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No. 88

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. HINOJOSA).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 14, 2010.

I hereby appoint the Honorable RUBÉN HINOJOSA to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

RECESS

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

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Eternal God, ever-present to the least in our midst, increase our awareness that You are with us as a Nation. Today we celebrate America's unity and purpose, symbolized by the flag of the United States of America.

Through all our wars, international misunderstandings, and natural disasters, over the dust and destruction, we rejoice when we see this flag wave in noble rescue and recovery.

On this Flag Day, we take pride as American women and men in military service hoist this flag on ships at sea, on national bases, or in campgrounds around the world.

We are humbled as senior citizens salute and children pledge with their hearts in classrooms or any citizen with hand over heart is moved by a parade of this flag.

Across this land this year, Lord, increase intelligent patriotism and honest dialogue, as You keep at bay fear, cynicism, and a lack of virtue.

With strong voice let America pledge itself anew to a oneness that builds a spirit-filled people committed to bring liberty to all and peace to the world both now and ever, we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BRIGHT led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 11, 2010.

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

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 11, 2010 at 10:19 a.m.:

That the Senate passed with an amendment H.R. 3360.

Appointments:
United States Commission on International Religious Freedom.

With best wishes, I am,
Sincerely,

LORRAINE C. MILLER.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, June 11, 2010:

S. 3473, to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

WHO IS THE WHITE HOUSE TO GIVE ADVICE ON BORDER SECURITY?

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

Mr. POE of Texas. Mr. Speaker, Israel actually believes in and secures

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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its border from criminals, terrorists and anyone else trying to illegally sneak into Israel for any purpose. Israel doesn't allow ships to go into the terrorist-run area of Gaza without first being searched for contraband.

However, in light of the recent unsuccessful attempt of six ships to run the Israeli blockade into Hamas-controlled Gaza and in an apparent attempt to placate the Palestinians, the White House is giving Israel advice on border security. "Don't be so tough," seems to be the message. If Israel followed America's border security plan, they would be crippled by terrorist attacks. If Israel followed America's border security plan, they would be overrun by rock-throwing illegals, drug smugglers, human traffickers, and increased border violence. Anyway, it's none of our business what Israel does. And who are we to give advice?

America needs to be more concerned about our own disastrous border security than giving anyone else bad advice about their border security.

And that's just the way it is.

ADOPT A BUDGET, AND THEN KEEP IT

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, we are setting new records here in this Congress and in this government. We are now approaching, if we haven't already leaped over it, the \$14 trillion mark for the national debt.

Fourteen trillion dollars. It doesn't just kind of trip off your tongue. It's a huge number. It's a number that is difficult to contemplate. And yet we sit here, working very diligently on suspension calendar bills, doing virtually nothing about the national debt except adding to it day after day after day.

If you were to have a household income, and you were trying to determine what to do with your debt, it seems to me the first thing you would do is you would adopt a budget. You would adopt a budget to try and figure out your income, your expenses, how much debt you could have. But we have been informed by the majority that we're not even going to start with that this year. We are going to forget about even coming up with a budget, I guess because we're so embarrassed about the numbers that would be in there.

Let's at least do what families do: adopt a budget and then keep it.

ADMINISTRATION AWOL ON OIL SPILL

(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, it took President Obama 12 days to visit the gulf coast oil spill. In contrast,

President Bush visited New Orleans just 4 days after Hurricane Katrina; yet the national media harshly criticized his response as being too slow.

For more than a month, the Obama administration said that BP was responsible for stopping the oil. Finally, during the President's first news conference in 10 months, he said, "I take responsibility. It is my job to make sure that everything is done to shut this down."

Tomorrow the President finally will address the country to discuss the oil spill. The national media should hold the Obama administration to the same standard they did the Bush administration. Anything less shows a partisan bias.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

NATIONAL DAIRY MONTH

Mr. BRIGHT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1368) supporting the goals of National Dairy Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1368

Whereas since 1939, June has been celebrated as National Dairy Month;

Whereas there are nearly 70,000 dairy farms throughout the United States, and approximately 99 percent of these farms are family owned;

Whereas the dairy industry in the United States produces more than 170 billion pounds of milk annually and contributes tens of billions of dollars to the economy;

Whereas dairy products are an important source of calcium and have been long recognized as an integral part of a healthy diet for both children and adults;

Whereas dairy farmers are significant contributors to efforts to preserve farmland and the rural character of communities across the country; and

Whereas the dairy industry has faced significant challenges recently due to high production costs and low retail prices, which has forced many farms to close: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of National Dairy Month;

(2) encourages States and local governments to observe National Dairy Month with appropriate activities and events that promote the dairy industry;

(3) recognizes the important role that the dairy industry has played in the economic and nutritional well-being of Americans;

(4) commends dairy farmers for their continued hard work and commitment to the

United States economy and to the preservation of open space; and

(5) encourages all Americans to show their continued support for the dairy industry and dairy farmers.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BRIGHT) and the gentleman from Texas (Mr. NEUGEBAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 1368.

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

There was no objection.

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

The resolution we are considering today supports the goals of National Dairy Month, recognizes the importance of our dairy industry and commends dairy farmers for their continued hard work. Our Nation's 57,000 dairy farms provide healthy, nutritious milk and dairy products to families across the country. The products produced by our Nation's dairy farmers provide the nutrients necessary to support a healthy lifestyle and ensure our children and grandchildren grow healthy and strong.

The U.S. dairy industry produces 189 billion pounds of milk annually and contributes tens of billions of dollars to our economy. The House Agriculture Committee has recently held farm bill hearings across the country where Members have had the opportunity to hear from our Nation's dairy producers. Like too many in our Nation, dairy farmers are facing difficult times. Production costs remain high, but retail prices are low, and the credit farmers need to stay in business is difficult to find.

As we begin the process of writing a new farm bill, I am hopeful that we can work with our Nation's dairy farmers to develop new policies that will provide a better safety net that will ensure they can continue to meet our dairy needs and play a vital role in our Nation's economy. Mr. Speaker, I urge passage of this resolution today to support the goals of National Dairy Month.

I reserve the balance of my time.

Mr. NEUGEBAUER. Mr. Speaker, I rise in support of H. Res. 1368, supporting the goals of National Dairy Month, and I yield myself such time as I may consume.

Mr. Speaker, for more than 70 years, we have celebrated the month of June as National Dairy Month. Today it is particularly important to recognize the efforts of the hardworking men and women in the dairy industry.

The 19th Congressional District is one of the fastest growing dairy regions in the Nation, but many dairy

producers from west Texas and the big country are concerned about low milk prices and rising production costs that are making it difficult for these operations to survive.

Dairy products, like milk, cheese and ice cream, contain essential nutrients, including calcium, and potassium. These products may help to reduce your risk for high blood pressure, osteoporosis, and certain cancers. National Dairy Month is a great opportunity to get together with friends and family and celebrate an industry that provides nutritional value to our lives and is an important part of many local economies.

I want to take a moment to acknowledge the efforts that are underway within the National Milk Producers Federation. They are working to develop policy proposals to address the current crisis that have affected the profitability of nearly every dairy farm in this country. While I may not agree with each of their policy recommendations, I do appreciate the forward thinking and innovative approach that they are taking.

However, despite these efforts, it is likely that whatever we do to “fix” the dairy policy will be negatively offset as a result of other policies advocated by this administration and the Democratic leadership in Congress. Whether we are talking about the cap-and-tax bill or the growing list of regulatory proposals being advanced at the EPA and other Federal agencies, there doesn't seem to be any limit on the costs this administration is willing to impose on big businesses or small businesses around this country. We need to empower businesses large and small to create jobs and have long-term profitability instead of burdening them with new regulations and taxes that prevent long-term business planning.

As we celebrate the accomplishments of America's dairy industry this month, I am hopeful that my colleagues will agree that in order to sustain the long-term profitability of this or any other agricultural enterprise steps need to be taken to curb the efforts by this administration and the Democratic leadership that threaten our industry, our economy and our prosperity. I urge my colleagues to support this resolution.

Mr. SPACE. Mr. Speaker, I rise today in support of H. Res. 1368, Supporting the Goals of National Dairy Month. This resolution recognizes and honors America's dairy farmers who serve as a critical component of our economy—especially throughout my district in Southeastern and East Central Ohio. I commend Chairman PETERSON and Ranking Member LUCAS for their attention to this major and important industry in our country.

In recent years, our dairy farmers have struggled as the result of an economic downturn and price fluctuations in the market, and this is a problem that I have been working to address. To protect our farmers, we absolutely need to do everything we can to bring more stability to this crucial industry. In my District, dairy farmers are a keystone of our economy,

and this Resolution highlights the need to recognize them as an industry that needs our assistance.

In rural Ohio—and rural America as a whole—the agricultural industry is a backbone of our culture, our society, and our economy; as such, we need to ensure that our local dairy farms are protected. I am proud to be a cosponsor of this Resolution that honors such an important element of our food supply and our economy.

Again, I wish to thank the Chairman and Ranking Member for their work on this legislation. I also want to thank Congressmen COURTNEY for his introduction of the Resolution.

Mr. NUNES. Mr. Speaker, I rise today to recognize National Dairy Month and the hard working men and women who are involved in this great industry. As I grew up on a dairy farm, I have a very keen appreciation for those who work the extremely hard and long hours needed to produce milk products. The dairy industry is vital to the United States economy and an integral part of the economies of California and its 21st Congressional District, which I am privileged to represent.

In California alone, dairy is a \$47 billion industry employing over 400,000 people. The state is responsible for 21.3 percent of the U.S. milk supply, with my hometown of Tulare County leading the nation in milk production. In fact, it represents 5.3 percent of total U.S. production and generates \$1.69 billion in sales according to the 2007 Census of Agriculture. Together with Fresno County, which I also represent, these two counties account for over 33.7 percent of California's milk production and generated just under 7 billion pounds of milk in the first six months of 2009.

The dairy industry has long played a crucial role in the economic and nutritional well-being of all Americans. My constituents are innovative agriculturists who are constantly looking for ways to further the growth and success of the industry. Moreover, the United States dairy industry is instrumental to the preservation of farmland and forms the backbone of many rural communities. Thus, I encourage my colleagues and all Americans to show their continued support for the dairy industry.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BRIGHT) that the House suspend the rules and agree to the resolution, H. Res. 1368.

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. BRIGHT. 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.

□ 1415

HONORING DR. LARRY CASE ON HIS RETIREMENT AS NATIONAL FFA ADVISOR

Mr. BRIGHT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1383) honoring Dr. Larry Case on his retirement as National FFA Advisor.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1383

Whereas, on May 3, 2010, the U.S. Department of Education announced the retirement of National FFA Advisor Dr. Larry Case, effective January 1, 2011, after 26 years of service in that capacity;

Whereas a former FFA member from Stet, Missouri, Dr. Case earned his bachelor's degree in agricultural education, master's degree in vocational education, and doctor of education from the University of Missouri;

Whereas Dr. Case began his career in 1966 as a high school agricultural education instructor in Mendon, Missouri;

Whereas Dr. Case served as the Missouri director of agricultural education for seven years;

Whereas in 1984, Dr. Case left Missouri for Washington, DC, where he became the senior program specialist and coordinator for agricultural and rural education;

Whereas in addition to serving as the National FFA Advisor, Dr. Case served as the Chief Executive Officer and Chairman of the Board of Directors of the National FFA organization and Board President of the National FFA Foundation Board of Trustees;

Whereas in addition to helping form the National Council for Agricultural Education, Dr. Case also served as National Advisor to the National Young Farmer Educational Association, National Advisor and Chairman of the Board for the National Postsecondary Student Organization, and Chairman of the National Council for Vocational and Technical Education in Agriculture;

Whereas during his tenure, FFA saw tremendous growth in membership and educational innovation, and was able to personally congratulate more than 50,000 young FFA leaders; and

Whereas Dr. Case has provided agricultural education and the FFA with strong leadership and a strategic vision for the future, and agriculture owes him a debt of gratitude for his good work: Now, therefore, be it

Resolved, That the House of Representatives honors Dr. Larry Case on his retirement as National FFA Advisor.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BRIGHT) and the gentleman from Texas (Mr. NEUGEBAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution, H. Res. 1383.

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

There was no objection.

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

Mr. Speaker, the resolution now before us recognizes the outstanding

service of Dr. Larry Case who has served as the National FFA Advisor for the past 26 years.

Since 1928, the National FFA Organization, which was known as the Future Farmers of America until 1988, has provided leadership, career development, and agriculture education programs to young Americans.

Under Dr. Case's leadership, the organization has evolved to continue meeting the diverse needs of young Americans through agricultural education. Throughout his career, Dr. Case has distinguished himself as a visionary in this area. As the organization now claims more than 500,000 members, Dr. Case has led FFA as it prepares the next generation of leaders who will guide our country by the FFA motto: Learning to Do, Doing to Learn, Earning to Live, Living to Serve.

We congratulate Dr. Case on the occasion of his retirement, we thank him for his service, and we wish him and his family all the best as he enters this new phase in his life.

Mr. Speaker, I urge passage of this resolution to honor Dr. Larry Case upon his retirement as National FFA Advisor.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Resolution 1383, honoring the contributions and the retirement of National FFA Advisor Dr. Larry Case. This is the time of year when we see FFA members in our Nation's Capitol wearing the symbolic blue and gold jackets. These students are the future of American agriculture. We are grateful to Dr. Case, as well as local and State FFA advisors across the country, for educating and encouraging these students to develop lifelong skills in the field of agriculture. In fact, two of my current staff members are former FFA chapter presidents.

With more than 500,000 members, the National FFA Organization is one of the largest youth organizations in the world. For 26 years, Dr. Case has served as the national advisor. The National FFA Organization mission statement is to make a positive difference in the lives of students by developing their potential for premier leadership, personal growth and career success through agricultural education.

During his tenure, Dr. Case has led this organization in tremendous membership growth, promoted the importance of agriculture education, and helped empower countless individuals to build a brighter future for agriculture.

Dr. Case's involvement with FFA began when he was a member in Stet, Missouri. He later chose to pursue his agriculture education degree at the University of Missouri. In 1966, he began his career as an agriculture education instructor. Since that time, he has taught numerous students valuable leadership skills while learning about

the importance of the U.S. agriculture industry.

We appreciate Dr. Case's tireless dedication, service, and leadership, and we wish him well on his retirement in January. Mr. Speaker, I urge my colleagues to join me in supporting H. Res. 1383.

I yield back the balance of my time.

Mr. BRIGHT. Mr. Speaker, I encourage my colleagues to support H. Res. 1383, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BRIGHT) that the House suspend the rules and agree to the resolution, H. Res. 1383.

The question was taken.

