women in uniform. Erin's work ethic is unparalleled, but more importantly, she has a rare gift for getting along with people. Despite the demands of working on Capitol Hill, Erin is unflappable and approaches every challenge with a level head, whether working with Members of Congress, Congressional staff, or Administration officials.

I am delighted that the Obama Administration recognized that Erin Conaton would be an excellent nominee for the next Under Secretary of the Air Force. I can't brag on her enough, and I am pleased that the other body confirmed her nomination last week. I know Erin will make us proud as she continues her career in public service with the Department of the Air Force, and I wish her all the best as she takes on this new challenge.

HONORING DOUGLAS MALONEY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. WOOLSEY. Madam Speaker, I rise today to honor former Marin County counsel Douglas Maloney who passed away on February 17, 2010 at his home in San Rafael, California. Serving on the legal frontlines of county government for more than three decades, Marin has greatly benefited from his unwavering dedication and skilled advocacy of the public's best interest.

Born in San Francisco in 1933, Mr. Maloney, a 50-year member of the California Bar Association, received his bachelor's degree from the California Maritime Academy in Vallejo, California, and his law degree from the University of San Francisco. A world traveler, voracious reader, exceptional public speaker, and a prolific writer, Doug Maloney loved life!

It was Doug Maloney who led the county's legal defense of the ''Marin-only'' provision in Ross philanthropist Beryl Buck's multi-million-dollar bequest. Maloney took on the San Francisco Foundation's challenge to spend the millions on needs beyond the county borders. With an outstanding legal team, he presented strong arguments upholding the Buck bequest and proving that, despite Marin's affluence, there were plenty of needs right in the county that could use financial assistance. The 1986 court-approved settlement transferred the Buck Trust to newly formed Marin Community Foundation to focus funds on research into aging, advocacy against alcohol abuse and research into educational issues. Had that battle been lost, Marin would be a far different place.

The legal engineer of land-use restrictions that saved West Marin from suburban sprawl, Maloney successfully defended the county's 1972 zoning restrictions designed to preserve and protect West Marin farmland and the ranching lifestyle. Challenged in 1989, Maloney won a federal court decision upholding the zoning restrictions and turning back a lawsuit by a Chicago landowner wanting to carve up his 561-acre Nicasio ranch. While we may take our open space and ranch lands for granted, we owe a huge debt of gratitude to the vision, political courage and legal skill of Douglas Maloney.

A man of great personal integrity and not one to back away from a rousing legal argument, Doug was good humored and a passionate follower of film and stage. He enjoyed rewriting fashionable Broadway shows and stage musicals, putting on a Marin spin and political satire to benefit local causes, complete with titles like, ''As the Candidate Turns,'' ''Damn Yuppies'' and ''Caucus Line.'' A popular op-ed columnist for the Alarin Independent Journal, readers enjoyed his musings and appreciated his skill at weaving literature, history, politics, opinion and the proverbial Marin angle into his biweekly essays.

Doug Maloney was a devoted husband and father. In addition to his sister, Marion Berger of Redding, California, Mr. Maloney is survived by his wife of twenty-two years, Ellen Caulfield of San Rafael, Marin County, six children, ten grandchildren and six great-grandchildren.

Madam Speaker, Douglas Maloney will be missed by so many who shared in his work and vision. A man of letters and the law, he practiced what he preached. It is fitting to recognize his extraordinary efforts on behalf of Marin County and its residents. I join the many people who will miss Doug Maloney's inspiration, friendship, bright spirit, and clever quotes delivered with perfect timing and meaning.

HONORING SOL PRICE: A TRUE FRIEND OF LABOR

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. FILNER. Madam Speaker, few in the business world have had as great of an impact on building the middle class as San Diego's own Sol Price.

When Price passed away in December, San Diego's middle class lost possibly its greatest advocate in the business world. Price's Fed-Mart stores, and later Price Club, were known for skimping on the luxuries of modern chain retailers. The bulk stores occupied warehouses in out-of-the-way locations, avoided unnecessary displays, and limited advertising to essentially word-of-mouth only. Besides low prices, the one thing his stores did invest in was its employees. The Price business model realized that the happiness of customers, employees, and stockholders are not mutually exclusive. At Sol Price companies, all three could be, and were, successful.

''We think the stockholder comes last,'' Price told Wall Street analysts in 1985. ''But if you do the other three jobs well, (the stockholder) will be taken care of.'' This method of business resulted in all Price Club employees, union and non-union, receiving ''close to the highest prevailing wages in the community.''

Sol Price's legacy lives on today, as the average wage of Costco employees is $19 per hour, with 90 percent receiving health care. A far cry from the disturbing trend of retail stores becoming low-wage outposts.

In San Diego County, workers at several Costco stores are proud members of Teamsters Local 542.

For these reasons, Sol Price will always be remembered as a friend of labor.

CONGRATULATING THE VOLK FIELD COMBAT READINESS TRAINING CENTER FOR RECEIVING A 2009 AIR FORCE ORGANIZATIONAL EXCELLENCE AWARD

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. KIND. Madam Speaker, it is with great pride that I rise today to congratulate the Volk Field Combat Readiness Training Center for receiving a 2009 United States Air Force Organizational Excellence Award. The National Air Force award recognizes the Western Wisconsin based Airmen to be among the top Air Force units in the nation.

The Volk Field Unit Airmen have consistently demonstrated a high level of excellence and efficiency in their service to the Wisconsin Air National Guard. Volk Field is one of four Combat Readiness Training Centers in the nation and the only selected for this top Air Force Award in 2009.

The citizen-Airmen at Volk Field provide an invaluable service to our nation in supporting the National Guard, the Reserve, and interagency training and operational needs. This award sets the Volk Field unit apart from similar units and congratulate them on this outstanding achievement.

I commend the strong leadership of Volk Field's Combat Readiness Training Center Commander Colonel Gary Ebben and the great work of both the civilian staff and the men and women in his unit. I am proud to represent such dedicated and hardworking Wisconsin citizens committed to public service.

The Volk Field unit exemplifies the great work ethic that characterizes the citizens of Western Wisconsin. I anticipate continued achievements from the Wisconsin Air National Guard units.

IN RECOGNITION OF CLARA WHITE'S 60 YEARS OF VOLUNTEERISM AND SERVICE TO THE GREATER PONTIAC COMMUNITY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize Mrs. Clara White, a native of Michigan and Pontiac resident, for her lifelong dedication to volunteerism and community service. As a Member of Congress it is both my privilege and honor to recognize Mrs. White for her many accomplishments and to thank her for her dedication to strengthening our shared communities.

At 86 years old, Mrs. White has spent over six decades giving back to the people and institutions of Pontiac through her countless hours of volunteer work. Her volunteer efforts are even more impressive considering that for 20 years of this time she also worked as a social worker for Oakland County Children's Village and raised a family with her husband, William, to whom she was married for 52 years.

A major facet of Mrs. White's 60 years of volunteer service centers around her work with the National Urban League's local organization in Pontiac. The Urban League is a national civil rights organizations dedicated to improving the lives of urban area residents. Her involvement with the Pontiac Urban League even included two terms as Chairman of its Board of Directors. In 1996, for her outstanding dedication and service, she was awarded the honor of ''Living Legend'' from the National Urban League. After 50 years of volunteerism with the National Urban League Mrs. White was awarded with the Diamond Urban League Pin, an honor very few Urban League members ever receive.

In addition to her work with the Urban League, Mrs. White shared her vitality of spirit and passion for community service with many other community organizations which have had a profound positive impact on the Pontiac community. Mrs. White's served on the Executive Board of Pontiac Youth Assistance, aiding the organization is its efforts to support Pontiac youth and prevent truancy. Mrs. White's

work as a Vice President of the Pontiac Area PTA Council and President of PTAs for several Pontiac schools furthered her work with local schools to strengthen and empower all sectors of the Pontiac community. Additionally, Mrs. White's volunteer efforts with the United Way and March of Dimes supported causes serving those in need in our area and beyond.

Madam Speaker, I ask my colleagues to join me today to honor Mrs. Clara White's dedication to the Pontiac community through public service and volunteerism. Mrs. White's recognition from organizations in Pontiac, Oakland County, and Michigan make evident that her positive impact has been felt far and wide. I wish her many many more years of health, happiness, and productive service to our shared communities.

RECOGNIZING THE RETIREMENT OF LARRY WARGOWSKY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. KIND. Madam Speaker, I rise today in recognition of Larry Wargowsky, who has retired from his position as Refuge Manager for the Necedah National Wildlife Refuge after thirty three years of service with the U.S. Fish and Wildlife Service, fourteen which were spent managing the Necedah Refuge.

He was born and raised across from the Refuge in Juneau County, and enjoyed a career that took him many places, but was fortunate to retire at the Necedah National Wildlife Refuge. Larry Wargowsky started his career of public service after college where he worked for the Wisconsin Department of Natural Resources at Horicon, Black River Falls and Mead Wildlife Area. He then joined the U.S. Fish and Wildlife Service working at various National Wildlife Refuges in Illinois, Iowa, Michigan, Ohio and Wisconsin. His work has benefited not merely one refuge, or even just one state, but Larry Wargowsky has been a public servant whose career has benefited an entire nation.

Throughout his tenure at the refuge, Larry has seen the resurgence of many wildlife critters from the first bald eagle reproduction in 25 years in 1996 to an increase in populations of the timber wolf and was instrumental in the reintroduction of the Whooping crane to this area. For this he received the Recovery Champion Award from the U.S. Fish and Wildlife Service in 2002. The Whooping crane project at the Necedah Refuge has been a boon to Necedah and Juneau County and has made the area a major ecotourism destination. The Whooping cranes brought international attention to the Necedah National Wildlife Refuge. To accommodate visitors, Larry led an effort to build a new visitor center. Additionally, the Friends of the Necedah National Wildlife Refuge was created under his leadership and this today represents a robust and active group. He is as much a friend to our country as he is to our environment.

I am proud to stand before this chamber and applaud the dedication of Larry Wargowsky to a life of public service and conservation. As an avid sportsman, I am personally grateful to Larry for all of his hard work in preserving our wildlife refuges, but this recognition goes beyond the gratitude of one individual. We as Americans should be grateful to a man who has dedicated his life to public service, and we as inhabitants of this planet should be grateful to that same man who has dedicated his life to defending our wildlife refuges.