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

Mr. BRIGHT. 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 DESIGNATION OF AMERICAN EAGLE DAY

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1409) expressing support for designation of June 20, 2010, as "American Eagle Day", and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1409

Whereas, on June 20, 1782, the bald eagle was officially designated as the national emblem of the United States by the founding fathers at the Second Continental Congress;

Whereas the bald eagle is the central image of the Great Seal of the United States;

Whereas the image of the bald eagle is displayed in the official seal of many branches and departments of the Federal Government, including—

- (1) the Office of the President;
- (2) the Office of the Vice President;
- (3) Congress;
- (4) the Supreme Court;
- (5) the Department of the Treasury;
- (6) the Department of Defense;
- (7) the Department of Justice;
- (8) the Department of State;
- (9) the Department of Commerce;
- (10) the Department of Homeland Security;
- (11) the Department of Veterans Affairs;
- (12) the Department of Labor;
- (13) the Department of Health and Human Services;
- (14) the Department of Energy;
- (15) the Department of Housing and Urban Development;
- (16) the Central Intelligence Agency; and
- (17) the Postal Service;

Whereas the bald eagle is an inspiring symbol of—

- (1) the spirit of freedom; and
- (2) the democracy of the United States;

Whereas, since the founding of the Nation, the image, meaning, and symbolism of the bald eagle have played a significant role in the art, music, history, commerce, literature, architecture, and culture of the United States;

Whereas the bald eagle is prominently featured on the stamps, currency, and coinage of the United States;

Whereas the habitat of bald eagles exists only in North America;

Whereas, by 1963, the population of bald eagles that nested in the lower 48 States had declined to approximately 417 nesting pairs;

Whereas, due to the dramatic decline in the population of bald eagles in the lower 48 States, the Secretary of the Interior listed the bald eagle as an endangered species on the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas caring and concerned individuals from the Federal, State, and private sectors banded together to save, and help ensure the recovery and protection of, bald eagles;

Whereas, on July 20, 1969, the first manned lunar landing occurred in the Apollo 11 Lunar Excursion Module, which was named "Eagle";

Whereas the "Eagle" played an integral role in achieving the goal of the United States of landing a man on the Moon and returning that man safely to Earth;

Whereas, in 1995, as a result of the efforts of those caring and concerned individuals, the Secretary of the Interior listed the bald eagle as a threatened species on the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas, by 2007, the population of bald eagles that nested in the lower 48 States had increased to approximately 10,000 nesting pairs, an increase of approximately 2,500 percent from the preceding 40 years;

Whereas, in 2007, the population of bald eagles that nested in the State of Alaska was approximately 50,000 to 70,000;

Whereas, on June 28, 2007, the Secretary of the Interior removed the bald eagle from the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas bald eagles remain protected in accordance with—

(1) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the "Bald Eagle Protection Act of 1940"); and

(2) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

Whereas, on January 15, 2008, the Secretary of the Treasury issued 3 limited edition bald eagle commemorative coins under the American Bald Eagle Recovery and National Emblem Commemorative Coin Act (Public Law 108-486; 118 Stat. 3934);

Whereas the sale of the limited edition bald eagle commemorative coins issued by the Secretary of the Treasury has raised approximately \$7,800,000 for the nonprofit American Eagle Foundation of Pigeon Forge, Tennessee to support efforts to protect the bald eagle;

Whereas, if not for the vigilant conservation efforts of concerned Americans and the enactment of strict environmental protection laws (including regulations), the bald eagle would probably be extinct;

Whereas the American Eagle Foundation has brought substantial public attention to the cause of the protection and care of the bald eagle nationally;

Whereas November 4, 2010, marks the 25th anniversary of the American Eagle Foundation;

Whereas the dramatic recovery of the population of bald eagles—

(1) is an endangered species success story; and

(2) an inspirational example for other wildlife and natural resource conservation efforts around the world;

Whereas the initial recovery of the population of bald eagles was accomplished by the concerted efforts of numerous government agencies, corporations, organizations, and individuals;

Whereas June 20, 2010, would be an appropriate date to designate as “American Eagle Day”; and

Whereas the continuation of recovery, management, and public awareness programs for bald eagles will be necessary to ensure—

(1) the continued progress of the recovery of bald eagles; and

(2) that the population and habitat of bald eagles will remain healthy and secure for future generations: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of “American Eagle Day”;

(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a means by which to generate critical funds for the protection of bald eagles; and

(3) encourages—

(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and

(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HINOJOSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation and to insert extraneous material thereon.

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

There was no objection.

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

I rise today in strong support of H. Res. 1409, expressing support for the designation of June 20, 2010, as “American Eagle Day” and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

The American bald eagle has been a part of American culture for hundreds of years. In 1782, the Second Continental Congress established that the bald eagle was the official emblem of the United States because of its uniqueness to North America. It can be seen on the United States seals in public buildings, in schools and even here in the House Chamber. Over the years, the bald eagle has become a living symbol of the United States spirit, freedom, and continual pursuit of excellence.

Mr. Speaker, the bald eagle was on the endangered species list a little

more than 45 years ago with only 400 nesting pairs in the whole United States. Through conservation, education and careful planning, the American bald eagle has thrived. As a result, the Department of the Interior has taken the bald eagle off both the endangered and threatened species list. The bald eagle has been a national symbol, and its recovery has been a national success story.

House Resolution 1409 will not only honor the now-thriving American bald eagle, it will also encourage support of the United States Mint Bald Eagle Commemorative Coin program, which has been a success for the past few years.

I want to acknowledge all that the gentleman from Tennessee (Mr. ROE) and his staff, Matt Meyer, have done to bring attention to the American bald eagle and commend Congressman DAVID ROE for introducing this very important resolution.

Mr. Speaker, the American bald eagle is indeed an American icon. I ask that my colleagues join me in supporting H. Res. 1409.

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

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 1409, designating June 20, 2010, as “American Eagle Day” and celebrating the recovery and restoration of our Nation’s symbol, the bald eagle.

The Founding Fathers at the Second Continental Congress designated the bald eagle as our national emblem June 20, 1782, and its image has played a significant role in the culture of the United States ever since.

However, the bird’s survival was in question with only approximately 417 nesting pairs remaining in the continental U.S. in 1963. The Department of the Interior had them listed as an endangered species.

Concentrated efforts to save our symbol of freedom have been successful. The latest numbers estimate 10,000 nesting pairs in the lower 48 States and 50,000 to 70,000 bald eagles nesting in Alaska. The bird has been removed from the threatened species list and is thriving.

As we celebrate the eagle’s recovery, I want to take time to recognize the efforts of the American Eagle Foundation in Pigeon Forge, Tennessee. This group brings national attention to the cause of the protection and care of the bald eagle. The foundation has raised nearly \$8 million for protection efforts through the sale of commemorative coins issued by the U.S. Treasury and should be commended for their continued success.

Mr. Speaker, I remember as a young boy and as a youngster growing up in Tennessee, I never saw a bald eagle. And today, throughout the entire State you can go and people can visit and see bald eagles and it is really exhilarating to be on a lake or be out hiking in the

woods and see these magnificent animals. I recall a trip I took some years ago fishing in Alaska, I looked up and I counted 12 bald eagles—and they were much better at fishing than I was. It is terrific what these folks have done in Tennessee to help maintain this wonderful animal. I thank the Congress for considering this resolution, and the gentleman from Texas for his kind words.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to express my support for H. Res. 1409, designating June 20, 2010 as “American Eagle Day,” in recognition of the recovery of the American bald eagle from near extinction in the 1960s. The bald eagle, our national bird, is a majestic animal and its symbolic importance in many aspects of United States history and government makes it richly deserving of celebration.

Although an estimated 500,000 bald eagles lived in North America in the 1700s, only 417 nesting pairs of bald eagles remained in the lower 48 states by 1963. This was an abhorrent environmental tragedy and a blow to the national psyche. Thankfully, due to dedicated conservation efforts over the last 40 years, the bald eagle was officially removed from the U.S. List of Endangered and Threatened Wildlife in 2007, and its total population is now more than 100,000.

The full recovery of the bald eagle from the threat of extinction in the U.S. is a source of inspiration to those who hope to conserve wildlife and save endangered species. Furthermore, I applaud the use of funds from the sale of bald eagle commemorative coins to continue rebuilding the bald eagle population and raising awareness of the bald eagle. My hope is that, with the support of Congress, the bald eagle need never again face neglect, and will continue to be celebrated by future generations.

I urge my colleagues to support this important resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution, H. Res. 1409.

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. HINOJOSA. 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.

EXTENDING EFFECTIVE DATE OF GIFT CARD PROVISIONS OF CREDIT CARD LAW

Mr. HINOJOSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5502) to amend the effective date

of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5502

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

SECTION 1. DELAY OF EFFECTIVE DATE.

Title IV of the Credit Card Accountability Responsibility and Disclosure Act, is amended by striking section 403 and inserting the following:

“SEC. 403. EFFECTIVE DATE.

“(a) IN GENERAL.—Except as provided under subsection (b) of this section, this title and the amendments made by this title shall become effective 15 months after the date of enactment of this Act.

“(b) EXCEPTION.—

“(1) IN GENERAL.—In the case of a gift certificate, store gift card, or general-use prepaid card that was produced prior to April 1, 2010, the effective date of the disclosure requirements described in sections 915(b)(3) and (c)(2)(B) of the Electronic Funds Transfer Act shall be January 31, 2011, provided that an issuer of such a certificate or card shall—

“(A) comply with paragraphs (1) and (2) of section 915(b) of such Act;

“(B) consider any such certificate or card for which funds expire to have no expiration date with respect to the underlying funds;

“(C) at a consumer’s request, replace such certificate or card that has funds remaining at no cost to the consumer; and

“(D) comply with the disclosure requirements of paragraph (2) of this subsection.

“(2) DISCLOSURE REQUIREMENTS.—The disclosure requirements of this subsection are met by providing notice to consumers, via in-store signage, messages during customer service calls, Web sites, and general advertising, that—

“(A) any such certificate or card for which funds expire shall be deemed to have no expiration date with respect to the underlying funds;

“(B) consumers holding such certificate or card shall have a right to a free replacement certificate or card that includes the packaging and materials, typically associated with such a certificate or card; and

“(C) any dormancy fee, inactivity fee, or service fee for such certificates or cards that might otherwise be charged shall not be charged if such fees do not comply with section 915 of the Electronic Funds Transfer Act.

“(3) PERIOD FOR DISCLOSURE REQUIREMENTS.—The notice requirements in paragraph (2) of this subsection shall continue until January 31, 2013.”

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

The Chair recognizes the gentleman from Texas.

□ 1430

GENERAL LEAVE

Mr. HINOJOSA. Mr. 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 material thereon.

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

There was no objection.

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

I rise in strong support of H.R. 5502, legislation that extends the effective date of the gift card provisions of the Credit Card Act of 2009 to January 31, 2011, 15 months after enactment of the Credit Card Act.

On March 23, 2010, the Federal Reserve Board issued final rules implementing the gift card provisions of the Credit Card Act of 2009. These rules, which appropriately restrict gift card fees and expiration dates, offer important protections for consumers. The rules become effective on August 22, 2010, just prior to the start of the 2010 holiday season. Because of the timing of the effective date of the rules and the approaching holiday season, as well as the technical disclosure requirements set forth in the Credit Card Act of 2009, millions of gift cards currently in the stream of commerce will be out of compliance with this law’s disclosure provisions unless we pass this bill.

The challenges presented to retailers who rely on the sales of gift cards would be significant, as they would likely be faced with empty gift card displays for a period of time while the cards are removed, while they are destroyed and reproduced and redisplayed. And most importantly, Mr. Speaker, customers would be inconvenienced and dissatisfied.

Several of us here in Congress believe this is contrary to congressional intent contemplated when Congress passed the Credit Card Act of 2009 or when the Federal Reserve Board issued its final rules. Such waste and destruction is unnecessary, especially in light of the fact that there is an existing rule in place that the industry would be compliant with as it sold off existing inventory. A reasonable transition period is needed to sell through current card inventory and comply with the disclosure provisions in the final rules to serve consumers, to mitigate environmental impact, and reduce substantial costs incurred by the prepaid card industry and sellers, many of which are small businesses. Extending the gift card provisions by 15 months will address all of these concerns.

I want to take this opportunity to commend my colleague Congressman DAN MAFFEI of New York, as well as Jillian Martin on his staff, for authoring this important legislation and ensuring that it complies with all the other requirements in the Credit Card Act of 2009.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5502 is a common-sense change to the CARD Act, which passed last year. This bill would provide a short extension for certain disclosure requirements associated with gift certificates, store gift cards, and

general-use prepaid cards produced prior to April 1, 2010. It is important to note that nothing in this bill rolls back or changes any of the underlying CARD Act protections.

The thrust behind H.R. 5502 is to avoid unnecessary waste, both in terms of time and the environment, which would occur if the implementation date for certain disclosure requirements is not shifted from August 2010 until January 2011. Without this sensible change, issuers would have to recall hundreds of millions of cards that they have already produced.

It is a virtually incomprehensible amount of waste. But to try to understand the amount of waste that would result without this change, picture eight football fields that are 12 feet deep full of unused and unusable cards. There is no reason to allow such a result. Insisting on such an unreasonable implementation date is just inappropriate, especially when there is something we can do about it.

I urge my colleagues to support the adoption of H.R. 5502, and thank the gentleman from Texas for bringing this to the floor.

Mrs. MALONEY. Mr. Speaker, I rise in support of H.R. 5502 and commend my colleague Representative DAN MAFFEI for his leadership on this bill.

The gift card provisions were part of the Credit Card Act that I sponsored and the President signed in May, 2009. The Fed was directed to promulgate rules associated with the provisions and I fully support the rules that the Fed adopted. However, many companies that issue cards whose funds do not expire will have to remove gift cards from store shelves that will be out of compliance starting August 22 when the provisions become effective.

Replacing these cards entails not only the production of sufficient new cards to replace in-store inventory, but the additional cost of restocking retailers and pulling all noncompliant cards off the shelf and destroying them.

A short transition period will allow the companies who issue cards with non-expiring funds to sell through their existing card stock on store shelves during the holiday season without having to discard and destroy 100 million cards. It is estimated that this volume would take up more than eight football fields buried 12 feet deep in such cards.

I wrote to the Fed, along with several of my colleagues, asking that they extend the compliance date to January of 2011. However, the Fed felt that since they had been directed to promulgate the rules, they did not want to preempt Congress’s authority. This bill will codify the request I made to the Fed in my letter.

Mr. Speaker, I urge my colleagues to vote in favor of this bill so that it can become law before the August 22 implementation date.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HINOJOSA) that the House suspend the rules and pass the bill, H.R. 5502.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 2 o'clock and 35 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TONKO) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1368, by the yeas and nays;

House Resolution 1409, by the yeas and nays;

H.R. 5502, by the yeas and nays.

Proceedings on House Resolution 1383 will resume later in the week.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL DAIRY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1368) supporting the goals of National Dairy Month, 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 Alabama (Mr. BRIGHT) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 359, nays 0, not voting 72, as follows:

[Roll No. 355]

YEAS—359

Ackerman	Altmire	Baca
Aderholt	Andrews	Bachmann
Adler (NJ)	Arcuri	Bachus
Alexander	Austria	Baird

Baldwin	Flake	Markey (MA)
Barrow	Fleming	Marshall
Bartlett	Poster	Matsui
Barton (TX)	Poxx	McCarthy (CA)
Bean	Frank (MA)	McCarthy (NY)
Becerra	Franks (AZ)	McCaul
Berkley	Frelinghuysen	McClintock
Berman	Fudge	McCollum
Berry	Galleghy	McCotter
Biggert	Garamendi	McDermott
Bilbray	Giffords	McGovern
Bilirakis	Greigey (GA)	McHenry
Bishop (GA)	Gohmert	McIntyre
Bishop (NY)	Gonzalez	McKeon
Bishop (UT)	Goodlatte	McMahon
Blackburn	Granger	McMorris
Blumenauer	Graves (MO)	Rodgers
Blunt	Grayson	McNerney
Bocchieri	Green, Al	Meek (FL)
Boehner	Green, Gene	Meeks (NY)
Bono Mack	Griffith	Mica
Boren	Guthrie	Michaud
Boswell	Hall (NY)	Miller (MI)
Boucher	Hall (TX)	Miller (NC)
Boustany	Halvorson	Miller, Gary
Bralley (IA)	Hare	Miller, George
Bright	Harman	Minnick
Broun (GA)	Harper	Mitchell
Brown-Waite,	Hastings (FL)	Mollohan
Ginny	Hastings (WA)	Moore (KS)
Buchanan	Heinrich	Moore (WI)
Burgess	Heller	Moran (VA)
Burton (IN)	Hensarling	Murphy (CT)
Buyer	Herger	Murphy (NY)
Calvert	Herseth Sandlin	Murphy, Patrick
Camp	Higgins	Murphy, Tim
Cantor	Himes	Nadler (NY)
Capito	Hinchey	Neal (MA)
Capps	Hinojosa	Neugebauer
Capuano	Hirono	Nye
Cardoza	Holt	Oberstar
Carney	Hoyer	Olson
Carson (IN)	Hunter	Olver
Cassidy	Israel	Ortiz
Castle	Jackson (IL)	Owens
Castor (FL)	Jackson Lee	Pallone
Chaffetz	(TX)	Pascarella
Chandler	Jenkins	Pastor (AZ)
Childers	Johnson (GA)	Paul
Chu	Johnson (IL)	Paulsen
Clarke	Johnson, E. B.	Payne
Clay	Johnson, Sam	Pence
Cleaver	Jones	Perlmutter
Clyburn	Jordan (OH)	Perriello
Coble	Kagen	Peters
Coffman (CO)	Kanjorski	Peterson
Cohen	Kaptur	Petri
Cole	Kennedy	Pingree (ME)
Conaway	Kildee	Pitts
Connolly (VA)	Kilroy	Platts
Conyers	Kind	Poe (TX)
Cooper	King (IA)	Polis (CO)
Courtney	King (NY)	Pomero
Crenshaw	Kingston	Posey
Critz	Kirkpatrick (AZ)	Price (GA)
Crowley	Kissell	Price (NC)
Cuellar	Klein (FL)	Putnam
Culberson	Kline (MN)	Rahall
Cummings	Kosmas	Rangel
Dahlkemper	Kratovil	Rehberg
Davis (CA)	Kucinich	Reichert
Davis (KY)	Lamborn	Reyes
Davis (TN)	Lance	Richardson
DeFazio	Langevin	Rodriguez
DeGette	Larsen (WA)	Roe (TN)
DeLauro	Larson (CT)	Rogers (AL)
Dent	Latham	Rooney
Deutch	LaTourette	Ros-Lehtinen
Diaz-Balart, M.	Latta	Roskam
Dicks	Lee (CA)	Ross
Dingell	Lee (NY)	Rothman (NJ)
Djou	Levin	Roybal-Allard
Doggett	Lewis (CA)	Royce
Donnelly (IN)	Lewis (GA)	Ruppersberger
Doyle	Linder	Rush
Dreier	LoBiondo	Ryan (OH)
Driehaus	Loeb sack	Ryan (WI)
Duncan	Lofgren, Zoe	Sánchez, Linda
Edwards (MD)	Lowey	T.
Edwards (TX)	Lucas	Sarbanes
Ehlers	Luján	Scalise
Ellison	Lummis	Schakowsky
Ellsworth	Lungren, Daniel	Schauer
Emerson	E.	Schiff
Engel	Mack	Schmidt
Eshoo	Maffei	Schock
Etheridge	Manzullo	Schrader
Farr	Marchant	Schwartz
Filner	Markey (CO)	

Scott (GA)	Stearns	Velázquez
Scott (VA)	Stupak	Visclosky
Sensenbrenner	Sullivan	Walden
Serrano	Sutton	Walz
Sessions	Teague	Wasserman
Sestak	Terry	Schultz
Shadegg	Thompson (CA)	Watson
Shea-Porter	Thompson (MS)	Watt
Sherman	Thompson (PA)	Waxman
Shimkus	Thornberry	Welch
Shuster	Tiahrt	Westmoreland
Smith (NE)	Tiberi	Whitfield
Smith (NJ)	Tierney	Wilson (OH)
Smith (TX)	Titus	Wittman
Smith (WA)	Tonko	Wolf
Snyder	Tsongas	Woolsey
Space	Turner	Wu
Speier	Upton	Young (AK)
Spratt	Van Hollen	

NOT VOTING—72

Akin	Garrett (NJ)	Napolitano
Barrett (SC)	Gerlach	Nunes
Bonner	Gordon (TN)	Qigley
Boozman	Grijalva	Radanovich
Boyd	Gutierrez	Rogers (KY)
Brady (PA)	Hill	Rogers (MI)
Brady (TX)	Hodes	Rohrabacher
Brown (SC)	Hoekstra	Salazar
Brown, Corrine	Holden	Sanchez, Loretta
Butterfield	Honda	Shuler
Campbell	Inglis	Simpson
Cao	Inslee	Sires
Carnahan	Issa	Skelton
Carter	Kilpatrick (MI)	Slaughter
Costa	Kirk	Stark
Costello	Lipinski	Tanner
Davis (AL)	Luetkemeyer	Taylor
Davis (IL)	Lynch	Towns
Delahunt	Maloney	Wamp
Diaz-Balart, L.	Matheson	Waters
Fallin	Melancon	Weiner
Fattah	Miller (FL)	Wilson (SC)
Forbes	Moran (KS)	Yarmuth
Fortenberry	Myrick	Young (FL)

□ 1858

Mr. LOEBSACK and Ms. CLARKE changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 355. Had I been present, I would have voted “yea” on the motion to suspend the rules and pass H. Res. 1368, Supporting the Goals of National Dairy Month, which will commend dairy farmers for their hard work and commitment to the U.S. economy and preservation of open space.

Mr. COSTA. Mr. Speaker, on rollcall No. 355, had I been present, I would have voted “yea.”

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC., June 10, 2010.

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

DEAR MADAM SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Mr. Wesley B. Taylor, Director of Elections, Office of the Secretary of State, State of Georgia, indicating that, according to the unofficial returns of the Special Election held June 8, 2010, the Honorable Tom

Graves was elected Representative to Congress for the Ninth Congressional District, State of Georgia.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER,
Clerk.

Enclosure.

THE OFFICE OF SECRETARY OF
STATE,
June 10, 2010.

LORRAINE C. MILLER,
*Clerk, House of Representatives, H-154 U.S.
Capitol, Washington, DC.*

DEAR MS. MILLER: This is to advise you that the unofficial results of the Special Election Runoff held on Tuesday, June 8, 2010, for U.S. Representative from the Ninth Congressional District of Georgia show that, as of today's date, Tom Graves received 22,684 votes or 56.5% of the total number of votes cast, and thus far counted, for that office.

It would appear from these unofficial results that Tom Graves was elected as the U.S. Representative from the Ninth Congressional District of Georgia.

At this time, we are not aware of any contest to this election. As soon as the official results are certified to this office by all counties involved, the official "Certificate of Election" will be prepared and forwarded to the Governor's Office for transmittal to you as required by Georgia law.

If we can assist you further, please let us know.

Sincerely,

WESLEY B. TAILOR.

SWEARING IN OF THE HONORABLE TOM GRAVES, OF GEORGIA, AS A MEMBER OF THE HOUSE

Mr. KINGSTON. Madam Speaker, I ask unanimous consent that the gentleman from Georgia, the Honorable TOM GRAVES, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

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

There was no objection.

The SPEAKER. Will Representative-elect GRAVES and the members of the Georgia delegation present themselves in the well.

Mr. GRAVES of Georgia appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 111th Congress.

WELCOMING THE HONORABLE TOM GRAVES TO THE HOUSE OF REP- RESENTATIVES

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

Mr. KINGSTON. Madam Speaker, Members of the House, it's a great honor to introduce TOM GRAVES, the newest member of the Georgia delegation and, obviously, the newest Member of the United States Congress. TOM comes to us from the Ninth District of Georgia, the seat which was held by Nathan Deal. And we all miss Nathan. He was a leading voice on Medicaid and immigration issues. And I know that TOM will continue that fight for the people of the Ninth District of Georgia.

TOM comes from Ranger, Georgia. You may not know Ranger, Georgia, population 91, but it's a little bit down the road from Red Bud, Georgia, which isn't incorporated, and not too far from Fairmount, Georgia. The three of them collectively are near nothing at all. They are in Gordon County.

Now, TOM served for 7½ years in the Georgia General Assembly and was on the Transportation, Health and Human Services Committee and the Ways and Means Committee. He was a leader in job creation for the State of Georgia, and with his JOBS Act, introduced in 2009, he worked for pro-growth legislation—legislation that would phase out the corporate income tax and eliminate the burdensome inventory tax for Georgia businesses. For this, he was recognized by ALEC, the American Legislative Exchange Council, to which many of us once belonged. He was nominated and earned the title of Legislator of the Year.

TOM has also been recognized by the National Federation of Independent Businesses as the Guardian of Small Business and by the Georgia Retail Association for being Legislator of the Year, and was one of only two State legislators in the country to be selected by FreedomWorks Foundation to receive the Legislative Entrepreneurial Award.

TOM, we're very glad to have you. But we're also especially glad to have your wife, Julie, who's sitting up in the gallery. TOM also has his three children with him today: JoAnn, John, and Janey. And we're glad that you're going to share your daddy with us.

TOM is well known back home for having a beautiful family and a very ugly pickup truck. But he is committed to the truck. He's had it for 13 years—and he thought that was a long time. But I want to introduce you to GARY ACKERMAN, who will tell you how to really take care of a car, which I think now is going on 30 years old.

TOM, I also want to tell my friends CLIFF STEARNS and CORRINE BROWN, who come from a State that likes to pretend like they play football, that Tom Graves is a Georgia Bulldog. We can always use one more in the world. So if any of you people from Florida want to convert, it would be a good time.

TOM, we welcome you to the greatest body, the greatest legislative body the world has ever seen: the United States Congress.

With that, I want to yield to my good friend, Mr. JOHN LEWIS, the dean of our delegation.

Mr. LEWIS of Georgia. Madam Speaker, I would like to thank my good friend, JACK KINGSTON, for yielding me time.

As the dean of the Georgia delegation, it is my great pleasure to welcome TOM GRAVES to the United States House of Representatives. Mr. GRAVES is not a stranger to Georgia politics. He served in the Georgia State House of Representatives for almost 8 years. TOM, I not only welcome you, but I am proud to welcome your beautiful wife, Julie, and your three lovely and beautiful children.

The SPEAKER. The gentleman from Georgia is recognized.

Mr. GRAVES of Georgia. Madam Speaker and Congressman LEWIS, Congressman KINGSTON, thank you.

As we recognize Flag Day today, it's also a reminder of the greatness of this young Republic, the foundations for which it rests, and the opportunity that awaits.

As one who didn't grow up in wealth or politics but, really, quite the opposite—very simple beginnings in a single-wide trailer on a tar and gravel road in the backwoods of north Georgia—I am here now able to pay tribute to my parents who couldn't give me the material things in life but, instead, they showed me love and they encouraged me to dream big, to work hard, and achieve much.

And while I am standing before you today as a freshman Member, I am the freshest voice from the campaign trail. And the message from the hills of north Georgia to the Hill of this great building is very clear, and that is that it's time to curb spending. It's time to balance the budget, and it's time to empower the people.

While the challenges are great in this Nation, the will and the Constitution of her people are greater. And, you know, my dad was right. If we, as Americans, dream big, work hard, we can achieve much as a Nation.

So on behalf of Georgia Nine, Madam Speaker, I am here to go to work.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Georgia, the whole number of the House is 433.

SUPPORTING DESIGNATION OF AMERICAN EAGLE DAY

The SPEAKER pro tempore (Mr. TONKO). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to

the resolution (H. Res. 1409) expressing support for designation of June 20, 2010, as “American Eagle Day”, and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States, 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 Texas (Mr. HINOJOSA) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 360, nays 0, not voting 72, as follows:

[Roll No. 356]

YEAS—360

Ackerman	Cooper	Herger
Aderholt	Costa	Herseth Sandlin
Adler (NJ)	Courtney	Higgins
Akin	Crenshaw	Himes
Alexander	Critz	Hinchee
Altmire	Crowley	Hinojosa
Andrews	Cuellar	Hirono
Arcuri	Culberson	Holt
Austria	Cummings	Hoyer
Baca	Dahlkemper	Hunter
Bachmann	Davis (CA)	Israel
Bachus	Davis (KY)	Jackson (IL)
Baldwin	Davis (TN)	Jackson Lee
Barrow	DeFazio	(TX)
Bartlett	DeGette	Jenkins
Barton (TX)	DeLauro	Johnson (GA)
Bean	Dent	Johnson (IL)
Becerra	Deutch	Johnson, E. B.
Berkley	Diaz-Balart, M.	Johnson, Sam
Berry	Dicks	Jones
Biggert	Dingell	Jordan (OH)
Bilbray	Djou	Kagen
Bilirakis	Doggett	Kanjorski
Bishop (GA)	Donnelly (IN)	Kaptur
Bishop (NY)	Doyle	Kennedy
Bishop (UT)	Dreier	Kildee
Blackburn	Driehaus	Kilroy
Blumenauer	Duncan	Kind
Blunt	Edwards (MD)	King (IA)
Boccieri	Edwards (TX)	King (NY)
Boehner	Ehlers	Kingston
Bono Mack	Ellison	Kirkpatrick (AZ)
Boren	Ellsworth	Kissell
Boswell	Emerson	Klein (FL)
Boucher	Engel	Kline (MN)
Boustany	Eshoo	Kosmas
Bralley (IA)	Etheridge	Kratovil
Bright	Farr	Kucinich
Broun (GA)	Filner	Lamborn
Brown-Waite,	Flake	Lance
Ginny	Fleming	Langevin
Buchanan	Foster	Larsen (WA)
Burgess	Foxx	Larson (CT)
Burton (IN)	Frank (MA)	Latham
Buyer	Franks (AZ)	LaTourette
Calvert	Frelinghuysen	Latta
Camp	Fudge	Lee (CA)
Cantor	Gallegly	Lee (NY)
Capito	Garamendi	Levin
Capps	Garrett (NJ)	Lewis (CA)
Capuano	Giffords	Lewis (GA)
Cardoza	Gingrey (GA)	Linder
Carnahan	Gonzalez	LoBiondo
Carney	Goodlatte	Loebsack
Carson (IN)	Granger	Lofgren, Zoe
Cassidy	Graves (GA)	Lowe
Castle	Graves (MO)	Lucas
Castor (FL)	Grayson	Luetkemeyer
Chaffetz	Green, Al	Lujan
Chandler	Green, Gene	Lummis
Childers	Griffith	Lungren, Daniel
Chu	Guthrie	E.
Clarke	Hall (NY)	Mack
Clay	Hall (TX)	Maffei
Cleaver	Halvorson	Manzullo
Clyburn	Hare	Marchant
Coble	Harman	Markey (CO)
Coffman (CO)	Harper	Markey (MA)
Cohen	Hastings (FL)	Marshall
Cole	Hastings (WA)	Matsui
Conaway	Heinrich	McCarthy (CA)
Connolly (VA)	Heller	McCarthy (NY)
Conyers	Hensarling	McCaul