RECOGNIZING THE SERVICE OF HENRIETTA SPROAT AND THE WOMEN AIRFORCE SERVICE PILOTS OF WORLD WAR II

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to honor the service and achievements of Henrietta Sproat from Oroville, California. During World War II, Mrs. Sproat flew as a member of the Women Airforce Service Pilots (WASPs). These aviators were the first female flyers to be trained on U.S. Military aircraft. During the time when the need of the country was greatest, these brave women flew fighter, bomber, transport and training aircraft in the defense of American freedom.

I was a proud cosponsor of the legislation that recognized these women's service, and I rise today to recognize Henrietta Sproat and congratulate her on receiving the Congressional Gold Medal.

RECOGNIZING NATIONAL PEACE CORPS WEEK AND THE 48TH ANNIVERSARY OF THE PEACE CORPS

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Ms. HIRONO. Madam Speaker, in the 49 years since the Peace Corps was established, nearly 200,000 volunteers have contributed their time, energy, and skills to create opportunity, empower people, and encourage progress in the developing world.

By facilitating an international dialogue between the people of the United States and others across the globe, Peace Corps volunteers have helped to increase cultural awareness, tolerance, and respect at home and abroad. The compassion and commitment of these volunteers have left significant and enduring impacts on individuals and communities throughout the world.

I am honored to represent many Peace Corps alumni, and I would like to recognize ten current volunteers: Claire Albrecht in Zambia; Maridee Bonadea in Mali; Mitra Heffron in Paraguay; Hololapakaen Hoopai in Kyrgyzstan; Kacie Miura in China; Steven Miyakawa in Togo; Nicole Nakama in Botswana; Kathryne Ogin in Ukraine; Mai Shintani in China; and Theodore Varns in Guatemala. The selfless service and dedication of these individuals make them exemplary ambassadors of the Aloha spirit.

Mahalo (thank you) to all Peace Corps volunteers, past and present, for your work in promoting peace and friendship throughout our world.

RECOGNIZING THE SADLOWSKI FAMILY

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to recognize George and Tina Sadlowski, who have two sons as well as a daughter-in-law who currently serve in the United States Army. Mr. and Mrs. Sadlowski have founded Operation Treasures for Troops, which provides food and other essential items to military personnel who are stationed overseas.

The Sadlowskis began Operation Treasures for Troops during their oldest son's first deployment in order to provide their son with food and other items that are not available during their deployments. Currently, the Sadlowskis collect items for the troops through their church, the North Lake Family Church, in Tarpon Springs, Florida, and are in the process of recruiting stores to donate items, which would offset the costs of their organization.

The Sadlowski's oldest son, Eric Sadlowski, is currently serving in Afghanistan after having previously served twice in Iraq. Andrew Sadlowski, their middle son, recently joined the military and is awaiting his first deployment. Andrew's wife, Nicole, is currently preparing to be deployed to Afghanistan. Because both are currently serving in the military, Andrew and Nicole have lived apart since they were married. Additionally, the Sadlowski's youngest son, Patrick, also desires to serve in the military.

The Sadlowskis currently mail about 100 boxes to the troops per year, financing the postal and shipping costs themselves. H.R. 707, the Home Front to Heroes Postal Benefits Act, which I have cosponsored, would provide monthly vouchers so those at home could mail packages and correspondence to deployed soldiers without charge. This would allow more funding to be spent on items for the troops instead of on postal costs.

Madam Speaker, I strongly commend the Sadlowski family for their extraordinary military service and for the selfless work that Mr. and Mrs. Sadlowski do to serve the troops overseas. I sincerely thank Eric, Andrew, and Nicole for their service for our country and the many sacrifices they make as they serve overseas. My most heartfelt thanks go to George and Tina as they voluntarily organize and send boxes to our troops overseas. The Sadlowski family has shown how much they care about our nation as each of them willingly serves our country, both by their military service and their service for our troops.

HONORING THE WORK OF MS. MAXINE FLOURNOY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ORTIZ. Madam Speaker, I rise today to recognize the work and dedication of a true patriot, Maxine Flournoy who today receives the Congressional Gold Medal of Honor for her service as an airforce service pilot during World War II.

She is among 300 surviving women who served as Women Airforce Service Pilots during World War II. During the war, 1,102 women pilots served.

Ms. Flournoy completed a pilot training program in early 1941 at a junior college in Joplin, Missouri, and while working as a grinder at a defense plant, she learned about the military needing women to serve as pilots.

Shortly after that, Ms. Flournoy was en route to Kansas City on a bus to volunteer. She trained for about one year. The Women Airforce Service Pilots logged 60 million miles in missions across the United States; however, during their time in the military, they did not have the benefits offered equally to other service members.

In 1977, the Women Airforce Service Pilots were granted status as veterans of this country. I am moved to learn these women served our country during a time of hardship, and thank them for their service to our nation.

Today, I ask my colleagues in the House of Representatives to honor the work, service and dedication of Ms. Flournoy, who is among 300 surviving women who served this country during World War II.

RECOGNIZING THE SERVICE OF MARGARET DEBOLT AND THE WOMEN AIRFORCE SERVICE PILOTS OF WORLD WAR II

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to honor the service and achievements of the late Margaret Louise Debolt from my home state of California. During World War II, Margaret flew as a member of the Women Airforce Service Pilots (WASP). These aviators were the first female flyers to be trained on U.S. Military aircraft. During the time when the need of the country was greatest, these brave women flew fighter, bomber, transport and training aircraft in the defense of American freedom.

It was during her service with the WASPs that Margaret met her future husband, First Lieutenant Charles D. Christian of the United States Army Air Corps. They were married in November, 1945 and went on to be the proud parents of James and Kay Christian, who now reside in El Dorado Hills, California. Margaret continued flying well into her seventies, exemplifying the adventurous spirit for which she was so well known. Margaret passed away at the age of 83 in Covina, California on August 6, 2004.

I was a proud cosponsor of the legislation that recognized the service of the WASPs and awarded them the Congressional Gold Medal. I regret that Margaret could not be with us when her medal was awarded, but I am glad that her family joined us in Washington to remember and honor her service.

A TRIBUTE TO SHELIA EVANS-TRANUMN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Shelia Evans-Tranumn, who, as an Associate Commissioner for the New York State Education Department, managed the Office of School Improvement and Community Services in New York City and in Albany, New York. Associate Commissioner Evans-Tranumn has had the major responsibility for directing and coordinating State Education Department Services and technical assistance to New York City schools and to the New York City public school system. Her work as associate commissioner will always be valued by the New York education community, especially as a model for leadership, management and supervision of the service needs of schools and school districts. As an advisor to the Commissioner and the Board of Regents, she is a role model in her steadfast efforts to serve and represent our children effectively.

Prior to joining the New York State Education Department, Ms. Evans-Tranumn served as an English teacher, center administrator, assistant principal and the Director of the New York City Board of Education's Auxiliary Services for High Schools, the largest alternative high school program in the United States. Ms. Evans-Tranumn supervised interdisciplinary teams that work with the New York City educational community to implement school reform initiatives. The impact of her work in New York State can be found in documents published by the United States Education Department, policy documents of National Board of Education, and implementation plans for local school districts. Based upon the work of her office, Education Week has named New York State No.1 for its work in the area of accountability.

Ms. Evans-Tranumn is a product of New York City public schools. A graduate of North Carolina Central University, she received a Master's degree from Long Island University. Additionally, she completed class requirements for a doctorate at New York University. She is the recipient of numerous awards and recognitions, including the Reliance Award for Excellence in Education, the Administrative Women in Education Trailblazer Award, the Albany NAACP Freedom Award and the New York State NAACP "Measure of a Woman" Award in honor of Dr. Martin Luther King, Jr. Ms. Evans-Tranumn also received an Honorary Doctorate from Medgar Evers College.

Building the capacity of institutions, communities and individuals to better serve children is the core of her professional and personal life. As the highly respected advocate and voice of reason in Brooklyn for educational ideals to benefit inner-city children, Ms. Evans-Tranumn stands with those who understand that equal and quality education is a fundamental civil, constitutional right.

Madam Speaker, I urge my colleagues to join me in recognizing Shelia Evans-Tranumn.

THE IRAN SANCTIONS ENHANCEMENT ACT

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. KIRK. Madam Speaker, I rise to introduce the Iran Sanctions Enhancement Act, a bipartisan measure to enforce U.S. law regarding Iran.

As the New York Times reported last Sunday, for far too long, international businesses have ignored the Iran Sanctions Act of 1996.

The Iranian regime continues its pursuit of nuclear weapons and remains the world's leading sponsor of terrorist organizations, including Hamas, Hezbollah, and the Palestinian Islamic Jihad. While the original ISA was intended to deter investment in Iran's energy sector that serves as the main source of financial support for the regime, no entity has ever been held accountable under the Act.

The executive branch has disregarded the enforcement of existing U.S. sanctions on Iran for far too long—and this Administration has been no exception to the rule. In October of last year, fifty members of Congress wrote to the Administration, requesting an investigation of potential ISA violators identified by the nonpartisan Congressional Research Service (CRS). Despite a pledge by the Assistant Secretary of State Jeffrey Feltman to conduct such an investigation within 45 days, the Administration still has not provided Congress with the full results of its investigation.

Therefore, this bill would require the President to investigate and determine ISA violators within 45 days and to notify Congress. To aid the Administration's efforts, this bill mandates the Government Accountability Office (GAO) to publish monthly a list of those entities suspected of violating the ISA.

The time to act is now. To stop Iran's pursuit of nuclear weapons and curb its sponsorship of global terrorism, I urge my colleagues to join in cosponsoring this important bipartisan legislation.

HONORING JUDGE THOMAS WARD

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Judge Thomas Ward for his remarkable work with the Hibernian Society and outstanding service to the citizens of Baltimore, especially within our Irish community.

Ward, a native Baltimorean, began his career in civic duty as a Member of the Baltimore City Council in 1963, during which time he sponsored legislation to create The Parking Lot Act, the Architectural and Historical Commission, and a tree planting program that resulted in the implantation of over 25,000 trees.

A graduate from Georgetown University, the University of Maryland School of Law, and The Johns Hopkins University Graduate School, Judge Ward spent an illustrious 29 years practicing law as an attorney and another 15 years presiding as a judge, where he was known as one of the hardest working judges on the Baltimore Circuit Court.

When the people of Ireland immigrated to Baltimore, many of them found employment with the B & 0 Railroad. Judge Ward was so inspired by the gritty hard work of these immigrants that he wanted to find an appropriate way to honor them. In the late 90s, he helped begin the Railroad Historical District Corporation after he was approached to help repair 5 alley homes along Lemmon Street, commonly referred to as the ''Lemmon Street Five.'' Ward rallied historic preservationists, raised money, recruited volunteers, and faced the difficult task of restoring dilapidated 160-year-old buildings. With his steadfast determination and desire to better his community, Judge Ward saw the completion of the ''Lemmon Street Five'' in 2002. Of the five Lemmon Street houses, two developed into the Irish Shrine and Railroad Workers Museum, which pays tribute to the Irish immigrants who started new lives in Baltimore during the Great Famine of 1845–50.