McClintock	Peters	Sestak
McCollum	Peterson	Shadegg
McCotter	Petri	Shea-Porter
McDermott	Pingree (ME)	Sherman
McGovern	Pitts	Shimkus
McHenry	Platts	Shuster
McIntyre	Poe (TX)	Smith (NE)
McKeon	Polis (CO)	Smith (NJ)
McMahon	Pomeroy	Smith (TX)
McMorris	Posey	Smith (WA)
Rodgers	Price (GA)	Snyder
McNerney	Price (NC)	Space
Meek (FL)	Putnam	Spratt
Meeks (NY)	Rahall	Stearns
Mica	Rangel	Stupak
Michaud	Rehberg	Sullivan
Miller (MI)	Reichert	Sutton
Miller (NC)	Richardson	Teague
Miller, Gary	Rodriguez	Terry
Miller, George	Roe (TN)	Thompson (CA)
Minnick	Rogers (AL)	Thompson (MS)
Mitchell	Rogers (MI)	Thompson (PA)
Mollohan	Rooney	Thornberry
Moore (KS)	Ros-Lehtinen	Tiahrt
Moore (WI)	Roskam	Tiberi
Moran (VA)	Ross	Tierney
Murphy (CT)	Rothman (NJ)	Titus
Murphy (NY)	Roybal-Allard	Tonko
Costa	Royce	Tsongas
Murphy, Patrick	Ruppersberger	Turner
Murphy, Tim	Rush	Upton
Nadler (NY)	Ryan (OH)	Van Hollen
Neal (MA)	Ryan (WI)	Velázquez
Neugebauer	Nye	Visclosky
Nye	T.	Walz
Oberstar	Obey	Wasserman
Obey	Sarbanes	Schultz
Olson	Scalise	Watson
Oliver	Schakowsky	Watt
Ortiz	Schauer	Waxman
Owens	Schiff	Welch
Pallone	Schmidt	Westmoreland
Pascarell	Schock	Whitfield
Pastor (AZ)	Schrader	Wilson (OH)
Paul	Schwartz	Witman
Paulsen	Scott (GA)	Wolf
Payne	Scott (VA)	Woolsey
Pençe	Sensenbrenner	Wu
Perlmutter	Serrano	Young (AK)
Perriello	Sessions	

NOT VOTING—72

Baird	Gohmert	Quigley
Barrett (SC)	Gordon (TN)	Radanovich
Berman	Grijalva	Reyes
Bonner	Gutierrez	Rogers (KY)
Boozman	Hill	Rohrabacher
Boyd	Hodes	Salazar
Brady (PA)	Hoekstra	Sanchez, Loretta
Brady (TX)	Holden	Shuler
Brown (SC)	Honda	Simpson
Brown, Corrine	Inglis	Sires
Butterfield	Inslee	Skelton
Campbell	Issa	Slaughter
Cao	Kilpatrick (MI)	Speier
Carter	Kirk	Stark
Costello	Lipinski	Tanner
Davis (AL)	Lynch	Taylor
Davis (IL)	Maloney	Towns
Delahunt	Matheson	Walden
Diaz-Balart, L.	Melancon	Wamp
Fallin	Miller (FL)	Waters
Fattah	Moran (KS)	Weiner
Forbes	Myrick	Wilson (SC)
Fortenberry	Napolitano	Yarmuth
Gerlach	Nunes	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1916

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 356. Had I been present, I would have voted “yea” on the motion to suspend the rules and pass H. Res. 1409, Expressing support for designation of

June 20, 2010, as “American Eagle Day”, and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

REMEMBERING FLASH FLOOD VICTIMS

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

Mr. ROSS. Mr. Speaker, in the early morning hours of Friday, June 11, a sudden and devastating flash flood swept through the Albert Pike campground in southwest Arkansas. In just 4 short hours, the Little Missouri River along the Ouachita National Forest rose from 3 feet to 23 feet.

The flood swept away tents, RVs and homes, and, tragically, took 20 lives, including many children, making it one of Arkansas’s deadliest flash floods in a generation. However, this tragedy’s impact is far-reaching, as many of the victims were from surrounding States, including from Congressman HALL’s district in Texas and from Congressman FLEMING’s district in Louisiana. They join me here this evening as we remember those who died in this flood.

I also want to commend the outstanding work of our first responders—local, State, Federal—and fellow Arkansans who reacted without hesitation and rescued literally dozens of people from the debris and rushing waters. This weekend, I, along with Agriculture Secretary Tom Vilsack, U.S. Forest Service Chief Tom Tidwell and Senators BLANCHE LINCOLN and MARK PRYOR, saw the devastation firsthand and spoke with families who lost loved ones.

My deepest thoughts and prayers and those of all Arkansans and all Americans are with the families who lost loved ones in these destructive flash floods.

Mr. Speaker, I join Congressman HALL and Congressman FLEMING in asking that the House now observe a moment of silence in remembrance of each and every life we lost in this tragedy.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

EXTENDING EFFECTIVE DATE OF GIFT CARD PROVISIONS OF CREDIT CARD LAW

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5502) to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009, 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 Texas (Mr. HINOJOSA) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 357, nays 0, not voting 75, as follows:

[Roll No. 357]

YEAS—357

Ackerman	DeLauro	King (NY)
Aderholt	Dent	Kingston
Adler (NJ)	Deutch	Kirkpatrick (AZ)
Akin	Diaz-Balart, M.	Kissell
Alexander	Dicks	Klein (FL)
Altmire	Dingell	Kline (MN)
Andrews	Djou	Kosmas
Arcuri	Doggett	Kratovil
Austria	Donnelly (IN)	Kucinich
Baca	Doyle	Lamborn
Bachmann	Dreier	Lance
Bachus	Driehaus	Langevin
Baldwin	Duncan	Larsen (WA)
Barrow	Edwards (MD)	Larson (CT)
Bartlett	Edwards (TX)	Latham
Barton (TX)	Ehlers	LaTourette
Bean	Ellison	Latta
Becerra	Ellsworth	Lee (CA)
Berkley	Emerson	Lee (NY)
Berry	Engel	Levin
Biggert	Eshoo	Lewis (CA)
Billray	Etheridge	Lewis (GA)
Bilirakis	Farr	LoBiondo
Bishop (GA)	Filmer	Loebsack
Bishop (NY)	Flake	Lofgren, Zoe
Bishop (UT)	Fleming	Lowe
Blackburn	Foster	Lucas
Blumenauer	Fox	Luetkemeyer
Blunt	Fox	Lujan
Bocchieri	Frank (MA)	Lummis
Boehner	Franks (AZ)	Lungren, Daniel
Bono Mack	Frelinghuysen	E.
Boren	Fudge	Mack
Boswell	Gallely	Maffei
Boucher	Garamendi	Manzullo
Boustany	Garrett (NJ)	Marchant
Braley (IA)	Giffords	Markley (CO)
Bright	Gingrey (GA)	Markey (MA)
Brown (GA)	Gonzalez	Marshall
Brown-Waite,	Goodlatte	Marshall
Ginny	Granger	Matsui
Buchanan	Graves (GA)	McCarthy (CA)
Burgess	Graves (MO)	McCarthy (NY)
Burton (IN)	Grayson	McCaul
Buyer	Green, Al	McClintock
Calvert	Green, Gene	McCollum
Camp	Griffith	McCotter
Cantor	Guthrie	McDermott
Capito	Hall (NY)	McGovern
Capps	Hall (TX)	McHenry
Cardoza	Halvorson	McIntyre
Carnahan	Hare	McKeon
Carney	Harman	McMahon
Carson (IN)	Harper	McMorris
Cassidy	Hastings (FL)	Rodgers
Castle	Hastings (WA)	McNerney
Castor (FL)	Heinrich	Meek (FL)
Chaffetz	Heller	Meeks (NY)
Chandler	Hensarling	Mica
Childers	Herger	Michaud
Chu	Herseth Sandlin	Miller (MI)
Clarke	Higgins	Miller (NC)
Clay	Himes	Miller, Gary
Cleaver	Hinche	Miller, George
Clyburn	Hinojosa	Minnick
Coble	Hirono	Mitchell
Coffman (CO)	Holt	Mollohan
Cohen	Hoyer	Moore (KS)
Cole	Hunter	Moore (WI)
Conaway	Israel	Murphy (CT)
Connolly (VA)	Jackson (IL)	Murphy (NY)
Conyers	Jackson Lee	Murphy, Patrick
Cooper	(TX)	Murphy, Tim
Costa	Jenkins	Nadler (NY)
Courtney	Johnson (GA)	Neal (MA)
Crenshaw	Johnson (IL)	Neugebauer
Critz	Johnson, E. B.	Nye
Crowley	Johnson, Sam	Oberstar
Cuellar	Jones	Obey
Culberson	Jordan (OH)	Olson
Cummings	Kagen	Olver
Dahlkemper	Kanjorski	Ortiz
Davis (CA)	Kaptur	Owens
Davis (KY)	Kennedy	Pallone
Davis (TN)	Kildee	Pascarell
DeFazio	Kilroy	Pastor (AZ)
DeGette	Kind	Paul
	King (IA)	Paulsen

Payne	Ruppersberger	Stupak
Pence	Rush	Sullivan
Perlmutter	Ryan (OH)	Teague
Perriello	Ryan (WI)	Terry
Peters	Sánchez, Linda	Thompson (CA)
Peterson	T.	Thompson (MS)
Petri	Scalise	Thompson (PA)
Pingree (ME)	Schakowsky	Thornberry
Pitts	Schauer	Tiahrt
Platts	Schiff	Tiberi
Poe (TX)	Schmidt	Tierney
Polis (CO)	Schock	Titus
Pomeroy	Schrader	Tonko
Posey	Schwartz	Tsongas
Price (GA)	Scott (GA)	Turner
Price (NC)	Scott (VA)	Upton
Putnam	Sensenbrenner	Van Hollen
Rahall	Serrano	Velázquez
Rangel	Sessions	Visclosky
Rehberg	Sestak	Walz
Reichert	Shadeg	Wasserman
Reyes	Shea-Porter	Schultz
Richardson	Sherman	Watson
Lance	Shimkus	Watt
Roe (TN)	Shuster	Waxman
Rogers (AL)	Smith (NE)	Welch
Rogers (MI)	Smith (NJ)	Westmoreland
Rooney	Smith (TX)	Whitfield
Ros-Lehtinen	Smith (WA)	Wilson (OH)
Roskam	Snyder	Wittman
Ross	Space	Wolf
Rothman (NJ)	Speier	Woolsey
Roybal-Allard	Spratt	Wu
Royce	Stearns	Young (AK)

NOT VOTING—75

Baird	Gohmert	Nunes
Barrett (SC)	Gordon (TN)	Quigley
Berman	Grijalva	Radanovich
Bonner	Gutierrez	Rogers (KY)
Boozman	Hill	Rohrabacher
Boyd	Hodes	Salazar
Brady (PA)	Hoekstra	Sanchez, Loretta
Brady (TX)	Holden	Sarbanes
Brown (SC)	Honda	Shuler
Brown, Corrine	Inglis	Simpson
Butterfield	Inslee	Sires
Campbell	Issa	Skelton
Cao	Kilpatrick (MI)	Slaughter
Capuano	Kirk	Stark
Carter	Linder	Sutton
Costello	Lipinski	Tanner
Davis (AL)	Lynch	Taylor
Davis (IL)	Maloney	Towns
Delahunt	Matheson	Walden
Diaz-Balart, L.	Melancon	Wamp
Fallin	Miller (FL)	Waters
Fattah	Moran (KS)	Weiner
Forbes	Moran (VA)	Wilson (SC)
Fortenberry	Myrick	Yarmuth
Gerlach	Napolitano	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1926

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote No. 357. Had I been present, I would have voted “yea” on the motion to suspend the rules and pass H.R. 5502, the ECO-Gift Card Act, which amends the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

PERSONAL EXPLANATION

Mr. INSLEE. Mr. Speaker, today, in order to attend important meetings in my district, I was absent from votes on H. Res. 1368, Supporting the goals of National Dairy Month; H. Res. 1409, Expressing support for designation

of June 20, 2010, as “American Eagle Day”, and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; and H.R. 5502, ECO-Gift Card Act. Should I have been present, I would have supported these resolutions.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, I was unable to attend several votes today, June 14, 2010. Had I been present, I would have voted “aye” on final passage of H. Res. 1368, “aye” on final passage of H. Res. 1409 and “aye” on final passage of H.R. 5502.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted “yea” on rollcall votes 355, 356, and 357.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5486, SMALL BUSINESS JOBS TAX RELIEF ACT OF 2010; AND PROVIDING FOR CONSIDERATION OF H.R. 5297, SMALL BUSINESS LENDING FUND ACT OF 2010

Ms. PINGREE of Maine, from the Committee on Rules, submitted a privileged report (Rept. No. 111-506) on the resolution (H. Res. 1436) providing for consideration of the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and providing for consideration of the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes, which was referred to the House Calendar and ordered to be printed.

2010 TONY AWARDS: “MEMPHIS” WINS BEST MUSICAL

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

Mr. COHEN. Mr. Speaker, yesterday evening in New York City, the Tony Awards were presented, and I was very proud that the play “Memphis” was awarded the best musical. It also received three other Tonys—for best book and best score and best orchestrations.

Mr. Bryan and Mr. DiPietro put a great play on Broadway that talks about racial reconciliation and a city that has a great deal of love and a great deal of music in it that comes to the screen and won a Tony. It’s a great honor; but I encourage people even more so to come to Memphis to see the original cast, where a city that is alive and breathing with entertainment and great venues for fun and racial reconciliation exists. The music, the life,

the spirit, the original production. Memphis, Tennessee.

Jump on an airplane.

Don't get a fast train.

Get your ticket for an airplane.

Come on home.

LEAGUE AGAINST CANCER

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize La Liga Contra el Cancer, the League Against Cancer, a South Florida nonprofit group committed to providing free medical care and assistance to cancer patients who would otherwise not have the necessary financial resources to fight such a difficult battle.

Since 1975, La Liga has served more than 50,000 low-income individuals. The positive impact that this organization has had on our community is without question, and we should all be grateful for its efforts.

Just this month, the League hosted its premier event to raise cancer awareness and funding for care. Residents of our area certainly answered the call, pledging much needed help for cancer victims through La Liga. In fact, they pledged over \$4.5 million to the League.

South Floridians in general, and each and every member of the League in specific, are committed to fighting cancer in all forms.

Again, I congratulate the League Against Cancer for its successful event that results in saving lives in our community.

□ 1930

DISAPPOINTMENTS PILE UP

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as we continue to find out what is in the health care bill, the disappointments pile up.

The publication "Politico" reported on June 8, "Part of the health care overall due to kick in this September could strip more than 1 million people of their insurance coverage, violating a key goal of President Barack Obama's reforms."

These limited benefit plans provide insurance to part-time workers and retail and restaurant employees. The plans are priced low to impose a maximum on insurance payouts in a year and to restrict the number of covered doctor visits, according to the article. The current health care reform would prohibit these plans because there is a ban in the law on annual caps.

Employer and trade associations, like 7-Eleven, the National Restaurant Association, and the U.S. Chamber of

Commerce, have asked that these low-cost plans be allowed to continue despite the law. In their letter, these groups explain that if the ban is strictly implemented, this population would likely be left with no coverage until 2014. We are talking about 1.4 million people who will not be allowed to keep their present insurance.

So much for promises.

PAY DOWN NATIONAL DEBT

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

Mr. ROONEY. Mr. Speaker, instead of attempting to pay down the national debt, this Congress continues to spend taxpayer dollars into oblivion. Outside the Beltway, whether you are paying credit card bills or just paying your taxes, you are held accountable for your spending habits and for paying back the money you owe.

What I discovered during my first year in Congress is that those in power have no regard for the billions that they spend each day and are not interested in developing ways to pay back this borrowed money. Day after way day, the American people call for us to stop the out-of-control spending. This Congress ignored those pleas and charges full speed ahead, mounting a \$13 trillion national debt.

Americans rightly expect their government to pass a budget plan to get this spending under control. But, instead, Congress has neglected to pass a budget resolution, and the future looks grim. I am incredibly frustrated with this Congress, and I know my constituents feel the same way.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC., June 14, 2010.

Hon. NANCY PELOSI,
The Speaker, H-232 U.S. Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Tuesday, June 14, 2010 at 2:55 p.m., and said to contain a message from the President whereby he notifies the Congress that he has extended the national emergency with respect to North Korea beyond June 26, 2010, by notice filed earlier with the Federal Register.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO NORTH KOREA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111-121)

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 and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, is to continue in effect beyond June 26, 2010.

The existence and the risk of proliferation of weapons-usable fissile material on the Korean Peninsula constitute a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency and maintain certain restrictions with respect to North Korea and North Korean nationals.

BARACK OBAMA.
THE WHITE HOUSE, June 14, 2010.

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.

RICKY DOBBS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT of Georgia. Mr. Speaker, ladies and gentlemen of the House and the good people of America, I rise on a very special occasion, to pay tribute and to recognize the outstanding and excellent work of one of my constituents in Douglasville, Georgia, in Douglas County. This is an extraordinary story. This young individual, Mr. Ricky Dobbs, who is a native of Douglasville, Georgia, and a graduate of Douglas County High School has gone on to excellence and greatness in an extraordinary career of academic achievement as well as athletic achievement.

During his years as a Douglas County High School student, he portrayed such a commendable attribute that his teachers affectionately referred to him as "the Mayor." He was the recipient of the Faculty Cup at his commencement ceremony in 2006. Ricky Dobbs, who has demonstrated outstanding achievement in academics, was accepted into the United States Naval Academy in Annapolis. And in sports, he is

leading Navy football as its quarterback. And what a quarterback he has become.

In the 2008 Navy football season, Ricky Dobbs rushed for 498 yards and eight touchdowns, and Navy was honored at the White House in April 2009 for winning a sixth straight Commander in Chief's Trophy by President Barack Obama. In his role as quarterback for the Navy Midshipmen in 2009, Ricky Dobbs broke the single season college record for the most rushing touchdowns by a quarterback. Yes, indeed, Ricky Dobbs finished with the NCAA record of 27 single-season rushing touchdowns and was named the game's most valuable player in the 2009 Texas Bowl.

Mr. Speaker and Members of Congress, Ricky has thrown just four interceptions in his entire career as quarterback for the Navy, or 0.033 percent, the lowest interception percentage in Naval football history. Ricky Dobbs has scored four or more rushing touchdowns on four different occasions. In other words, four touchdowns in four different games, including three times in three games this past year. No other Navy player has more than one career four rushing touchdown day, and that includes the legendary Roger Staubach.

Ricky Dobbs comes from a humble beginning. He has a family, a loving family, and when you give credit and you recognize the achievements of a young man or a young lady, you certainly have to recognize the achievements of those parents. Barbara Cobb and Clarence Dobbs have done a remarkable job of rearing this young man. But we can't stop there, for when you recognize the achievement of Ricky Dobbs of Douglasville and Douglas County, you have got to recognize that entire community that has put its arms around and reared and nurtured this outstanding young man to soar in academics as well as perform excellently in record-shattering circumstances on the football field for the prestigious Navy Academy.

Mr. Speaker, when you look at this, one word comes to mind, and that word is "excellence." When that word was put to the great Greek philosopher Aristotle, when Aristotle was asked, What does it take to be an excellent person, Aristotle said, In order to be an excellent person, you must first of all know thyself. Well, Ricky Dobbs knows who he is, and that is, he is a child of God.

The question was later put to the great emperor and general, Marcus Aurelius of Rome: Marcus Aurelius, what does it take to be an excellent person? Marcus Aurelius replied, In order to be an excellent person, you must first of all discipline yourself.

What discipline it took to achieve academically at Douglas County High School and then to move up to the prestigious Navy Academy and set these astounding, record-shattering records on the football field.

And then, finally, the question was put to the Messiah, Jesus Christ, when he was asked, What does it take to be a great person, an excellent person? Jesus said, Sacrifice yourself.

As a military person, he is doing that for his country. Let's give this tribute to this outstanding young man and make this day, ladies and gentlemen, Ricky Dobbs Day in this United States of America.

PERMISSION FOR MEMBER TO INCLUDE EXTRANEEOUS MATERIAL

Mr. COHEN. Mr. Speaker, I would like to ask for unanimous consent to introduce an article into the RECORD.

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

There was no objection.

STAYING HOOKED ON A DIRTY FUEL: WHY CANADIAN TAR SANDS PIPELINES ARE A BAD BET FOR THE UNITED STATES

(From the National Wildlife Federation Report)

CONFRONTING GLOBAL WARMING—INTRODUCTION

"America is addicted to oil."

When President George W. Bush uttered these words in his 2006 State of the Union address, the former Texas oilman acknowledged an imperative as important as any we can imagine for the nation's future: breaking that crude addiction.

Our addiction to oil has come with an untenable cost: to our national security, to our air and water, and to the ability of our warming planet to support billions of human lives. The recent Gulf Coast crisis, stemming from an exploding offshore drilling rig, is just one more reason to kick our prodigious habit. The United States consumes about one quarter of the world's oil—around 20 million barrels a day, and imports nearly two-thirds of that—about 13 million barrels per day. For economic, political, military and ecological reasons, the United States needs to address this addiction—and beat it.

The burgeoning Canadian tar sands industry epitomizes the depths of our addiction. Tar sands are a combination of clay, sand, and bitumen found in great quantities under the boreal forest of Alberta. By employing massive mining operations or energy-intensive underground heating and production techniques, energy companies produce a sludge-like heavy oil that can be further refined into transportation fuels like gasoline or diesel. As this report explains, expanding the mining, processing and refining of these tar sands represents a tragic choice for Canada, the United States, and the world.

British Petroleum's Deepwater Horizon tragedy off the Louisiana coast, which killed 11 men and is an unfolding ecological disaster, is not an argument to expand Canadian tar sands development, as some have argued. The Gulf Coast catastrophe should instead propel us away from a future of diminishing returns and higher costs from "unconventional" fossil fuel extraction, which includes tar sands, oil shale and coal-to-liquids. Moving deeper into tar sands would be taking the country down the wrong path—one that leads to an inevitable dead-end.

The tar sands industry aims to create an extensive web of pipelines to deliver increasing amounts of this Canadian tar sands sludge to refineries in the United States. The U.S. federal government has already approved two dedicated tar sands pipelines and is poised to approve a third. The Canadian

company Enbridge's Alberta Clipper pipeline, running from the U.S.-Canadian border in North Dakota, and across Minnesota to Wisconsin, has already been completed. TransCanada's Keystone I pipeline, which the State Department approved in 2009, runs from Alberta to Illinois and on to Oklahoma. TransCanada's proposed Keystone XL pipeline is the third pipeline whose permit application is currently being reviewed by the U.S. State Department. It would cut through America's heartland, running nearly 2,000 miles from Alberta down to Port Arthur, Texas, where the tar sands will be refined into transportation fuels. Other, shorter pipelines are envisioned to run to refineries around the country. This network of tar sands pipelines would deliver even more pollution to refineries where and the surrounding communities, which are already experiencing health effects.

The proposed Keystone XL pipeline will traverse rivers and carve across prairies, will flow on top of vital aquifers, and threaten farmers, ranchers and wildlife when it leaks or breaks, as it unquestionably will. Building this new pipeline would institutionalize a demand for a product that we do not need—especially if we seize the initiative to wean ourselves from this a fuel that is sullyng our coasts, tearing up our heartland, and destroying the health and livelihoods of communities. Current projections are that the new pipeline would not even run close to capacity, raising the question of why the U.S. is even considering this project.

Promoting the growth of the Canadian tar sands industry is a dangerous and foolhardy development. This pipeline system would virtually assure the destruction of swaths of one of the world's most important forest ecosystems, produce lake-sized reservoirs of toxic waste, import a thick, tarlike fuel that will release vast quantities of toxic chemicals into our air when it is refined in the U.S., and emit significantly more global warming pollutants into the atmosphere than fuels made from conventional oil. Communities that live near the tar sands are already experiencing health problems linked to the pollution, and dozens of wildlife species are at risk, including millions of migrating cranes, swans, and songbirds. If Keystone XL crosses our border, it will cut through thousands of miles of sensitive habitat in America's heartland. When the tar sands are refined in U.S. facilities, the resulting pollution will foul our air and water.

We believe that the U.S. needs clean and renewable energy solutions as we make the inevitable and necessary transition to a post-oil world. Tar sands, as well as other inferior fossil fuels like oil shale, simply should not be part of the equation. Tar sands are a starkly inefficient, polluting, ecologically disastrous and expensive way to power our cars and trucks. Each tar sands pipeline our government approves further increases our dependence on this dirty fuel. These pipelines will become, in effect, a long-term, government-approved pollution delivery system.

If we allow all these pipelines to be built, we are essentially saying that we are willing to feed our oil habit, even if we know it will harm our air, water, health, prosperity and planet. Agreeing to increase our imports of Canadian tar sands represents the worst kind of addictive behavior: "persistent compulsive use of a substance known by the user to be physically, psychologically, or socially harmful."

Why then, we ask in this report, is the U.S. poised to allow this expanded pipeline network that will lock our country into an ongoing reliance on the dirtiest of fossil fuels?

It is time to apply every ounce of American ingenuity to finding a technological

path to a future that relies far less on oil and other fossil fuels and far more on sources of fuel that are renewable, sustainable, and clean. By applying the talent and technology of America's best minds and businesses, this country can dramatically improve our environment and accelerate our move beyond a dirty energy economy.

We have arrived at a critical crossroads that will determine whether we can break free from this dependence—or lash ourselves tighter to it. Building new pipelines to import billions of barrels of dirty fuel from Canada is taking the wrong path into increasingly hazardous terrain. We should tell our elected leaders to reconsider.

BIG OIL PUSHES FOR PIPELINES: TRANSPORTING A DIRTY FUEL THAT RAVAGES ALBERTA'S FORESTS AND WATERS

TAR SANDS DEVELOPMENT

An aerial view of the area around Fort McMurray, Alberta, provides a stark portrait of an addiction. The Athabasca River, snaking through a region once marked by unending vistas of glowing green conifers and populated by woodland caribou, moose, bears and lynx, now demarcates ground zero for what is arguably the most destructive peacetime industrial activity in the history of mankind.

Tar sands development has transformed a landscape of boreal forest and peat lands into a vast oil sacrifice zone. On either side of the river, a series of giant open pit mines, belching processing facilities, and poisonous tailings ponds now line the floodplains and wetlands. The giant toxic tailings ponds have grown large enough to see from space.

Even more troubling, the industrial activity is poised to spread across the landscape like blight. If all the current Canadian tar sands leases are exploited, development is slated to encompass an area the size of New York and New Jersey combined.

The Canadian tar sands industry is, by almost any measure, one of the most wasteful and polluting industries humanity has ever invented. Over the past ten years, commercial tar sands production became increasingly profitable because of rising oil prices and massive infrastructure construction that accelerated the development's expanding reach. In pursuit of profits that increased with the scaled-up production, energy companies have torn up a province, released countless gallons of toxic sludge into waterways, emitted hundreds of millions of tons of global warming pollutants into the atmosphere, and produced billions of barrels of viscous, heavy oil that requires vast amounts of energy to transport and refine into a transportation fuel.

EXTRACTING BITUMEN

Locked in underground pockets of sand, clay and water, tar sands contain bitumen, which is a heavy, black viscous oil that can be extracted, upgraded, refined, and turned into fuel. The Canadian Energy Research Institute estimates that these tar sands contain 1.7 trillion barrels of heavy crude, of which approximately 173 billion barrels are recoverable.

About 20 percent of Alberta's tar sands deposit is close enough to the surface to be dug up using conventional open pit mining techniques. Using this method, the forest is clear-cut and giant open pit mines carve the layers of tar sands from the earth. These tar sands are trucked to facilities where they are heated into a liquid, and the bitumen is separated from the sand and clay. This process requires substantial amounts of water and energy, and leaves behind a number of toxic byproducts.

Another technique, known as in situ production, will be used to target the other 80

percent of tar sands deposits, located deeper in the ground. In situ production requires companies to insert pipes into the ground, which are filled with steam to heat up the tar sands and liquify the bitumen. This liquid bitumen is then pumped to the surface much like conventional oil. Although this technique does not result in the same wholesale habitat destruction as strip mines, industry claims that in situ mining is a "solution" for tar sands environmental problems is overstated. This process requires substantially more energy than conventional mining, leaving a much larger carbon footprint. In situ mining also fragments the landscape with roads and pumping stations, requires large amounts of water, and still leaves toxic tailings ponds during the upgrading process.