As a member of the Hibernian Society of Baltimore, Judge Ward continues to provide charitable assistance and advice to immigrants from Ireland. Judge Thomas Ward greatly deserves the title of Hibernian of the Year for his exceptional work within their organization.

Madam Speaker, I ask that you join with me today to honor Judge Ward, an exemplary citizen of the State of Maryland and commendable member of the Hibernian Society.

MARCH IS RED CROSS MONTH

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. TOWNS. Madam Speaker, I rise today to acknowledge that March is Red Cross Month. This is a time for us to officially recognize the essential role that the American Red Cross plays in our communities helping to ensure our communities are more ready and resilient in the face of future disasters. March has been celebrated as ''Red Cross Month'' since 1943 when President Franklin D. Roosevelt called the wartime fundraising campaign the ''greatest single crusade of mercy in all of history.'' As we celebrate this American Red Cross Month, I encourage all individuals to commit themselves to strengthen their own communities through service and volunteer opportunities with the Red Cross. Volunteers help make our country stronger, and no where is this more evident than in communities coming together to support each other in times of need.

From rebuilding former adversaries after World War II, to saving lives after the tragic earthquake in Haiti, the American people have an unmatched tradition of responding to challenges at home and abroad with compassion and generosity. In just over one month since the earthquake, the Red Cross has provided assistance to more than 1.3 million people and will continue to aid hundreds of thousands more in the months ahead. In Chile, the American Red Cross is prepared to mobilize support, including relief supplies and trained personnel. The American Red Cross is also assisting the Chilean Red Cross, through the International Federation of the Red Cross and Red Crescent appeal, to assist 75,000 people for six months in the areas of shelter, water and sanitation, health and telecommunications.

At home and abroad, one in five Americans is touched by the Red Cross every single year. The American Red Cross in Greater New York responds to an average of 7 emergencies a day—fires, floods, building collapses—and provides immediate humanitarian aid to as many as 100,000 people affected by these emergencies each year. In my district alone in 2009, the Greater New York Chapter responded to 264 disasters and registered 1,337 people for Red Cross assistance.

Whether it is an earthquake or a single family home fire; a call for blood or a call for help, the American Red Cross is there. I ask that you and my distinguished colleagues join me in applauding the hard work of the American Red Cross volunteers and celebrating March as American Red Cross Month.

MEGAN HELT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Megan Helt. Megan is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Megan's outstanding achievement reflects her hard work and dedication. Megan has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Megan can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Megan Helt for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

CENSUS AWARENESS MONTH

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 3, 2010

Mr. DAVIS of Illinois. Mr. Speaker, the beginning of March marks the one-month process of one of the most important collective actions that our country partakes in, the national Census. Thus I want to express my support to House Resolution 1096, deeming this month designated as Census Awareness Month. The Census provides an opportunity to not only count how many people live in our great nation, but to also collect valuable data that will help to provide services to millions of Americans. According to information collected from the Census, over $400 billion per year in federal funding is distributed to State and local governments. As a member of the Congressional Black Caucus, I want to ensure that all African Americans are counted as the Census has significant importance in the black community. The implementation and evaluation of programs like the Equal Employment Opportunity Act, the Civil Rights Act and the Fair Housing Act are based on Census data. In 2007 the Black community grew to 40.7 million from 33.5 million in the year 2000. Underrepresentation of minorities is the leading cause of underfunding programs that these communities utilize the most, such as education, health care, housing and transportation programs.

The myths that further discourage people from participating in the Census must be dispelled. The Census is not a long process; there are merely 10 questions to answer, making it the shortest Census form in history. By law the Census Bureau cannot share individual responses with anyone; that includes immigration authorities, IRS, FBI, CIA or any other government agency. The U.S. Census preferred method of participation is through forms sent through mail and returned through mail and Census workers will only visit households that do not return their forms. This snapshot of our nation also effects Congress itself; the distribution of U.S. House of Representative seats are based on the Census. In order to have proportional representation as well as programs and funding that directly serve the American people, everyone must participate in the 2010 United States Census. Underrepresentation of our population must be avoided; thus from March to April, I urge everyone to go to www.census.gov to find out more on how you can be involved in the 2010 U.S. Census.

TRIBUTE TO JAMES D. MACPHEE

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. UPTON. Madam Speaker, I rise today to pay tribute to James D. MacPhee of Schoolcraft, Michigan, who will become Chairman of the Independent Community Bankers of America, ICBA, on Thursday, March 18, 2010.

Mr. MacPhee's long association and dedication to the ICBA has unquestionably qualified him for this position. He has served as chairman of the ICBA Membership/Marketing Committee and is this year's ICBPAC auction chairman. He has served as vice-chairman and an at-large member of the ICBA Executive Committee and represented the State of Michigan on the ICBA Board of Directors.

Southwest Michigan has greatly benefited from Mr. MacPhee's career in the community banking industry. He has been with Kalamazoo County State Bank for 35 years, serving as CEO for the past 17, and is a member of the board of directors of First State Bank in Decatur, Michigan. Mr. MacPhee has held the esteemed positions of both director and president in the Michigan Association of Community Bankers and currently serves as chairman and a member of the board of directors of the Michigan Association of Community Bankers Service Company.

Throughout his impressive career, James MacPhee has continually given back to the community. He was a charter member and chairman of the Village of Schoolcraft Downtown Development Authority, and a charter member of the Schoolcraft Community Association, and has served on the board of directors of the Bronson Health Foundation. Mr.

MacPhee's dedication to Michiganders has been evident in both his career and his long history of community involvement.

I am confident that James MacPhee will serve the ICBA with the same dedication and fervor he has given to the Michigan banking community. We in Southwest Michigan are very proud and grateful for his leadership.

TRIBUTE TO PAUL OOSTBURG SANZ

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. SKELTON. Madam Speaker, I rise today to pay tribute to Mr. Paul Oostburg Sanz, who until recently served as the General Counsel of the House Armed Services Committee. As a result of his confirmation by the other body late last week, Paul will soon take a new position as the General Counsel of the Department of the Navy.

Paul Oostburg Sanz became General Counsel of the House Armed Services Committee in January 2007, just at the time I had the honor to begin serving as committee chairman. In the almost three years since, Paul has played a critical role in day-to-day operations of the committee and has also been a trusted advisor on the legal issues facing the Department of Defense.

It is no exaggeration to say that Paul's ability to grasp complex issues, his attention to detail, and his years of experience on Capitol Hill were instrumental in helping our committee and the Congress to achieve the enactment of the last three annual National Defense Authorization Acts.

Our committee and the Congress have particularly benefited from Paul's expertise on matters related to detainee policy and the Military Commissions Act, as well as issues related to counter-narcotics, matters related to Southern Command, and international legal issues.

A look at Paul's resume gives you a good idea about the breadth and diversity of his experience. He earned a law degree at Harvard University Law School and earned a Master in Public Affairs degree from Princeton University.

His international experience includes service as Peace Corps English teacher in Guinea-Bissau, and work in South Africa conducting political party training during the historic 1994 national elections. Paul also worked on conflict-resolution issues for the U.S. Embassy in Liberia, and on democracy and governance programs for the USAID Mission in Mozambique.

Before coming to Capitol Hill, Paul clerked for a U.S. district court judge in Puerto Rico. From May 2001 to December 2006, Paul served as the Deputy Chief Counsel for the House Committee on International Relations, providing strategic and procedural counsel to our distinguished colleague, the late Congressman Tom Lantos, who at that time was the committee's Ranking Member.

It is clear that Paul has the education, experience, and intellectual gifts to be an excellent General Counsel for the U.S. Navy. I also believe Paul has the temperament to serve our country exceptionally well in this position. In the time I have worked with Paul, he has approached every problem and every challenge thrown his way with a calm demeanor and rational analysis. Then he gets to work, and his hard work pays off.

Because of Paul Oostburg Sanz's outstanding ability and work performance, I am not surprised the Obama Administration sought him out to serve at the Pentagon. The prospect of Paul's departure from the Hill gives me no joy, but I am happy that his talents have been recognized and that our country will continue to benefit from his service. Paul will be missed by all of us on the House Armed Services Committee, but I wish him every success in his new role as General Counsel of the Department of the Navy.

KAITLYNN McLAUGHLIN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kaitlynn McLaughlin. Kaitlynn is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Kaitlynn's outstanding achievement reflects her hard work and dedication. Kaitlynn has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Kaitlynn can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Kaitlynn McLaughlin for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

A TRIBUTE TO RHONDA SPAULDING'S FIRST WOMEN'S CONFERENCE

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. BRADY of Pennsylvania. Madam Speaker, I rise today to honor Rhonda Spaulding, Deliverance Evangelistic Church's First Lady, on her first Women's Conference. I congratulate Sister Spaulding on this achievement, as it will greatly benefit the women, and larger community, of Philadelphia.

As First Lady of the Deliverance Evangelistic Church, Sister Spaulding is a devoted teacher and community servant. Working with her church, she has been involved with various ministries dedicated to bettering the surrounding neighborhood. In an effort to continue and extend her community outreach and assistance, she has established the Deliverance Evangelistic Church's first Women's Conference, to be held on April 22 and 23, 2010.

This conference will address many of the most pressing issues facing women in Philadelphia. The unique needs and concerns of abused women, women in shelters, and young single mothers will be paid special attention. In focusing on the women of her community, especially the most disadvantaged, Sister Spaulding will be strengthening her community for generations to come.

Madam Speaker, I ask that you and my other distinguished colleagues join me in thanking First Lady Rhonda Spaulding and the Deliverance Evangelistic Church for their work in bettering their community, and congratulate Sister Spaulding on the occasion of her first Women's Conference.

HONORING LANCE CORPORAL NIGEL K. OLSEN, USMC

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. CHAFFETZ. Madam Speaker, I rise for the second time in just one short week to honor a young Marine from my district who paid the ultimate price for our country, and reminded us with his sacrifice that freedom isn't free.

Marine LCpl Nigel K. Olsen died on March 4, 2010, while serving in the Helmand province in Afghanistan, just days after Lance Corporal Aragon, a fellow Utah Marine in his unit passed away.