Both open pit mining and in situ processes require systems of roads, pads, industrial facilities and tailings ponds that all contribute to the fragmentation and destruction of the boreal forest. The tailings ponds—which are more like giant toxic lakes filled with pollutants like benzene, cyanide, and mercury—stretch across the landscape, threatening human health and wildlife.

THREATENING DOWNRIVER COMMUNITIES

Scientists already have catalogued human health problems among the First Nations people who live downriver. Studies have raised alarms about increased cancer rates and autoimmune diseases. In the Fort Chipewyan First Nation, where subsistence hunting and fishing is still prevalent, hunters say they have noticed big changes in the game they harvest—including the fact that moose livers are enlarged and white-spotted. Water from the Athabasca River, their main water source, now leaves brown residue in the pot when they boil it. Fish they depend on are contaminated with high levels of mercury and toxic cancer-causing chemicals.

Because the communities in the vicinity of the mining sites are small, there has been relatively little monitoring of how much the industrial activity has affected human and wildlife health. What is clear is that the process of extracting, upgrading, and refining tar sands requires a suite of chemicals and produces toxic byproducts.

DELIVERY TO THE U.S.

Much the tar sands upgrading to date has taken place in Alberta, but the refining capacity is not high enough for the projected increase in production. That is why the tar sands industry is proposing pipelines to the U.S.: to bring the unrefined heavy crude to refineries in the U.S.

Today, approximately 60 percent of Canadian tar sands fuel is exported to the U.S. Our nation currently imports about 800,000 barrels of this fuel a day, and some project that this could increase fivefold if all the planned pipelines are constructed, world oil supply from conventional oil dwindles, and global demand intensifies.

In Canada, concern and opposition has been rising as the ecological fallout from tar sands production becomes more visible. If the U.S. continues its voracious oil habit and builds these pipelines to support it, we will be contributing to this Canadian calamity for many years to come.

POISONED HABITAT: WILDLIFE IN THE CROSSHAIRS

A DESTRUCTIVE BUSINESS

The video footage is heartbreaking: a mallard drake, flapping its wings in muck and beak dripping black gunk, barely keeping afloat in oil sludge. No, not Alaska after the infamous Exxon Valdez spill, or the Gulf Coast wetlands after the BP explosion. It is the result of "normal" tar sands development in Alberta.

Scientists are only beginning to understand the extent of the impacts of Alberta

tar sands production on the fish, waterfowl, and forest animals that live in the remote boreal forest that has become the hub of industrial tar sands production. Habitat destruction and fragmentation is expanding rapidly, and even energy companies acknowledge that they are effectively destroying habitat as they go. In a recent report by Cambridge Energy Research Associates, the authors quote the energy giant Shell describing the impacts in an application for a mine expansion: "Effectively, a complete loss of soil and terrain, terrestrial vegetation, wetlands and forest resources, wildlife and biodiversity happens for this area for the period of operations."

This kind of large-scale habitat destruction raises even larger concerns, because there is so much at stake in this fecund northern wilderness.

The surrounding forest is home to the full complement of wildlife any sportsman would imagine living in the Canadian wilderness: bears, wolves, lynx, and important herds of woodland caribou. The Athabasca River is part of a vital nesting and staging ground for migratory waterfowl, many of which winter in the continental U.S. The Canadian boreal forest provides breeding, nesting or migration stops for more than 300 species of birds—including several species of cranes, shorebirds, and more than a million inland birds.

FULL IMPACTS UNKNOWN

Scientists know very little about the cumulative impacts of tar sands development, says Canadian ecologist Kevin Timoney, because the Canadian government, provincial authorities, and energy companies have not conducted adequate monitoring and testing. Timoney however, has begun documenting a series of harmful effects to wildlife from habitat fragmentation, toxic exposures, and other threats to wildlife.

Some of these effects have gained public notice. In 2008, 1,600 ducks perished when they landed in a tar sands mine tailings pond operated by Syncrude. Originally, the company downplayed the numbers, and it took several years and a prosecution to bring the extent of the damage to light. A lawsuit is pending against Syncrude.

Timoney estimates that even 1,600 substantially underestimates bird mortality from this event—and many others that remain undocumented. In an article published in the *Open Conservation Biology Journal*, Timoney laid out a disturbing case that tar sands development has led to a permanent loss of at least 58,000 birds—and possibly as many as 400,000.

The Syncrude tailings pond deaths were the result of the birds becoming mired in oil, despite companies' efforts to shoo birds away from their toxic tailings ponds using noise cannons and scarecrows. The Cambridge Energy Research Report states that, "the surface layer of bitumen found on most tailings ponds is an acute threat to wildlife."

Timoney says there are other dangers as well. He and others have documented at least 43 other bird species—waterfowl and shore birds, birds of prey and gulls—that have died from tar sands-related development. Timoney also made a Freedom of Information and Protection of Privacy request of the Alberta Sustainable Resources Development, which disclosed that 27 black bears, 67 deer, 31 red foxes, 21 coyotes and unspecified numbers of moose, muskrats, beavers, voles, martens, wolves and bats had also perished on tar sands operations between 2000 and 2008.

Even more disturbing, Timoney discovered that those reported numbers came from the energy companies themselves, suggesting an under-reporting of some significance. "The

numbers of dead animals reported to government," he wrote, "underestimated true mortality because they were derived from ad hoc reporting by companies rather than from a scientifically valid and statistically robust sampling design."

In another study, Timoney analyzed data from government and industry sources that revealed strong evidence of chemical contamination in the Athabasca River. Specifically, the levels of known cancer-causing chemicals were as high as in industrial zones in the United States. Elevated levels of mercury and other heavy metals were also present. A government report from the Regional Aquatics Monitoring Program determined that more than seven percent of river fish showed growth abnormalities, which Timoney says is "high."

AN EXPANDING THREAT

There is every reason to believe this problem will only worsen. According to Environmental Defense Canada, tar sands tailings ponds already have a surface area of 50 square miles, twice the size of Manhattan. These contaminated tailings ponds have already leaked into the nearby waterways, and projections are they will triple in size.

This spells more trouble for wildlife, especially migrating birds. According to Colleen Cassidy St. Clair and Robert Ronconi from the University of Alberta's Faculty of Science, "spring migration is a particular problem in northeastern Alberta, when the warm-water waste from oil sands mines are the only open water—the natural bodies are still frozen. When waterfowl land in these ponds, they may ingest oil and their plumage may become oiled with waste bitumen, potentially preventing birds from flying or leading to lost insulation and death from hypothermia."

Even though there has been very little study of the effects of tar sands development on wildlife, the indications are that this development is releasing a potentially devastating onslaught on Canadian and internationally-migrating animals. As ecologist Timoney put it: "The effects of these pollutants on ecosystem and public health deserve immediate and systematic study. Projected tripling of tar sands activities over the next decade may result in unacceptably large and unforeseen impacts on biodiversity, ecosystem function, and public health. The attention of the world's scientific community is urgently needed."

ADMINISTRATION MISSING IN ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the Federal Government is missing in action on American border security. Our ineffective border security plan seems to be one of compassionate disinterest or catch them if you can.

Last week there was not another violent incident at the border near El Paso, Texas. This time a lone Border Patrol agent spotted a group of Mexican nationals crossing the border illegally. The agent was able to apprehend one of the illegals, but four illegals began assaulting the sole law enforcement officer with rocks. His life was in danger, and he defended himself. One of the assailants was killed, however; an assailant with a long criminal history of smuggling.

Our law enforcement agents have the moral and legal right to defend themselves, and they have the right to defend the American border.

□ 1945

The Mexican military showed up at the scene, however. They pointed their rifles at the American law enforcement agents. So what did they do? Did they stand their ground? Did they protect the sovereignty of the United States of America? No. Our Border Patrol agents retreated. They fled. And why? Because the Federal Government doesn't back up the Border Patrol.

The government hangs them out to dry. Just ask Border Patrol agents Ramos and Compean. Washington only gives lip service to securing the border. The government tells our Border Patrol to go down there on the border and kind of pretend to enforce the law. They don't receive the support they need to secure the border. They don't get the necessary manpower or the necessary equipment. They don't receive the necessary moral support from the government. The government doesn't back up their right to protect themselves when their lives are in danger. The Federal Government, Mr. Speaker, is missing in action.

But right on cue, Mexican President Calderon arrogantly demanded an apology for the shooting. But Calderon didn't apologize for the shooting of Robert Krentz, the Arizona rancher who was murdered in America on his own property by a Mexican criminal alien.

Calderon didn't apologize for the execution-style murder of Border Patrol agent Robert Rosas in Campo, California. Calderon didn't apologize when Senior Patrol Agent Luis Aguilar was murdered in America, run down and run over by a Mexican narcoterrorist drug smuggler in a Humvee.

Where's Calderon's outrage over the Americans being killed all the time in America by illegals from Mexico? Where's Calderon's apology for the criminal alien murderer of Houston Police Officer Rodney Johnson? Officer Johnson was a 12-year veteran of the Houston police force. He was married, had five kids, and Officer Johnson was shot four times execution-style by a Mexican illegal with a criminal record when he was stopped for speeding.

Where was Calderon when Houston Police Officer Gary Gryder was killed by an illegal in 2008? Or when Houston Police Officer Henry Canales was murdered by an illegal just last year? Americans are frequently killed in America by Mexican illegals. And why doesn't our government demand an apology about these homicides? Why doesn't our government demand compensation from Mexico for the homicides their illegals commit in the United States?

And where's the State Department? Where's the outrage, the concern when it's an American that loses their life, cost their lives by the actions of

illegals from Mexico? Where's that demand for an apology? And where's the administration? Missing in action, that's where.

Where's your outrage, Mr. President? The President should be on the American side of the border, doing what's best for America. And why don't we protect our own? How hard would it be for the President of the United States just to say, Don't cross the American border without permission? Why doesn't he say that? Doesn't he believe those words?

Mexican criminals think they can come over here and do as they please and nobody's going to really do anything about it. And they're right. Did we send our Attorney General out to demand answers when Border Patrol agent Rosas was shot execution-style last year? Where was the Attorney General? Missing in action.

And American citizens and peace officers are losing their lives because the government is missing in action. Seems like our government is more interested in what Mr. Calderon thinks than the American people. Mr. Calderon should take care of his own lawless country and Mr. Obama should take care of our borders. The administration, this administration, is not the first to be ineffective in border security, but it certainly should be the last.

And that's just the way it is.

THE LONGEST WAR IN AMERICAN HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the war in Afghanistan is now 104 months old, passing Vietnam, to make it the longest war in United States history. And as it reaches this dubious milestone, it's hard to imagine things going much worse. The much-hyped military campaign in Kandahar is now way behind schedule, with the Secretary of Defense saying it's more important to get it done right than to get it done quickly.

That kind of plea might have worked 80 months ago, Mr. Speaker, but do they not see the irony or the disconnect in preaching patience about a war that is now the longest the Nation has ever fought? Do they not see that the American people, who have given a thousand or more of their best young people and a quarter of a trillion dollars to this war, are long past the point where they are willing to cut some slack and take a wait-and-see approach?

And if that's not bad enough, it turns out the campaign we thought we had just finished in Marja never really took in the first place. What seemed to be a quick and decisive military triumph turned out to be an illusion. The Taliban hadn't been crushed; they had gone into hiding, laying low for a while, taking part in the opium harvest, and regaining their bearings, so

to speak. Now the Taliban is back, with a campaign of violence and intimidation, planting bombs, attacking marines, and terrorizing the population. As one report in The Washington Post put it, "They still own the night."

General McChrystal promised to have a ready-made so-called "government in a box" prepared to take over in Marja, but inside that box was a district governor considered hapless by most, who has been outfitted by the marines with a fancily furnished tent, who seems more fond of afternoon naps than in doing the hard work of governing.

And the national government that is supposed to be our partner, the repository of our hopes and confidence, the leader of the regime that is supposed to pick up where U.S. troops leave off in providing stability and security, well, his heart doesn't seem to be in the mission. Just a few weeks after being wined and dined by his American hosts during a state visit, President Karzai is wondering aloud whether the United States and NATO can get the job done.

My concern, Mr. Speaker, is that with each setback and each delay pressure will build to extend the timetable for troop deployment, our troops getting out of Afghanistan. This would be the wrong lesson to learn. What's needed is not more time, but a different policy. Every day that we continue this military campaign will contribute to the chaos in Afghanistan. More time and more troops can only exacerbate the problem. They cannot solve it.

I don't think I can describe the war any better than did New York Times columnist Bob Herbert. He said: "It's just a mind-numbing, soul-chilling, body-destroying slog, month after month, and year after pointless year."

Mr. Speaker, it's time to end the slog. It's time to end the longest war in American history. It's past time to bring our troops home.

DISMAY WITH DOD GENERAL COUNSEL REGARDING RENAMING THE DEPARTMENT OF THE NAVY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I rise tonight to express my sincere dismay with the letter from Jeh Johnson, general counsel of the Department of Defense, to Senator CARL LEVIN, declaring the DOD opposition to Senate bill 504, legislation to rename the Department of the Navy as the Department of Navy and Marine Corps. In his letter Mr. Johnson states: "The renaming of the Department is unnecessary and would incur additional expense of several hundred thousand dollars a year over the next several years."

In response to my letter, the CBO report actually states that "the bill would have very little effect on most U.S. Naval or Marine Corps installations. The cost of implementing this

bill would be less than \$500,000 a year over the next several years from appropriated funds. And enacting the bill would not affect direct spending or revenues." So therefore it would not have an impact, Mr. Speaker.

With that said, I would like to ask Mr. Johnson, Do you think that our men and women of the United States Marine Corps are worth this small monetary amount? Have they not earned the right to be recognized and respected?

Mr. Speaker, it is a joke for DOD to be concerned about such a small monetary amount considering the money that has been and is continuing to be wasted by the Department of Defense. An audit conducted by the Department of Defense IG revealed that the Federal Government failed to substantiate the disbursements of at least \$7.8 billion of \$8.2 billion spent for goods and services in Iraq. I would think Mr. Johnson should be more focused on serious money issues such as these instead of focusing his efforts on opposing the recognition that our marines truly deserve.

Our marines have fought alongside the Navy for many years, and if they are truly viewed as one fighting team, they should receive equal recognition. This bill is not meant to take anything away from the Navy. It does not demand any special concessions for the Marine Corps. It simply adds three words to the name. I am baffled as to why Mr. Johnson felt the need to interject into this matter now, when it has been ongoing for the past 10 years. We have the support of a record 425 Members of the House of Representatives and 80 Members of the Senate. The numbers alone should speak volumes.

And, Mr. Speaker, before I close, I want people to see this young marine who gave his life for this country. The family received posthumously the Silver Star medal that he earned by giving his life for this country. This is an official copy. And it says the Secretary of the Navy, Washington, D.C., with the Navy flag. That's all it has at the heading, Mr. Speaker. Nothing about the Marine Corps in the heading, but Navy.