Like so many serving with him, Lance Corporal Olsen rose to answer the call of duty with a maturity and patriotic honor far beyond his years. He had finished high school at Mountain View High in Orem just 3 years earlier, and enlisted right after graduation. He knew from a young age that he wanted to serve in the military, to serve the country he loved, even before he rode on an aircraft carrier from Hawaii to California in elementary school.

We honor Lance Corporal Olsen's mother Kim and father Todd, and his sister Stacy and her daughter as well. They also loved their country—our country—enoughh to let the son and brother and uncle whom they loved serve in Afghanistan with his fellow Marines.

At this time of their loss, I would ask my colleagues to join with me in extending our Nation's heartfelt condolences and appreciation for the service and sacrifices of Lance Corporal Olsen and his family. We ask so much of these fine young men and women in the Armed Forces.

May we ever keep our servicemembers and their families in our thoughts and prayers, and may God bless them, and the United States of America.

DANIELLE MULLENS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Danielle Mullens. Danielle is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Danielle's outstanding achievement reflects her hard work and dedication. Danielle has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Danielle can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Danielle Mullens for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

IN RECOGNITION OF P.K. BROOKS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to a constituent and friend of mine, Mr. P.K. Brooks.

Mr. Brooks is 78 years old and has been in business in my community of Saks for 56 years. During that time he has been a pillar of the community and a role model for generations of young people whose lives he has touched. He remains one of the most respected leaders in the area.

He grew up in Wedowee, Alabama, and played basketball for Randolph County High School. He later joined the Navy during the Korean War.

Mr. Brooks is a man of integrity and full of compassion for the folks around him. He has been a member of Saks Baptist Church for 53 years. Over the years, he has belonged to numerous organizations including Civitan, VFW and Gideon's.

On March 28th, an appreciation function will be held in the afternoon at Saks Civitan Club.

All of us across Calhoun County are pleased to recognize such an outstanding individual. I hope we can all look to Mr. Brooks as an example of how to live and I am proud to call him my friend.

HONORING THE LIFE OF SGT BENJAMIN SHERMAN

HON. BILL DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. DELAHUNT. Madam Speaker, I rise today to honor the memory of a fallen soldier, son, husband, and, now, a father. The life of Sergeant Benjamin Sherman was tragically cut short thousands of miles from home near on his second heroic tour of duty in Afghanistan. His daughter, Skylah May-Marie Sherman, was born just yesterday on Tuesday, March 9.

Ben was a hero long before he sacrificed his life for his country. Born to Bill and Denise Sherman of New Bedford, Massachusetts, he served as an exemplary role model for his two sisters, Meredith and Jessica, through their youth and adolescence at Plymouth South High School. It was during middle school in Plymouth that Ben first met Patricia—the girl who would one day become his wife. While many young high school students struggle to balance their daily routines with the natural torment of their teen years, Ben held himself to a standard above his peers. Always the first to stand up for a cause, he was a student of integrity and a model of resilience.

Recognizing his own passion to aid his fellow Americans, Ben enlisted in the Army in August of 2006. He was assigned to the 82nd Airborne Division at Fort Bragg, North Carolina in the battalion mortars section of the 508th Parachute Infantry Regiment. He was deployed for the first time in January of 2007, where his unit was engaged in fierce fighting throughout the Helmand Province of Afghanistan. Often in the thick of the action, Ben was instrumental in the battalion's efforts to clear the Taliban from the Helmand River Valley. His steadfast resolve served him well through the cutting edge of battle, and he was publicly lauded for his astute decision-making despite the pressures of battle and his courage in the face of determined enemy attacks.

It was during his return from that first deployment, on May 2, 2008, that he proposed to the girl who had waited for him with patience and grace through the long months of deployment. Patricia and Ben were married August 26 and hurriedly began what they prayed would be a long, healthy life together in Fayetteville, North Carolina. In July of 2009, one month before his final deployment, Ben and Patricia learned the happy news that their first child—a daughter—was on her way. With this newfound joy in his heart, Ben returned with his unit to Afghanistan in August.

Regularly exposed to the many dangers inherent in war, Ben continued his tradition of excellence during his second deployment in the Badghis Province in northwestern Afghanistan. No task was too difficult nor challenge too daunting for the expert mortar-man, Sergeant Sherman. On November 4, 2009, while conducting operations near the town of Bala Murghab, Ben fell into the Murghab River and drowned. He was 21 years old.

Ben's greatest gift to his country lies not in his heroism in battle, his legacy at Plymouth South High School, or the tragedy of his untimely death. Instead, his memory will forever endure in the starlit eyes, coy smile, and zealous ambition of Skylah May-Marie Sherman—a daughter who may never know the embrace of her father, yet will always carry in her heart the stories, photos, and memories of a man whose passion for life was fueled by his love for an unborn daughter and beloved wife.

BEAUMONT FIREFIGHTER AND 80 OTHER TEXANS RESPOND TO THE HAITIAN EARTHQUAKE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. POE of Texas. Madam Speaker, we grieve with those in Haiti over the loss of life during the devastating 7.0-magnitude earthquake January 12. Many Americans rushed to help, including one particular Texan from Beaumont. Firefighter Joshua Fowler is one such hero. The city of Beaumont in the Second District of Texas is proud to honor Joshua Fowler for his service to the people of Haiti during his international rescue tour as a member of the Texas Task Force 1.

The Texas Task Force 1, an urban search and rescue group, is comprised of 210 personnel. These individuals respond to disasters including earthquakes, hurricanes, widespread tornadoes, and man-made technological and terrorist events in Texas and throughout the United States. Haiti was their very first international deployment. Joshua Fowler has been a firefighter/EMT-1 for the City of Beaumont Fire/Rescue Services since 2000 and was one of 80 Texans that assisted the people of Haiti.

We applaud Joshua for his selfless service as well as the many others that have also put themselves in harm's way to protect and rescue Haitians who were trapped and wounded during this earthquake. We thank them for their commitment to responding to disaster-stricken areas with a selfless love for others.

BROOKE JACKSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Brooke Jackson. Brooke is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Brooke's outstanding achievement reflects her hard work and dedication. Brooke has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment in which Brooke can take pride for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Brooke Jackson for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

HONORING FORMER NASSAU COUNTY COMPTROLLER HOWARD WEITZMAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. ACKERMAN. Madam Speaker, I rise today to honor Howard Weitzman, who served as the Comptroller of Nassau County, New York from 2001 through 2009.

When Howard first took office, Nassau County faced an unprecedented budget crisis. Together with the County Executive, Howard brought Nassau County back from the brink of bankruptcy, balanced the county's budget, and turned deficits into surpluses; a feat made more remarkable when considering he engineered Nassau County's fiscal turnaround without a tax increase for three consecutive years.

During his eight year tenure, Howard enhanced the reputation of the Comptroller's Office and helped to restore Nassau County residents' trust that their local government worked for their best interests. Under his stewardship, Nassau County recovered millions of dollars

for taxpayers by exposing waste, fraud, abuse and misspending by agencies and vendors that did business with the County. He pioneered the launch of the NassauRx Card, an innovative prescription drug discount program that, to this day, provides savings off retail prescription drug prices. To date, the NassauRx Card has saved Nassau residents more, than $12 million.

Prior to becoming Comptroller, Howard served as the Mayor of Great Neck Estates, where he and his wife, Susan, have resided for 28 years. He is a Certified Public Account, a former national healthcare partner at KPMG, and the paragon of a true, dedicated public servant. Howard's years of selfless service to his community are exemplary and his many achievements on behalf of Nassau County residents are worthy of recognition. I ask all my colleagues in the House of Representatives to please join me in honoring Howard Weitzman and thanking him for his service.

REMEMBERING MANUS ''JACK'' FISH

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. WOLF. Madam Speaker, I come to the floor today to share the sad news of the passing of Manus "Jack" Fish. An engineer by profession, Jack worked for almost four decades at the National Park Service here in Washington, serving from 1973 until his retirement in 1988 as the director of the National Capital Region. Jack, one of my constituents from Ashburn, Virginia, died on February 27 at the age of 81 following a stroke.

I had the pleasure of first working with Jack Fish in the early 1970's when I served in the Interior Department under Secretary Rogers C.B. Morton and he was at the Park Service. When I came to Congress in 1981, our working relationship continued, and Jack was instrumental in the approval of a safety improvement plan I had recommended at the merge of the Spout Run Parkway and the George Washington Memorial Parkway, the first federal parkway and gateway to the nation's capital.

Jack was the epitome of a public servant. He loved his job and made it his life's work to maintain and beautify and preserve the grounds that encompass the vast national capital region—from the gardens to the memorials to the Mall to the parks—for every resident and visitor of this area to enjoy.

We express our condolences to his wife of 58 years, Rosemary Fish, their 12 children, 42 grandchildren and nine great-grandchildren, and we remember Jack Fish with these biblical words: "Well done, good and faithful servant."

Madam Speaker, I submit an obituary for Jack Fish published in the Washington Post on March 4.

[From the Washington Post, Mar. 4, 2010]

MANUS ''JACK'' FISH, 81, DIES; LED NATIONAL PARK SERVICE WORK

(By Patricia Sullivan)

Manus ''Jack'' Fish, 81, the National Park Service regional director who oversaw the heavily trafficked National Mall, expanded the Civil War battlefield at Manassas and supervised the planting of 150,000 trees and millions of flowers in the parks and byways of greater Washington, died after a stroke Feb. 27 at Heritage Hall nursing and rehabilitation center in Leesburg.

Mr. Fish led the Park Service's complex and diverse National Capital Region, whose holdings include historic memorials, the 185 mile-long C&O Canal, an urban sports complex, Civil War battlefields, the White House and two major highways. His office granted 1,000 permits a year for demonstrations including a one-person crusade for ''husband liberation'' as well as the hundreds of thousands who gather for the Fourth of July celebrations between the Capitol and Washington Monument. He was the regional director from 1973 to 1988 after working three years as the deputy.

A diplomatic and unflappable engineer, Mr. Fish worked for the Park Service for 36 years, based the entire time in Washington. He helped design playground swings and the Roosevelt Bridge and became a regular presence on Capitol Hill, either appearing at hearings or reassuring his hundreds of Congressional bosses that, yes, he was dealing with the timing of lights on Spout Run at George Washington Parkway or trying to resolve who would pay for a leaking roof at the Kennedy Center.

''I've got to study issues in detail,'' he told a Washington Post reporter in 1978. ''And I guess I like that. If I didn't, I'd have ulcers and high blood pressure.''

His nighttime studying was done in a household of a dozen children, with television, radio, stereos and phone conversations swirling around him. His wife of 58 years, Rosemary Fish, was ''kind of a short-order cook,'' he joked, adept at managing the comings and goings of the brood.

In addition to his wife of Ashburn, survivors include 12 children, M. John Fish of Herndon, Theresa Grooms of Leesburg, Mary Ann LaRock of Gambrills, Joan Rowe of Irmo, S.C., Peter Fish of Huntsville, Ala., Christine Behrmann of Troy, N.Y., Helen Kokolakis of Falls Church, and Kathleen Key, Rosemary Burke, Brigid Powell and Bernadette Ishmael, all of Ashburn; a brother; a sister; 42 grandchildren; and nine great-grandchildren.

After leaving the Park Service in 1988, Mr. Fish worked for 10 years as vice president at the West Group, a local real estate developer, and was chairman of the Parks & History Association, which operates 25 bookstores in the national parks. He also served on numerous boards and was a member of St. Theresa Catholic Church in Ashburn.

A native of Trenton, N.J., Manus John Fish Jr. moved to Washington as a youth and graduated from St. John's College High School. He served in the Army in Korea between World War II and the Korean War, then returned to Washington and graduated from Catholic University with a degree in engineering. He began working for the Park Service in 1952, reporting to the stone engineer's office near the Washington Monument.

In pursuit of his duties, he rode in countless parades, mastering horseback riding in two days in order to accompany a member of Congress on a tour of one of the parks, and learned to iceskate overnight when a skating rink opened on the Mall. ''I was able to stay on the horse, and I kind of skated on my ankles,'' he told a Post reporter in 1988.

He also managed 3,000 employees and oversaw an annual operating budget of $100 million. During his tenure, Constitution Gardens and the Vietnam Veterans Memorial opened on the Mall; handicapped-accessible entrances were added to many memorials, and Wolf Trap's Filene Center was rebuilt. It was his decision to close Beach Drive in Rock Creek Park to vehicles on weekends and holidays, to close and grass over two streets on the Mall and to eliminate nine holes from a 36-hole golf course in East Potomac Park to expand an adjacent softball field, a decision that did not stand under fierce protests from golfers.

He made maintenance and preservation a priority and struggled for additional appropriations for repairs, which forced him to reduce grass cutting and put off hiring Park Police officers. He received the Interior Department's Distinguished Service Medal for guiding the expansion of the parks, especially during the 1976 Bicentennial year.

''There remains much to be done,'' he said upon his retirement.

So long did he hold the politically sensitive ''fish-bowl'' job that he, too, is memorialized. If you're at the Tidal Basin next month when the cherry blossoms bloom, take a look at the Ohio Drive bridge. You'll find some gargoyles sculpted into the stone. The fish creature is a caricature of the Park Service's Mr. Fish.

INTRODUCING A RESOLUTION COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL URBAN LEAGUE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution congratulating the National Urban League on its 100th anniversary.

From humble beginnings, the National Urban League has become the famed organization that it is today. Founded by Dr. George E. Haynes and Ruth S. Baldwin in 1910, the National Urban League created its first department in the area of housing in 1913.

Today, the League has expanded its operations to include over 25 national programs in 36 states, as well as in the District of Columbia. The League does extraordinary work aiding African American communities on a range of critical issues affecting the nation. Through programs designed to empower African Americans in areas of education, civil rights, civic engagement and health, the League combats inequality while improving the lives of countless people.

I am immensely proud of my own affiliation with the Urban League, going back over 35 years. In 1974, I was one of the founding members of the National Urban League of Broward County, the 104th affiliate chapter in the United States. Our goal then was to help alleviate some of the racial tensions felt throughout the community during desegregation. I went on to serve on the original board of directors for the local chapter, where we worked to empower the community, increase educational opportunities for our children, and change lives through strong advocacy for essential public services. I am pleased to add that we enjoyed numerous successes.

Over the past century, the League has made great strides in education and youth leadership and played a pivotal role in the civil rights movement. Working closely with leaders such as A. Philip Randolph and Martin Luther King, Jr., the League assisted in planning the 1963 March on Washington, and carried on the hard work of advocating for equality and

opportunity in the tumultuous decades of that era. The magnitude of these accomplishments, and countless others, cannot be understated. The League's efforts have played an integral role in shaping local communities throughout the United States, advancing many of the rights that Americans today take for granted.

The National Urban League continues to improve American society through programs that positively impact education and youth, health and quality of life, entrepreneurship and business development, workforce development, and housing. Through workshops, summer programs, hands-on-learning opportunities, and other endeavors, the League enriches the quality of life of African Americans of all ages.

Although we can take great pride in the many outstanding accomplishments of the National Urban League, its work is far from over. As part of its effort to galvanize greater action, the League recently began an initiative called "I AM EMPOWERED," a social mobilization campaign of volunteers to increase awareness of the League's efforts to achieve further progress in education, jobs, housing, and health care. With 100 years of experience behind them, the hard working and dedicated men and women of the National Urban League are well poised to carry forth its important mission through the next century of progress.

Madam Speaker, I urge my colleagues to support this important resolution congratulating the National Urban League for its 100 outstanding years of service to our great nation.

EXPRESSING CONDOLENCES TO CHILE EARTHQUAKE VICTIMS

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 2010

Ms. JACKSON LEE of Texas. Madam Speaker. I rise in support of H. Res. 1144, "Expressing condolences to the families of the victims of the February 27, 2010, earthquake in Chile, as well as solidarity with and support for the people of Chile as they plan for recovery and reconstruction" introduced by my distinguished colleague from Texas, Representative HINOJOSA.

As you know, on Saturday, February 27, 2010, a massive, 8.8 magnitude earthquake, one of the largest ever recorded, struck off of the coast of Chile. An estimated 2,000,000 people, including upwards of 1,500,000 displaced persons, have been directly affected by the earthquake, the tsunami, and its aftermath. As the casualties continue to grow, there is a great deal of extensive damage to highways, bridges, apartments, and infrastructure, have led the government of Chile declaration of a 'state of catastrophe.' Since the initial earthquake, there have been over 100 aftershocks, which include 8 aftershocks registering above a 6.0 magnitude. These aftershocks continue to affect the coast and the rest of the country.

According to the United States Geological Survey, Concepcion, Chile's second largest city, was 70 miles from the earthquake's epicenter and suffered some of the worst damage. Thousands of its residents initially remained cut-off from the remainder of the country without any basic necessities, such as running water and electricity. The coastal town of Dichato and its 4,000 residents were among the hardest hit and is 80 percent destroyed. 80 percent of Talcahuano's 180,000 residents living on the Chilean coast were left homeless by the earthquake. Initial estimates of damages range from $15,000,000,000 to $30,000,000,000, and basic necessities across the country, including electricity, clean water access, telephone access, and communication systems continue to be restored on a progressive basis in many zones.

Chile's stringent building codes, which one local architect called 'our proud building standards,' as well as the Government of Chile's ability to implement them greatly mitigated the impact of this catastrophic natural event both in terms of casualties and physical damage to the infrastructure of this country. The Government of Chile has taken significant measures to maintain order and public security in the streets in order to prevent more widespread panic and chaos as damage assessments are made and relief is delivered.

America is again responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Chile as they grieve once again in the aftermath of a natural disaster. As Chile's neighbor, I believe it is the United States' responsibility to help Chile recover, and build the capacity to mitigate against future disasters.

Throughout my time in Congress, I have been highly involved in strengthening the relationship between the U.S. and countries abroad. I have worked to establish positive and productive partnerships with local development officials, non-profit organizations, and various leaders to establish a strong web of support for countries abroad. In collaboration with the Congressional Black Caucus, I have been a continual advocate of providing assistance to various countries to strengthen their fragile democratic processes, continue to improve security, and promote economic development among other concerns such the protection of human rights, combating narcotics, arms, and human trafficking, addressing migration, and alleviating poverty.

Once again, I am devastated by the immeasurable tragedy that occurred in Chile. Along with my colleagues, I hope to visit Chile in the near future to meet with their leaders and see what the United States can do to rebuild the shattered livelihoods.

MEREDITH HUGHES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 10, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Meredith Hughes. Meredith is a very special young woman who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Girl Scouts of the USA and earning the high honor of the Gold Award.

Meredith's outstanding achievement reflects her hard work and dedication. Meredith has exhibited unique and creative examples of service that have made a difference in her community. I am confident that she will continue to hold herself to the highest standards in the future. This is an accomplishment for which Meredith can take pride in for the rest of her life.

Madam Speaker, I proudly ask you to join me in commending Meredith Hughes for her accomplishments with the Girl Scouts of the USA and for her efforts put forth in achieving the highest distinction of the Gold Award.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 11, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 16

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Special Operations Command and U.S. Central Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

Foreign Relations

To hold hearings to examine the nomination of Robert Stephen Ford, of Maryland, to be Ambassador to the Syrian Arab Republic.

SD–419

10 a.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold an oversight hearing to examine the Bureau of Reclamation's implementation of the SECURE Water Act, (Title 9501 of Public Law 111–11) and the Bureau of Reclamation's WaterSMART program which includes the WaterSMART Grant Program, the Basin Study Program and the Title XVI Program.

SD–366

Commission on Security and Cooperation in Europe

To hold hearings to examine Ukraine, focusing on the new challenges and prospects they face domestically and internationally and implications for U.S. policy.

SVC–201/200

2 p.m.

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine assessing foster care and family services in the District of Columbia, focusing on challenges and solutions.

SD–342

2:30 p.m.

Intelligence

Closed business meeting to consider pending calendar business.

SH–219

MARCH 17

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine the nomination of Jeffrey A. Lane, of Virginia, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.

SD–366

Armed Services

SeaPower Subcommittee

To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program.

SR–222

10 a.m.

Environment and Public Works

To hold hearings to examine the Government Accountability Office's investigation of the Environmental Protection Agency's (EPA) efforts to protect children's health.

SD–406

Health, Education, Labor, and Pensions

To hold hearings to examine the Elementary and Secondary Education Act (ESEA) reauthorization, focusing on the Obama Administration's ESEA reauthorization priorities.

SH–216

Homeland Security and Governmental Affairs

To hold hearings to examine the lessons and implications of the Christmas day attack, focusing on intelligence reform and interagency integration.

SD–342

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold hearings to examine bankruptcy reform, focusing on small business jobs.

SD–226

2:30 p.m.