If this bill should become law, what it would say is what you see now, Mr. Speaker, the Secretary of the Navy and Marine Corps, Navy flag, Marine flag, present the Silver Star posthumously to this man's family.

Mr. Speaker, with that I would like to close as I always do, because our men and women, as Ms. WOOLSEY said, they are over there fighting, giving their lives in Iraq and Afghanistan, and I would ask God to please bless our men and women in uniform, please bless their families, and, God, please bless the House and Senate that we will do right in the eyes of God.

And, dear God, I ask three times, please God, continue to bless this country. And, God, please always remember that we care that you look after us so that we will do what's right for your people. God, continue to bless America.

RESPONSE TO LONG-TERM UNEMPLOYED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, we have a huge problem in our country that we haven't come to terms with, long-term unemployment. The number of Americans who have been jobless for over 6 months has hit the highest level ever recorded. I recently read an article that highlighted one of the long-term unemployed Americans. Her name is Cindy Paoletti. For 23 years she worked in the corporate accounting division of J.P. Morgan Chase in upstate New York. In December 2007, Ms. Paoletti was let go in a wave of layoffs that eventually shuttered the entire Syracuse operations center. Her job went to India.

She started collecting unemployment benefits and severance while searching for a job. In her own words, Cindy says, "I apply for everything out there." Now that she's about to run out of benefits, she has started taking money out of her IRA. She doesn't have health insurance, and she faces the daily fear of losing her home. I hear similar stories from all over the country. Jobless Americans are desperately looking for work, but there just aren't enough jobs to go around yet.

Last week, I conducted a hearing in my subcommittee to discuss long-term unemployment problems. Here are a few of the facts highlighted at the hearing: nearly 50 percent of the unemployed haven't been able to find a job for more than 6 months, the highest number ever recorded, which goes back to 1948. More than 10 million jobs must be created to restore the labor market to its pre-recession level.

This huge jobs hole, created by 8 years of gross economic mismanagement under the Bush administration, has left five unemployed workers competing for every available job. In responding to these record rates of long-term unemployment, our first priority must be to maintain the current emergency Federal unemployment programs that have lapsed 2 weeks ago. People have been waiting for 2 weeks.

The House passed an extension on these programs a long time ago, but the Senate has yet to clear the legislation. If the Senate fails to continue Federal unemployment program, 5 million long-term unemployed Americans will lose their extended benefits before the end of this year, with 1.2 million of them losing their benefits by the end of this month, June. We need to face the fact that even with an extension of these Federal unemployment programs, more than 3 million people are projected to exhaust all benefits available before the end of the year.

□ 2000

We need to provide more help for these long-term displaced workers, which could range from additional extended unemployment benefits in high unemployment States, to federally funded jobs programs, to better training employment services.

A few months of employment gains, as welcome as they have been recently, have not suddenly eliminated the problem of long-term unemployment. We simply cannot abandon millions of Americans who have worked hard, played by the rules, and now find themselves with no jobs, no savings, and no support. We cannot let a huge section of the middle class go with nothing but food stamps.

At the end of the article, I mentioned earlier Cindy Paoletti said, "Out of all the people I know that got laid off the same time as me, I think only three have found jobs. The rest . . . have exhausted unemployment or they're getting close to the end of it. Someone's got to do something."

The Congress is faced with this. The Senate is dawdling. It is time, Mr. Speaker, that they act and we then move on to the next level while we deal with long-term unemployment in this country. We cannot close our eyes and believe it's going to go away. It will not go away. We have to help the process.

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.)

CONGRATULATING THE CALHOUN YELLOW JACKETS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY of Georgia. Mr. Speaker, I want to take this opportunity to congratulate the Calhoun Yellow Jackets for defeating Cook County High by a score of 8-2 in the deciding game to win the 2010 AA Georgia State baseball tournament. The Yellow Jackets clinched the series in game three with excellent pitching and three home runs.

I would especially like to recognize Manager Chip Henderson and the Calhoun coaching staff for leading the Yellow Jackets to a remarkable 35-1 record this season. Calhoun, Georgia, truly had a remarkable season, Mr. Speaker, dominating their opponents by scoring, believe this, 376 runs in just 33 games this season. That's an average of over 10 runs per game, Mr. Speaker.

I am extremely proud to represent Gordon County and Calhoun, Georgia, in the 11th Congressional District, and I couldn't be prouder of the Calhoun Yellow Jackets for capturing their fourth State championship title.

Congratulations, Calhoun. Best of luck to all of the seniors who are graduating this year.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. FUDGE. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks into the RECORD on this topic.

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

There was no objection.

Ms. FUDGE. Mr. Speaker, I appreciate the opportunity to anchor this Special Order hour on health care for the Congressional Black Caucus. Currently, the Congressional Black Caucus is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California.

I would now yield to our chair, the Honorable BARBARA LEE.

Ms. LEE of California. Thank you very much. First, let me thank my friend and colleague, Congresswoman MARCIA FUDGE of Ohio, for anchoring tonight's Congressional Black Caucus Special Order on the immediate benefits of health care reform. Also, let me just thank and salute Congresswoman FUDGE for her consistency and her commitment to hold these Special Orders so that we can bring attention to some of the most pressing issues confronting our country that often don't really make the headlines. So I would especially like to thank Congresswoman FUDGE for leading tonight's Special Order once again on the immediate benefits of health care reform and for continuing to keep our caucus focused on addressing the key issues facing our Nation. She has many, many of the same problems and issues in Ohio as I do in California, as all of the members of the Congressional Black Caucus have, whether we come from rural districts or urban districts. I just

want to thank you very much for your leadership and for once again sounding the alarm.

As chair of the 42-member Congressional Black Caucus, I rise tonight to talk about the health care crisis in America and to inform the American people about our actions and agenda working with President Obama, Speaker PELOSI, Leader REID, and what we're doing to make us a healthier and stronger Nation.

Since Teddy Roosevelt almost a century ago, President after President has sought to deliver health care for the American people, but to no avail. This year, under the leadership of President Obama and Speaker PELOSI, the United States Congress took a major step toward delivering on the promise of health care for all Americans in a comprehensive and fiscally prudent way.

This is a very important investment in the health and wellness of all Americans. For too long, quality and affordable health care, which I believe is a fundamental human right, was way out of reach for far too many Americans and was really the province of the wealthy or those who were fortunate enough to have a job that provided health care benefits.

It was a very long and arduous struggle, but I am pleased that we continued to push to reform our health care system. It took clarity of purpose. It took moral authority. It took determination and commitment of President Obama, the brilliant and focused leadership of Speaker NANCY PELOSI and Senate Majority Leader HARRY REID, and the will of the majority of my colleagues in the House and the Senate, but most importantly, the will of the American people to make this a reality. Together, we fought against the insurance industry to say that we will no longer, no longer mind you, be held hostage to the denial of benefits for those who continue to pay their premiums. We won't be held hostage any longer to escalating health care costs.

Just as Social Security was in the 1930s and with the passage of Medicare and, of course, the civil rights and the voting rights acts of the 1960s, the passage of health care reform is a defining moment of our era, and I am so pleased that this happened on our watch.

As I cast my vote, I was thinking of all the people that I see in the emergency rooms and in the hospitals when I'm there with my 86-year-old mother or with my sister who has multiple sclerosis. They have health care, but I worry so much about the people that I see who don't have health care and who are just struggling to survive and who land in the emergency room because they don't have primary care.

As I cast my vote, I was thinking of all of those who died, mind you, because they didn't have preventive care and they couldn't see a doctor and they died an early death.

I was also thinking about my children and my grandchildren and future generations of Americans who will now live longer and will now live healthier lives because of the legislation we passed. I am so glad that this happened on our watch.

Members of the Congressional Black Caucus worked tirelessly to ensure that this bill holds insurance companies accountable and included a number of cost-saving provisions. We were vocal advocates for provisions in the bill to combat health disparities, illnesses and diseases that disproportionately affect low-income and communities of color.

This bill is a win for all Americans because it makes us a stronger and healthier Nation. It contains many immediate benefits that Americans will begin to realize before the end of this year. In fact, just last week, thousands of senior citizens trapped into the doughnut hole prescription drug coverage, they began receiving a one-time, tax-free check for \$250. These checks will continue to be mailed over the next several months as seniors enter the coverage gap, with an estimated 4 million seniors receiving this relief. Beginning next year, seniors will get a 50 percent discount on prescription drugs if they are in this doughnut hole.

Additionally, if you are between the ages of 55 and 64 and thinking of taking an early retirement over the next few years—and many in, I know, my age group are thinking about this—but if you're in that age group and if your employer provides extended coverage, we create a temporary insurance program to help protect your coverage and to reduce premiums for you and your employer.

If you currently have private insurance, either purchased individually or through your employer, by September of this year all new plans will be prevented from denying coverage to children with preexisting conditions, dropping your health care coverage if you get sick—I mean, this is mind-boggling to think that you pay your premiums for health care and then the insurance companies can drop it if you get sick. My God, just for that reason alone everyone should have voted for this bill. It will take the lifetime cap on the amount of coverage you can receive away. Also, in addition, new plans will also be required to cover preventive services so that you don't have to pay a copay, and the cost of the service will be exempt from consideration as part of your deductible. This is a big deal.

It will set up an accountable and effective internal and external appeals process to allow you to challenge arbitrary decisions made by your health insurance company. I know my family, myself, my constituents, they get jerked around many, many times by insurance companies. They get put through so many changes. They have to jump through so many hoops just to find that their claims have been denied. Well, no more of that.

The plans on the individual market, we also tightly regulate the use of annual coverage limits and then move to full prohibition of such limits by 2014. 2014 seems like a long time, but it's really not, and so the steps that we're taking between now and 2014 I think are going to immediately help those who need this type of help.

Within one year of enactment, by next March, insurance companies will also have to ensure that they are spending at least 80 percent of the premiums that they collect from the individual market and 85 percent of premiums collected from large group market plans on actual health services. That would, for the first time, guarantee that insurance companies can't raise premiums just to provide huge salaries and bonuses to their CEOs. They actually need to ensure that they are being used to provide health care for people. Most people believe that that's what they're paying for, that's health care, not to provide these huge CEO salaries, and so finally we're going to begin to do the right thing.

If you're a small business owner, let me just say, with less than 50 employees, you will never have any obligation under this bill. You won't be required to buy health coverage for your workers, and you won't pay a penalty if you don't provide health care coverage, regardless of what you heard during the debate. This is a fact. But if you do provide health care and if you are a small business, you will get a tax credit this year up to 35 percent of the cost of your share of the insurance premium. If you continue to provide health care to your employees, then by 2014 you will receive a tax credit of up to 50 percent of your premium contribution. Believe you me, as a former small business owner, I know how important this is. Requirements on businesses that are larger than 50 people do not kick in until 2014.

That's plenty of time to get ready for this. That's when we will actually provide those subsidies to people that might not have coverage and when the national- and State-based health exchanges are officially launched. That's in 2014.

Now, if you're uninsured right now as a young person and maybe you're just looking for a job or between jobs, and if you are younger than 26 years of age and if your parents have insurance, then you will be, of course, added to their insurance plan, and it's like your parents won't have to drop you from their plan until you are 26.

If you are uninsured because you have a preexisting condition—and mind you, we learned during this debate that, unfortunately, victims of domestic violence—domestic violence was a preexisting condition. Can you believe that? Just being a woman had been a preexisting condition until now. That's shocking and pretty disgusting, really.

□ 2015

So, once again, if you have a preexisting condition, nobody, mind you,

no company will be able to deny you your benefits, but you don't qualify for Medicare. If you don't qualify for Medicare or Medicaid, then you will be eligible to buy into a temporary high-risk pool at the State level, which will price coverage at the average going rate in each State. These temporary high-risk pools will continue to offer coverage through 2014, until the subsidies and the exchanges kick in. So there are immediate benefits.

By no means is this a perfect bill—or a perfect law. We're so accustomed to saying "bill." This is a law, and we were working so hard on the legislation. Some people really think that it is hard to believe that this was signed into law, but this is a law now.

No doubt it has flaws. Many of us would have preferred—me personally, I would have preferred a single-payer system. I think my constituents would have preferred a single-payer system or at least a strong public option which we're going to continue to pay for because we have to have some kind of a competitive program so that insurance companies can begin to bring their costs down.

However, this bill offers virtually every important advance for health care that we could make at this point, making coverage more affordable and expanding access to much-needed services. This was a good bill. It is now a good law that will have real impact in the lives of millions of Americans. But it was a foundation. It was just the beginning, so we have to continue to fight and to make sure that any of the provisions that weren't included get included.

I just have to say this in closing: This law does not discriminate between Republicans who don't have any insurance, Democrats who have no insurance or who pay too much for their insurance coverage, or tea party activists, Independents; it does not discriminate against anyone with any political affiliation. Whether your Member of Congress voted for this bill or not, you will benefit from this bill.

Each and every American soon will learn that this is not a government takeover. It is not socialized medicine. And due to the hard work and commitment of Democrats, we will finally bring the United States of America into the column of industrialized nations, mind you, which provide affordable and accessible health care for all. This, my colleagues, I think is a remarkable step in the right direction. And so I have to just thank all of those who voted for the bill and thank President Obama for signing it into law. And I want to thank the Congressional Black Caucus, especially our Health Task Force, led by our physician, Congresswoman Dr. DONNA CHRISTENSEN, who really fought each and every day to make sure that we expanded community clinics, ensured that we begin to close these health disparities in communities of color, that our minority medical schools finally receive

some equity in terms of the ability to train more minority medical professionals. So this was a big deal. It is going to kick in over the years up until 2014, but I think that the American people will see why this was well worth fighting for.

Once again, it doesn't matter whether you're a Democrat or a Republican or a tea party activist or an Independent, or whomever, you will benefit from it whether your Member voted for it or not.

Thank you again, Congresswoman FUDGE, for your leadership. And thanks to the Congressional Black Caucus for being such strong advocates for health care reform.

Ms. FUDGE. Madam Chair, we would like to thank you.

Mr. Speaker, I think that there is probably no one in this caucus who fought harder to get this bill passed. Our Chair, Representative LEE, is one of the hardest working Members of this entire body. She has vision and leadership. And most of all, she has courage.

We want to thank you for being our leader. We thank you very much.

Mr. Speaker, I would now like to yield to my friend who has joined us and has always been a consistent voice for the people of this country, the gentlewoman from Texas, SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. I thank my colleague from Ohio very much, and I am delighted to be able to join her, and as well my chairwoman of the Congressional Black Caucus and other Members who I know have a great interest in this area of reminding the American people of the great strides that we have made in the passing of this outstanding new attitude for health care in America. It is long overdue, and it was an enormous struggle.

I can remember that weekend of March 2010 and the week that led up to it and the days that we stayed over on Saturday to gather our resources and to continue to work and to push, working and ensuring that the Senate would bring the bill over to the House so on that Sunday, we could cast a vote for what has to be a monumental change in American life and will go down as a monumental move in American history.