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 553, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, S. 1017, to reauthorize the Cane River National Heritage Area Commission and expand the boundaries of the Cane River National Heritage Area in the State of Louisiana, S. 1018, to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the University, S. 1537, to authorize the Secretary of the Interior, acting through the Director of the National Park Service, to designate the Dr. Norman E. Borlaug Birthplace and Childhood Home in Cresco, Iowa, as a National Historic Site and as a unit of the National Park System, S. 1629, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the state of Illinois, S. 2892, to establish the Alabama Black Belt National Heritage Area, S. 2933, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, S. 2951, to authorize funding to protect and conserve lands contiguous with the Blue Ridge Parkway to serve the public, and H.R. 3804, to make technical corrections to various Acts affecting the National Park Service, to extend, amend, or establish certain National Park Service authorities.

SD–366

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine strategic forces programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SR–232A

Aging

To hold hearings to examine seniors, focusing on rising drug prices and the Part D program.

SD–562

3 p.m.

Commerce, Science, and Transportation

Consumer Protection, Product Safety, and Insurance Subcommittee

To hold hearings to examine financial services and products, focusing on the role of the Federal Trade Commission in protecting consumers, part 2.

SR–253

MARCH 18

9:30 a.m.

Armed Services

To resume hearings to examine the ''Don't Ask, Don't Tell'' policy.

SH–216

Veterans' Affairs

To hold hearings to examine legislative presentations from AMVETS, National Association of State Directors of Veterans Affairs, Non Commissioned Officers Association, Gold Star Wives, The Retired Enlisted Association, Fleet Reserve Association, Vietnam Veterans of America, and Iraq and Afghanistan Veterans of America.

SDG–50

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine Bureau of Indian Affairs and tribal police recruitment, training, hiring, and retention.

SD–628

2:30 p.m.

Intelligence

To hold closed hearings to consider certain intelligence matters.

SH–219

MARCH 23

9:30 a.m.

Armed Services

To hold hearings to examine U.S. Pacific Command, U.S. Strategic Command, and U.S. Forces Korea in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; with the possibility of a closed session in SVC–217 following the open session.

SH–216

Judiciary

To hold an oversight hearing to examine the Department of Justice.

SD–226

MARCH 24

9:30 a.m.

Veterans' Affairs

To hold an oversight hearing to examine Veterans' Affairs plan for ending homelessness among veterans.

SR–418

Daily Digest

HIGHLIGHTS

Senate passed H.R. 4213, Tax Extenders Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S1321–S1413

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 3096–3103, and S. Con. Res. 53–54. **Pages S1358–59**

Measures Reported:

S. 443, to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, with an amendment in the nature of a substitute. (S. Rept. No. 111–161) **Page S1358**

Measures Passed:

Tax Extenders Act: By 62 yeas to 36 nays (vote No. 48), Senate passed H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, after taking action on the following amendments proposed thereto: **Pages S1338–40**

Adopted:

Baucus Amendment No. 3336, in the nature of a substitute. **Pages S1338–39**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order under rule XXII, that the following amendments were not germane, and the amendments thus fell:

Baucus (for Webb/Boxer) Modified Amendment No. 3342 to (Amendment No. 3336), 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. **Page S1338**

Feingold/Coburn Amendment No. 3368 (to Amendment No. 3336), to provide for the rescission of unused transportation earmarks and to establish a general reporting requirement for any unused earmarks. **Page S1338**

McCain/Graham Amendment No. 3427 (to Amendment No. 3336), to prohibit the use of reconciliation to consider changes in Medicare. **Page S1338**

By 66 yeas to 33 nays (Vote No. 47), 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 bill. **Page S1339**

American Sail Training Association: Committee on the Judiciary was discharged from further consideration of S. Res. 158, to commend the American Sail Training Association for advancing international goodwill and character building under sail, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Page S1409**

Dorgan (for Kerry) Amendment No. 3459, to amend the resolving clause. **Page S1409**

Dorgan (for Kerry) Amendment No. 3460, to amend the preamble. **Page S1409**

Lord's Resistance Army Disarmament and Northern Uganda Recovery Act: Senate passed S. 1067, to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S1409–12**

Dorgan (for Feingold) Amendment No. 3461, to express the sense of Congress regarding the funding of activities under this Act. **Pages S1411–12**

Measures Considered:

Tax on Bonuses Received From Certain TARP Recipients—Agreement: Senate began consideration of H.R. 1586, to impose an additional tax on

bonuses received from certain TARP recipients, taking action on the following amendments proposed thereto: **Pages S1340–52**

Pending:

Rockefeller Amendment No. 3452, in the nature of a substitute. **Pages S1340–52**

Sessions/McCaskill Amendment No. 3453 (to Amendment No. 3452), to reduce the deficit by establishing discretionary spending caps. **Pages S1346–50**

Lieberman Amendment No. 3456 (to Amendment No. 3452), to reauthorize the DC opportunity scholarship program. **Pages S1350–52**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, March 11, 2010. **Pages S1412–13**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared on March 15, 1995, with respect to Iran; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–49) **Page S1357**

Nominations Confirmed: Senate confirmed the following nominations:

Genevieve Lynn May, of Louisiana, to be United States Marshal for the Eastern District of Louisiana for the term of four years.

Sandford Blitz, of Maine, to be Federal Cochairperson of the Northern Border Regional Commission.

Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank for a term of five years.

Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency.

Earl F. Gohl, Jr., of the District of Columbia, to be Federal Cochairman of the Appalachian Regional Commission.

Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal.

Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago.

Kathleen S. Tighe, of Virginia, to be Inspector General, Department of Education.

Ian C. Kelly, of Maryland, to be U. S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

Brooke D. Anderson, of California, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.

Brooke D. Anderson, of California, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations.

Larry Persily, of Alaska, to be Federal Coordinator for Alaska Natural Gas Transportation Projects for the term prescribed by law.

Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia.

William Joseph Hochul, Jr., of New York, to be United States Attorney for the Western District of New York for the term of four years.

Sally Quillian Yates, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Routine lists in the Foreign Service. **Pages S1408–09, S1413**

Nominations Received: Senate received the following nominations:

Mimi E. Alemayehou, of the District of Columbia, to be Executive Vice President of the Overseas Private Investment Corporation.

Elizabeth A. McGrath, of Virginia, to be Deputy Chief Management Officer of the Department of Defense.

Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit.

Kathleen M. O'Malley, of Ohio, to be United States Circuit Judge for the Federal Circuit.

Catherine C. Eagles, of North Carolina, to be United States District Judge for the Middle District of North Carolina.

John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

Kimberly J. Mueller, of California, to be United States District Judge for the Eastern District of California.

Thomas Edward Delahanty II, of Maine, to be United States Attorney for the District of Maine for the term of four years.

Wendy J. Olson, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

Cathy Jo Jones, of Ohio, to be United States Marshal for the Southern District of Ohio for the term of four years.

1 Army nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Coast Guard. **Page S1413**

Messages from the House: **Page S1357**

Measures Referred: **Page S1357**

Measures Placed on the Calendar: **Pages S1357–58**

Executive Communications: **Page S1358**

Executive Reports of Committees: **Page S1358**

Additional Cosponsors: **Pages S1359–60**

Statements on Introduced Bills/Resolutions: **Pages S1360–68**

Additional Statements: **Pages S1356–57**

Amendments Submitted: **Pages S1368–S1407**

Authorities for Committees to Meet: **Pages S1407–08**

Privileges of the Floor: **Page S1408**

Record Votes: Two record votes were taken today. (Total—48) **Page S1339**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:06 p.m., until 9:30 a.m. on Thursday, March 11, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1413.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL NUCLEAR SECURITY ADMINISTRATION

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the National Nuclear Security Administration, after receiving testimony from Thomas P. D'Agostino, Under Secretary of Energy for Nuclear Security and Administration, National Nuclear Security Administration.

DEPARTMENT OF DEFENSE HEALTH PROGRAMS

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine Department of Defense health programs, after receiving testimony from Lieutenant General Eric B. Schoomaker, Surgeon General of the United States Army, Commander, U.S. Army Medical Command (MEDCOM), Vice Admiral Adam M. Robinson, Jr., Medical Command, Surgeon General of the Navy, Lieutenant General Charles B. Green, Surgeon General of the Air Force, Major General Patricia D. Horoho, Chief, United States Army Nurse Corps, Rear Admiral Karen A. Flaherty, Director, Navy Nurse Corps, and Major General Kimberly A. Siniscalchi, Assistant Air Force Surgeon General, Nursing Services, all of the Department of Defense.

APPROPRIATIONS: DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Health and Human Services, after receiving testimony from Kathleen Sebelius, Secretary of Health and Human Services.

COUNTERING VIOLENT EXTREMISM

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine U.S. government efforts to counter violent extremism, after receiving testimony from Daniel Benjamin, Ambassador-at-Large, Counterterrorism, Department of State; Garry Reid, Deputy Assistant Secretary for Special Operations and Combating Terrorism, and Lieutenant General Francis H. Kearney III, USA, Deputy Commander, United States Special Operations Command (USSOCOM), both of the Department of Defense; Doug Stone, Transportation Networks International, Placerville, California; Scott Atran, ARTIS Research and Risk Modeling, New York, New York; and James J.F. Forest, United States Military Academy Combating Terrorism Center, West Point, New York.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine the Active, Guard, Reserve, and civilian personnel programs in

review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Clifford L. Stanley, Under Secretary for Personnel and Readiness, Thomas R. Lamont, Assistant Secretary of the Army for Manpower and Reserve Affairs, Juan M. Garcia III, Assistant Secretary of the Navy for Manpower and Reserve Affairs, and Daniel B. Ginsberg, Assistant Secretary of the Air Force for Manpower and Reserve Affairs, all of the Department of Defense; and Master Chief Joseph L. Barnes, USN (Ret.), Fleet Reserve Association, Colonel Steven P. Strobridge, USAF (Ret.), Military Officers Association of America, Master Sergeant Michael Cline, USA (Ret.), Enlisted Association of the National Guard of the United States, Kathleen B. Moakler, National Military Family Association, and Deirdre Parke Holleman, Retired Enlisted Association, all of Alexandria, Virginia.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the military space programs in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, after receiving testimony from Gary E. Payton, Deputy Under Secretary of the Air Force for Space Programs, Gary A. Federici, Deputy Assistant Secretary of the Navy for Command, Control, Communications, Computers, Intelligence and Space, General C. Robert Kehler, Commander, and Lieutenant General Larry D. James, Commander, 14th Air Force, and Commander, Joint Functional Component Command for Space, United States Strategic Command, both of the Air Force Space Command, and Vice Admiral David J. Dorsett, Deputy Chief of Naval Operations for Information Dominance (N2/N6), and Director of Naval Intelligence, all of the Department of Defense; and Cristina T. Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office.

ADVANCING AMERICAN INNOVATION AND COMPETITIVENESS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine advancing American innovation and competitiveness, after receiving testimony from John P. Holdren, Director, Office of Science and Technology Policy, Executive Office of the President; Arden L. Bement, Jr., Director, National Science Foundation; Patrick D. Gallagher, Director, National Institute of Standards and Technology, Department of Commerce; and Robert D. Braun, Chief Technologist, National Aeronautics and Space Administration.

ENERGY BILLS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1696, to require the Secretary of Energy to conduct a study of video game console energy efficiency, S. 2908, to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, S. 3059, to improve energy efficiency of appliances, lighting, and buildings, and S. 3054, to amend the Energy Policy and Conservation Act to establish efficiency standards for bottle-type water dispensers, commercial hot food holding cabinets, and portable electric spas, after receiving testimony from Kathleen Hogan, Deputy Assistant Secretary of Energy for Energy Efficiency, Office of Energy Efficiency and Renewable Energy; Steven Nadel, American Council for an Energy-Efficient Economy, and Joseph M. McGuire, Association of Home Appliance Manufacturers, both of Washington, D.C.; Stephen Yurek, Air-Conditioning, Heating, and Refrigeration Institute, Arlington, Virginia; and Kyle Pitsor, National Electrical Manufacturers Association, Rosslyn, Virginia.

FOREST PROTECTION BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 2895, to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, S. 2907, to establish a coordinated avalanche protection program, S. 2966 and H.R. 4474, bills to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and S. 2791 and H.R. 3759, bills to authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, after receiving testimony from Harris Sherman, Undersecretary of Agriculture for Natural Resources and the Environment; Edwin Roberson, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; Andy Kerr, Oregon Wild, Washington, D.C.; John Shelk, Ochoco Lumber Company, Prineville, Oregon; K. Norman Johnson, College of Forestry, Corvallis, and Stephen A. Fitzgerald, Redmond, both of Oregon State University; and Larry Blasing, Grant County Public Forest Commission, Prairie City, Oregon.

GLOBAL HEALTH

Committee on Foreign Relations: Committee concluded a hearing to examine new directions in global health, after receiving testimony from former President William Jefferson Clinton, William J. Clinton Foundation, New York, New York; and William H. Gates, Bill and Melinda Gates Foundation, Seattle, Washington.

PUBLIC DIPLOMACY

Committee on Foreign Relations: Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues concluded a hearing to examine the future of U.S. public diplomacy, after receiving testimony from Evelyn S. Lieberman, Director of Communications, Smithsonian Institution, Karen Hughes, and James K. Glassman, all former Under Secretary for Public Diplomacy, and Judith McHale, Under Secretary for Public Diplomacy, all of the Department of State.

CHRISTMAS DAY ATTACK

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the lessons and implications of the Christmas day attack, focusing on watchlisting and pre-screening, after receiving testimony from Russell Travers, Deputy Director for Information Sharing and Knowledge Development, National Counterterrorism Center, Office of the Director of National Intelligence; Timothy J. Healy, Director, Terrorist Screening Center, Federal Bureau of Investigation, Department of Justice; and Gale D. Rossides, Acting Administrator, Transportation Security Administration, and David V. Aguilar, Acting Deputy Commissioner, U.S. Customs and Border Protection, both of the Department of Homeland Security.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nominations of Patrick K. Nakamura, of Alabama, to be a Member of the Federal Mine Safety and Health Review Commission, Gwendolyn E. Boyd, of Maryland, and Peggy Goldwater-Clay, of California, both to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation, and Sharon L. Browne, of California, Charles Norman Wiltse Keckler, of Virginia, and Victor B. Maddox, of Kentucky, all to be a Member of the Board of Directors of the Legal Services Corporation, and Gary Blumenthal, of Massachusetts, Chester Alonzo Finn, of New York, Sara A. Gelser, of Oregon, Ari Ne'eman, of Maryland, Dongwoo Joseph Pak, of California, Carol Jean Reynolds, of Colorado, Fernando Torres-Gill, of California, and Jonathan M. Young, of Maryland, all to be a Member of the National Council on Disability.

CORPORATE SPENDING IN AMERICAN ELECTIONS

Committee on the Judiciary: Committee concluded a hearing to examine corporate spending in American elections after *Citizens United*, after receiving testimony from Jeffrey Rosen, George Washington University Law School, and Douglas T. Kendall, Constitutional Accountability Center, both of Washington, D.C.; and Bradley A. Smith, Center for Competitive Politics, Alexandria, Virginia.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Gary Scott Feinerman, and Sharon Johnson Coleman, both to be United States District Judge for the Northern District of Illinois, who were both introduced by Senator Durbin, and William Joseph Martinez, to be United States District Judge for the District of Colorado, who was introduced by Senators Bennet and Udall (CO), after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 4800–4819; and 7 resolutions, H. Res. 1155–1161, were introduced. **Pages H1322–23**

Additional Cosponsors: **Page H1324**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Slaughter to act as Speaker pro tempore for today. **Page H1223**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund

lapsed: H.R. 4786, to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed; **Pages H1226–28**

Commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965: H. Con. Res. 249, to commemorate the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 99; **Pages H1228–32, H1286**

Supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Month: H. Res. 1081, to support the goals and ideals of National Teen Dating Violence Awareness and Prevention Month; **Pages H1232–34**

Honoring the life of John H. "Jack" Ruffin, Jr.: H. Res. 1087, to honor the life of John H. "Jack" Ruffin, Jr.; **Pages H1234–35**

Expressing appreciation for the profound dedication and public service of Enrique "Kiki" Camarena on the 25th anniversary of his death: H. Res. 1115, to express appreciation for the profound dedication and public service of Enrique "Kiki" Camarena on the 25th anniversary of his death; **Pages H1238–40**

Honoring the heroic actions of Court Security Officer Stanley Cooper and Deputy United States Marshal Richard J. "Joe" Gardner: H. Res. 1061, to honor the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010; **Pages H1240–42**

Accelerating the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile: H.R. 4783, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated; and **Pages H1242–45**

Debt Relief for Earthquake Recovery in Haiti Act of 2010: H.R. 4573, amended, to direct the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions. **Pages H1288–95**

Agreed to amend the title so as to read: "To urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes." **Page H1295**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, March 9th:

Recognizing the plight of people with albinism in East Africa and condemning their murder and mutilation: H. Res. 1088, amended, to recognize the plight of people with albinism in East Africa and to condemn their murder and mutilation, by a ⅔ yea-and-nay vote of 418 yeas to 1 nay, Roll No. 96; **Pages H1249–50**

Prevent Deceptive Census Look Alike Mailings Act: H.R. 4621, amended, to protect the integrity of the constitutionally-mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 97; and **Pages H1250–51**

Expressing condolences to the families of the victims of the February 27, 2010, earthquake in Chile: H. Res. 1144, to express condolences to the families of the victims of the February 27, 2010, earthquake in Chile, as well as solidarity with and support for the people of Chile as they plan for recovery and reconstruction, by a ⅔ recorded vote of 404 ayes to 1 no, Roll No. 100. **Page H1287**

Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan: The House failed to agree to H. Con. Res. 248, to direct the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, by a yea-and-nay vote of 65 yeas to 356 nays, Roll No. 98. **Pages H1251–86**

H. Res. 1146, the rule providing for consideration of the resolution, was agreed to by a yea-and-nay vote of 225 yeas to 195 nays, Roll No. 95, after the previous question was ordered without objection. **Pages H1245–49**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Bankruptcy Judgeship Act of 2010: H.R. 4506, amended, to authorize the appointment of additional bankruptcy judges. **Pages H1235–38**

Committee Election: The House agreed to H. Res. 1156, electing a Member to a certain standing committee of the House of Representatives: Committee on the Budget: Representative Moore (KS). **Page H1287**

Presidential Message: Read a message from the President wherein he notified Congress that the emergency declared with respect to Iran is to continue in effect beyond March 15, 2010—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–97). **Page H1295**

Senate Message: Message received from the Senate today appears on page H1223.

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1249, H1249–50, H1250–51, H1285–86, H1286, and H1287. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:22 p.m.

Committee Meetings

U.S. INFORMATION TECHNOLOGY SYSTEMS

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review USDA's information technology systems. Testimony was heard from the following officials of the USDA: Chris Smith, Chief Information Officer; and Jonathan Coppess, Administrator, Farm Service Agency; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the FDA. Testimony was heard from Margaret A. Hamburg, Commissioner, FDA, Department of Health and Human Services.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on the Economic Development Administration. Testimony was heard from John Fernandez, Assistant Secretary, Economic Development, Department of Commerce.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Air Force Posture. Testimony was heard from the following officials of the Department of the Air Force, Michael Donley, Secretary; and GEN Norton A. Schwartz, Chief of Staff.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on the Fiscal Year 2011 Budget for DOE Nuclear Nonproliferation. Testimony was heard from Steven Black, Chief Operating Officer, Defense Nuclear Nonproliferation, Department of Energy.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Fiscal Year 2011 Budget for the Department of the Treasury. Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FEMA—Preparing for Disasters and Minimizing Losses. Testimony was heard from Craig Fugate, Administrator, FEMA, Department of Homeland Security.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Science for America's Lands, Water and Biota: U.S. Geological Survey Fiscal Year 2011 Budget Request Testimony was heard from Marcia McNutt, Director, U.S. Geological Survey, Department of the Interior.

The Subcommittee also held a hearing Reclaiming Abandoned Mines and Regulating Surface Coal Mining: Office of Surface Mining Fiscal Year 2011 Budget Request. Testimony was heard from Joseph Pizarchik, Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on Department of Labor Fiscal Year 2011 Budget Overview. Testimony was heard from Hilda Solis, Secretary of Labor.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on Fiscal Year 2011 House of Representatives Budget. Testimony was heard from the following officials of the House of Representatives: Lorraine Miller, Clerk; Dan Beard, Chief Administrative Officer; and Bill Livingood, Sergeant-at-Arms.

MILITARY CONSTRUCTION, VETERANS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans' Affairs and Related Agencies held a hearing on Navy/Marine Corps Budget. Testimony was heard from the following officials of the Department of the Navy: ADM Gary Roughead, Chief of Naval Operations; and GEN James T. Conway, Commandant of the Marine Corps.

TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on Sustainability in Practice. Testimony was heard from public witnesses.

The Subcommittee also held a hearing on HUD and DOT's Sustainability and Livability Initiatives in the Fiscal Year 2011 Budget Request. Testimony was heard from Roy Kienitz, Under Secretary, Policy, Department of Transportation; and Ron Sims, Deputy Secretary, Department of Housing and Urban Development.

EUROPEAN-AFRICA-JOINT FORCES COMMANDS BUDGETS

Committee on Armed Services: Held a hearing on Fiscal Year 2011 National Defense Authorization Budget Requests from U.S. European Command, U.S. Africa Command, and U.S. Joint Forces Command. Testimony was heard from the following officials of the Department of Defense: ADM James G. Stavridis, USN, Commander, U.S. European Command; GEN William E. "Kip" Ward, USA, Commander, U.S. Africa Command; and GEN James N. Mattis, USMC, Commander, U.S. Joint Forces Command.

ARMY ACQUISITION/ MODERNIZATION PROGRAMS

Committee on Armed Services: Subcommittee on Air and Land Forces held a hearing on Army acquisition and modernization programs. Testimony was heard from the following officials of the Department of Defense: LTG Robert Lennox, USA, Deputy Chief of Staff, Army, G–8; LTG William N. Phillips, USA, Military Deputy to the Assistant Secretary of the Army, Acquisition, Technology, and Logistics; David M. Markowitz, Director, Capabilities Integration, Prioritization, and Analysis and Technical Advisor to the Deputy Chief of Staff of the Army, G–3; and J. Michael Gilmore, Director, Operational Test and Evaluation, Office of the Secretary; and Michael J. Sullivan, Director, Acquisition and Sourcing, GAO.

PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT OF 2009

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions, hearing on H.R. 413, Public Safety Employer-Employee Cooperation Act of 2009. Testimony was heard from David S. Smith, Mayor, Lancaster, Ohio; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 3125, amended, Radio Spectrum Inventory Act; H.R. 3019, Spectrum Relocation Improvement Act of 2009; and H.R. 1258, amended, Truth in Caller ID Act of 2009.

DRUG SAFETY

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Drug Safety: An Update from the FDA." Testimony was heard from Joshua M. Sharfstein, M.D., Principal Deputy Commissioner, FDA, Department of Health and Human Services.

MONEY SERVICE BUSINESSES REGULATION

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Regulation of Money Service Businesses." Testimony was heard from public witnesses.

HOMEOWNERS INSURANCE AVAILABILITY/AFFORDABILITY

Committee on Financial Services: Subcommittee on Housing and Community Opportunity and the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a joint hearing entitled "Approaches to Mitigating and Managing Natural Catastrophe Risk: H.R. 2555, Homeowners' Defense Act." Testimony was heard from James Lee Witt, former Director, FEMA, Department of Homeland Security; and public witnesses.

U.S. CYBERSPACE POLICY

Committee on Foreign Affairs: Held a hearing on The Google Predicament: Transforming U.S. Cyberspace Policy to Advance Democracy, Security, and Trade. Testimony was heard from public witnesses.

U.S. POLICY TOWARD THE AMERICAS

Committee on Foreign Affairs: Subcommittee on Western Hemisphere held a hearing on U.S. Policy Toward the Americas in 2010 and Beyond. Testimony was heard from Arturo Valenzuela, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; Otto J. Reich, former Assistant Secretary, Western Hemisphere Affairs, Department of State; and public witnesses.

INTERNATIONAL WORKER RIGHTS

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation and Trade, and the Subcommittee on International Organizations, Human Rights and Oversight held a joint hearing on International Worker Rights, U.S. Foreign Policy and the International Economy. Testimony was heard from Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State; Sandra Polaski, Deputy Under Secretary, International Affairs, Department of Labor; and public witnesses.

INDIAN TRUST ACCOUNT—CASE SETTLEMENT

Committee on Natural Resources: Held an oversight hearing on proposed settlement of the Corbell v. Salazar Litigation. Testimony was heard from David Hayes, Deputy Secretary, Department of the Interior; Thomas J. Perrelli, Associate Attorney General, Department of Justice; and public witnesses.

EPA/NOAA RESEARCH AND DEVELOPMENT BUDGETS

Committee on Science and Technology: Held a hearing on Fiscal Year 2011 Research and Development Budget Proposals and EPA and NOAA. Testimony was heard from Paul Anastas, Assistant Administrator, Office of Research and Development, EPA; and Jane Lubchenco, Administrator, NOAA, Department of Commerce.

NSF BUDGET

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on the National Science Foundation's Fiscal Year 2011 Budget Request. Testimony was heard from the following officials of the NSF: Arden L. Bement, Jr., Director; and Steven C. Beering, Chair, National Science Board.

PENDING BUSINESS/VA RESTRUCTURING

Committee on Veterans' Affairs: Ordered reported the following: H.R. 3976, amended, Helping Heroes Keep Their Homes Act of 2009; H.R. 3948, amended, Test Prep for Heroes Act; H.R. 4592, amended, To provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions; H.R. 1879, amended, National Guard Employment Protection Act of 2009; H.R. 4667, Veterans' Compensation Cost-of-Living Adjustment Act of 2010; and the End Veteran Homeless Act of 2010.

The committee also held a hearing on Structuring the VA of the 21st Century. Testimony was heard from Eric K. Shinseki, Secretary of Veterans Affairs.

MIP AND SERVICE ELEMENTS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on MIP and Service Elements Budget for Fiscal Year 2011. Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing on Covert Action Budget for Fiscal Year 2011. Testimony was heard from public witnesses.

CLEAN ENERGY RECOVERY

Select Committee on Energy Independence and Global Warming: Held a hearing entitled "The Clean Energy Recovery: Creating Jobs, Building New Industries and Saving Money." Testimony was heard from Lisa Patt-McDaniel, Director, Department of Development, State of Ohio; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 11, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Army Corps of Engineers and the Bureau of Reclamation, 9 a.m., SD–192.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Housing and Urban Development, 9:30 a.m., SD–138.

Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for military construction for the Department of Defense, 1:30 p.m., SD–124.

Committee on Armed Services: to hold hearings to examine U.S. Northern Command and U.S. Southern Command in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program; to be immediately followed by a hearing to examine the Joint Strike Fighter, 9 a.m., SD–G50.

Committee on Commerce, Science, and Transportation: to hold hearings to examine consumers, competition, and consolidation in the video and broadband market, 10 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine legislative proposals designed to create jobs related to energy efficiency, including proposed legislation on energy efficient building retrofits, 10 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine Federal, state and local partnerships to accelerate transportation benefits, 10 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Elizabeth L. Littlefield, of the District of Columbia, to be President of the Overseas Private Investment Corporation, Carolyn Hessler Radelet, of the District of Columbia, to be Deputy Director of the Peace Corps, and Raul Yzaguirre, of Maryland, to be Ambassador to the Dominican Republic, and Theodore Sedgwick, of Virginia, to be Ambassador to the Slovak Republic, both of the Department of State, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine pay equity in the new American workplace, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, to hold hearings to examine U.S. officials involved in drug cartels, 11 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 1789, to restore fairness to Federal cocaine sentencing, S. 2772, to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety, S. 1624, to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, S. 1765, to amend the Hate Crime Statistics Act to include crimes against the homeless, S. 148, to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act, and the nominations of Jane E. Magnus-Stinson, to be United States District Judge for the Southern District of Indiana, Josephine Staton Tucker, to be United States District Judge for the Central District of California, Mark A. Goldsmith, to be United States District Judge for the Eastern District of Michigan, Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, and Kelvin Corneilius Washington, to be United States Marshal for the District of South Carolina, and Christopher Tobias Hoye, to be United States Marshal for the District of Nevada, both of the Department of Justice, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, hearing to review U.S. agricultural sales to Cuba, 1 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Global Food Security, 1 p.m., 2362A Rayburn.

Subcommittee on Defense, on Navy and Marine Corps Posture, 1:30 p.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on Fiscal Year 2011 Budget for the Department of Energy, 10 a.m., 2359 Rayburn.

Subcommittee on Financial Services and General Government, on Fiscal Year Budget for the SEC, 10 a.m., 2226 Rayburn.

Subcommittee on Homeland Security, on Fiscal Year 2011 Budget for ICE, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Fiscal Year 2011 Budget for the Fish and Wildlife Services: Sustainable Conservation; Species, Partnerships and Science, 9:30 a.m., B–308 Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Fiscal Year 2011 Budget Overview; Jobs, Training and Education, 10 a.m., 2358C Rayburn.

Subcommittee on Military Construction, Veterans' Affairs, and Related Agencies, on Defense Budget Overview, 10 a.m., and on European Command, 1:30 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations and Related Programs, on Millennium Challenge Corporation (MCC), 10 a.m., 2362A Rayburn.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, on The Status of the Federal Housing Administration including the Fiscal Year 2011 Budget Request, 10 a.m., 2358A Rayburn.

Committee on Armed Services, Defense Acquisition Reform Panel, hearing on Administration perspectives on managing the defense acquisition system and the defense acquisition workforce, 3 p.m., 2261 Rayburn.

Committee on Education and Labor, Subcommittee on Healthy Families and Communities, hearing on Meeting the Challenges Faced by Girls in the Juvenile Justice System, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled ''NHTSA Oversight: The Road Ahead,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Corporate Governance after Citizens United,'' 10 a.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, hearing entitled ''The FHA Reform Act of 2010,'' 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on U.S. Investments in HIV/AIDS: Opportunities and Challenges Ahead, 10 a.m., 2172 Rayburn.

Subcommittee on the Middle East and South Asia, hearing on Bad Company: Lashkar e-Tayyiba and the Growing Ambition of Islamist Militancy in Pakistan, 2:30 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism, hearing entitled ''Visa Security and Passenger Pre-Screening Efforts in the Wake of Flight 253,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Protecting the American Dream: A Look at the Fair Housing Act, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 4289, Colorado Wilderness Act of 2009, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power, oversight hearing on the President's Fiscal Year 2011 Budget Request for the Bureau of Reclamation and Water Resources Division of the United States Geological Survey (USGS), United States Department of the Interior, 2 p.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on A Review of Coast Guard Acquisition Programs and Policies, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on VA's Center for Veteran Enterprise, 1 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Income Security and Family Support, hearing on the Temporary Assistance for Needy Families (TANF) Role in Providing Assistance to Struggling Families, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on NIP & MIP Overview for Fiscal Year 2011, 9:30 a.m., 304–HVC.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 11

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 1586, Tax on Bonuses Received From Certain TARP Recipients.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 11

House Chamber

Program for Thursday: Consideration of H. Res. 1031—Impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors.

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