Just a few minutes ago, I had the privilege of listening to our Secretary of Agriculture, Secretary Vilsack, and he reminded us of how diverse America is. Rural America, for example, with all of its needs and all of its specialness—of course, just on the floor of the House, we stood in silence to acknowledge the loss of lives in rural Arkansas in a terrible flooding. And then he expressed the inequity in terms of poverty in some of our rural communities and the need for investment in that community. And I would venture to say that alongside of that investment, this health care bill, which as our chairwoman just said, it is not respective of region or what party you're in or who represents your district; you

will have access to health care. That means that many of the rural Americans, some of whom scratch their survival out of the earth, some of whom are still tenant farmers, some may have small family farms, and many of them have sacrificed to invest in those farms and have probably ignored the need for health care because of the cost. Now we have that opportunity to ensure that those Americans, hard-working Americans who put bread on our table, have the ability to provide for their family.

The Secretary made mention of the fact of the First Lady's commitment to, in essence, stamping out obesity, particularly in our children. This health care bill provides for preventative measures, preventative care, and a focus on nutrition and an emphasis on helping children, something long overdue. And it compliments the First Lady's effort and the Secretary of Agriculture's acknowledging that we must have healthy foods, for example, in our school cafeterias to make healthy children. But at the same time, it is important to note that that child who may be obese as we speak should have access to some form of health care.

Now, with the passage of this health care bill, that child will have that opportunity to have a better life, a healthier life, to have a nutrition plan—we don't like to call plans for children diets, but a good healthy nutrition plan that can be governed by their family practitioner now or their pediatrician, to which they will have access, either through the National Exchange or through health care that now this family farm or their family can purchase.

Just a week or so ago, during Memorial Day week, I had the privilege of announcing a \$1 million grant that was to allow an inner city hospital—the only African American hospital in the State of Texas, and one of very few in the Nation—to receive a grant to servicemembers and their families, active duty servicemembers and their families for PTSD, post-traumatic stress disorder. We know that is a prominent and prevalent condition that many of our soldiers are coming back from Iraq and Afghanistan and have been impacted by that.

But what about mental health and the need for mental health care across America that people who have had mental health concerns have literally suffered because we never had parity in our health care insurance coverage? It has never been required federally until recently. The legislation, of course, shepherded by the late Senator Ted Kennedy, and our friend and colleague, his son, PATRICK KENNEDY. But for so many years, we did not have mental parity; insurance companies could ignore it. Just think if you would ignore the servicemen and their families who are impacted by post-traumatic stress disorder.

Well, many Americans feel isolated with mental health concerns and not

being able to access good care. This health care bill turns a corner on mental health care, and I want to say to the American public that physical illness has no position to be raised up over a mental health condition. There should be no stigma, and you should have access to as good a care for a physical ailment, a broken arm, an upset stomach, diabetes, kidney disease, terrible diseases, of course, but you should equally have access to mental health care. Well, this health care bill allows that to happen, and I think that that is a step forward for the American people.

It's good to note that families who have raised children who are now entering the work world or looking for work and coming out of college, used to be an enormous burden of, how do I care for my child when they have aged out of my insurance? Well, now we have the opportunity for them to remain on the insurance until 26. But let me give an admonition—and I think this is going to be important for the Congress to do. In the legislation, there are several oversight provisions in the bill—in fact, our own Congressional Black Caucus, working with Congresswoman EDWARDS and some others, were very insistent on making sure that the raising of the cost did not inappropriately or unfairly burden middle class, upper middle class Americans, just by the nature of who it falls on.

But the other aspect of it is, the rumor is that if insurance companies are required to keep children on until they're 26, that ugly word of "increased cost" is going to rise. What I would say is that we need to pay attention to the actuarial tables and the database that suggest how many times a 26-year-old or under utilizes health care and not let insurance companies just willy-nilly on their own regard, on their own basis make the determination, well, they're giving me something to do, I'm going to raise the cost, because that's what people are afraid of. We have to say to the American public, we're going to be your watchdog in the United States Congress and ensure that that doesn't happen.

Let me also take note of the federally qualified health care clinic. I'm excited about that. I debated this some years before when we were talking about trying to put more funding into the legislation to increase the number of federally qualified health clinics even before this health care bill because for a long time, these clinics were not even known about. But the idea to be able to walk out your front door and walk down your block and go to a health care facility that is not an emergency room will make an enormous difference on the healthiness of Americans, preventative care.

Right now I am, in my community, assessing different locations in my congressional district that a federally qualified health clinic would be suitable; the population, the partnership, 501(C)(3)s, and petitioners who would

want that to be in their neighborhood. I'm excited about it. And I'm excited about the Martin Luther King Center. That is a health clinic that I helped fund so many years ago when their doors were about to close. They are not only open today, but they have sprung two more Federally qualified clinics in order to be able to serve the public. This is a good investment.

As was indicated earlier, our small businesses will finally be able to spell the word relief, r-e-l-i-e-f. They will be able to say, I will be able to not only pay for the owners, but my employees will be able to get insurance, and that is a great mechanism. And we should not let anyone, in essence, dump on our parade. We should not let anyone miscalculate or mischaracterize, if you will, how much of an impact the small business tax exemption will be for those small businesses to allow them to be able to provide health insurance for their employees.

□ 2030

Small businesses are the backbone of America. They are probably the largest employers of the American economy. They want to provide insurance for those mothers and fathers who work for them every day, who are committed and dedicated—sometimes they are mothers and fathers with family businesses—and now they will be able to do so, and I believe that is very important.

The doughnut hole was the most horrific vote that was taken here in the United States Congress some years ago, which was for Medicare part D. We lasted on the floor of the House until 6 o'clock because our friends on the other side of the aisle could not get a vote until they squeezed it out of some of our colleagues. It was horrific. For those who don't understand it, it means that you pay for your prescription drugs, which are going through the roof, until you, as a senior, fall in the hole because you've gotten a catastrophic illness, and they will wind up paying for you. What an atrocity. We're going to close that hole in the next 2 years.

As well, right now, seniors should be receiving \$250 checks in their hands. We recognize the undermining of your health care because of Medicare part D. First of all, it was unrealistically expensive, and certainly, it was a plan that we Democrats have indicated was a wrong-headed decision. Obviously, we have been proven right. Part of our deficit, which was spoken so loudly about by the other side of the aisle, was caused by Medicare part D, and the large majority of our party, our caucus, voted against it. Really, it was a wrong-headed direction to take.

Here is another negative that the naysayers would say: well, you can hardly get into doctors' offices today. How are you going to get into their offices now? They're standing in line. I'm afraid that I'm not going to be able to see a doctor.

They were scaring seniors with that kind of information. Well, I think that when people are inclined to serve, there is a great deal of love and affection for the medical profession. Yet one of the reasons we don't have the numbers is that we have not been able to give people opportunities. It is very expensive training, so we will be engaged in providing resources to train nurses, nurse practitioners, and physicians. We will actually have resources to give young people who want to go into that profession.

I spoke at the High School for Health Professions in my district. They have a diverse student body, but many of them are not going into the health profession. Yet many are, and more would if they had the resources to do so. So we are excited about that.

As I focus on closing on some of these points, let me quickly bring something in that you might not think is related to the health care bill, but it is. The BP oil spill is plaguing the gulf coast. More importantly, there is human devastation, if you will. There is the devastation of not working in the shrimping, fishing and oyster industries. There are some energy industry workers who are now not working as well. All of those individuals were probably living off their salaries or off the revenue that they brought in day to day and month to month. I would imagine that some of those individuals did not have health insurance. They might have even been paying a fee for service because they made choices of putting money into businesses as opposed to into health care. Well, now we have an opportunity for these individuals, if they are at risk, to either go into a high-risk pool or to prospectively be able to go into a health exchange to be able to get the most cost-effective health insurance that they might be able to get.

With that in mind, I would like to indict, if you will, those States for refusing to get into the health exchange program, like my State, which has the highest number of uninsured, as evidenced by Dr. Oz, who came to Houston, but also as evidenced by the data that says that Texas needs opportunities for people to be insured. So I would hope that we would have the kind of energy and excitement around this idea of the health exchange so that States would have to engage in it because the people would rise up and would say that they wanted it.

Of course, under this bill, hospitals which have been facing increasing costs with no compensation now will have the opportunity to be paid for uncompensated care. We hope those numbers will go down now because, obviously, if they go down, it will mean more people will have gotten their own insurance; but just in case, these hospitals will have that.

I want to close on these last two points which I think are unique to the Congressional Black Caucus. One is to express great applause to the CBC

Health Care Task Force with Dr. DONNA CHRISTENSEN and to the Tri-Caucus health effort, because out of that effort came the very important language on disparities or on the continuing work on disparities that we see amongst our minority population, such as with regard to diabetes, kidney failure, heart failure, and such as with regard to devastating breast cancer. These are elements that are clearly as a result of disparities that were not addressed, and I think we will see more opportunities for clinicals where minorities will be used so we will be able to find causes and will begin to find cures for some of these devastating diseases in the minority community.

Lastly, our work is yet unfinished. I worked very hard on the issue of physician-owned hospitals. Many of us thought that the passage of the bill was worthy of our looking down the road and of our making sure that we would cure that problem. It is a serious problem because these hospitals were stigmatized as hospitals that were all for-profit and not for service. I know for a fact that the hospitals that are in the State of Texas which hire or which have at least 40,000-plus employees are serving their constituents with OB/GYN and with full service care. One of the hospitals in my district was the only hospital that had a wing dedicated to H1N1 when it was rampant here in the United States.

I am looking forward to the leaders of these hospitals having the opportunity to come back to Washington to sit down with our leadership and to talk about making sure that these hospitals are not discriminated against as it relates to Medicare reimbursement. Some language allows that to happen in the bill, but it is a very peculiar formula that may not match all of the needs of the constituents who need to be taken care of by these hospitals.

So I thank the distinguished gentlelady from Ohio for her constant leadership. She has a great medical community in Cleveland, a community that certainly was engaged in this process of putting together this very, very strong health care reform bill, historic in its own efforts; and I thank her for her leadership.

My final words are: it is never easy to make hard decisions. We said that as we debated and as we compared this to the 1964 Civil Rights Act and to the 1965 Voting Rights Act. There were many in their home districts who threatened them for taking that vote. Where would America be today if we had not taken the strides to break down the shackles of discrimination to allow all Americans to vote? I hope and I pray and I believe that we will have the same opportunity to look back on history in 2010 and will be able to say how we have changed the lives of Americans and how we have saved the lives of Americans.

With that, I yield back to the gentlelady, and I thank her again for her leadership.

Ms. FUDGE. I thank you.

Mr. Speaker, I just want to again thank my friend and colleague, Representative SHEILA JACKSON LEE, for her insight and for her knowledge, obviously, of the bill as well as for her ability to connect with the American people.

I thank you for joining me this evening. It is always my pleasure.

Mr. Speaker, again tonight, we are going to focus on the benefits of the health care reform that Americans are experiencing today. When it comes to health care reform, what is now called the Patient Protection and Affordable Care Act, I truly believe history will show those of us who supported it did the right thing, and we are already seeing evidence that our courageous act is positively impacting Americans.

I am extremely proud that Congress took the task of closing the doughnut hole for seniors. The doughnut hole has, in many instances, become the black hole because, for some seniors, the uncovered prescription costs never end. Fortunately, that is about to change. Beginning in 2011, seniors in the doughnut hole will receive a 50 percent discount on prescription drugs. By 2020, the doughnut hole will be completely closed. I know that many seniors cannot afford to wait. To ease the burden, Medicare recipients will automatically receive onetime \$250 checks to help them with prescription costs. Some of those checks have already been received. I know that this is a modest step, but it is the beginning of our commitment to improve Medicare for our seniors, and I am very happy to see that it has started helping some of the 97,000 seniors in my congressional district who receive Medicare. Making prescription drugs more affordable for seniors is only one of the many benefits for seniors included in the recently enacted health reform law.

Other benefits for seniors include free preventative care services. So, if you need screenings or if you want your physical examinations, all of those things become free, and all of those things become free under Medicare beginning in 2011. Extended funding for Medicare is going to be there through 2029. There is going to be increased access to doctors, and we will have expanded home- and community-based services to keep seniors in their homes instead of in nursing homes.

I am also pleased that Americans without insurance and those who have been denied insurance due to pre-existing conditions can now sign up for immediate access to health coverage. This will be done through a temporary high-risk pool until the exchanges are up and running in 2014. This will be a great relief for Americans.

Small businesses are receiving tax credits to assist in providing employees with health coverage. As a result of the health care reform, the Federal Government now offers tax credits of up to 35 percent of the employer premium contributions for those small busi-

nesses that choose to offer coverage. Beginning in 2014, those tax credits will increase to up to 50 percent of employer premium contributions.

Beginning in September of this year, of 2010, just in time for the start of the fall semester for college, young adults will be able to remain on their parents' insurance plans until age 26. The best part is any young adult without employer-provided insurance will be able to remain on their parents' insurance plans up to age 26. The young adults need not be enrolled in college. He or she does not even have to live in the same State as his or her parents. Parents only need to contact their health insurance companies to enroll their children.

Also, our young adults, including former foster youth, will be able to pursue their educations and start their careers without the fear of unexpected medical bills hanging over their heads. Finally, these young people will have access to medical care without fear that they will have bills they cannot afford.

Further, Mr. Speaker, in September, we will also respond to the needs of younger children. Beginning on September 23, the unfair and discriminatory practice of denying children health care due to preexisting conditions will end. No more will insurance companies determine that children who face medical hardship don't deserve affordable health care. No more will private industry decide which children deserve care and which do not.

I held multiple town halls on health care prior to the passage of the bill, and I was moved by the many stories I heard. One in particular came from a father who was barely able to afford health care for his son who suffers from sickle cell anemia. The insurance company found sickle cell to be a pre-existing condition, and as such, the only insurance he could find was astronomical in price. He could not afford it. I am proud that this Congress remedied the situation for this father, who only wanted to give his son a shot at a healthy future.

On September 23, insurance companies will be banned from capping the amount of money they will spend on a patient's care. One of my constituents, whom I will call Mary, is especially excited about this particular provision. Mary has been paying for health care insurance, as well as for catastrophic health care insurance, for many years. She does this in case she hits the lifetime limit. She saw her own brother, who has brain cancer and no health insurance, inundated with medical bills well in excess of \$60,000. She lived in fear that that might happen to her, so she wanted to be sure that she was prepared. Just out of fear that an unpreventable or unexpected illness will force her into financial hardship, she prefers to be safe rather than sorry. Mary has maintained a policy with a \$25,000 deductible—yes, I did say a \$25,000 deductible—just to be sure she

doesn't fall into medical bankruptcy. For her, the countdown for September 23 can't come soon enough.

Beginning on October 1, there will be increases in funding for community health centers to allow for nearly doubling the number of patients served over the next 5 years. For those in Ohio, you can find a community health center near you just by calling 211. There will be scholarships for medical students. There will be new scholarships for loan repayment programs that will be available for doctors, for nurses and for other health care providers who work in underserved areas. To those listening in the 11th District at home, to find a scholarship, visit National Health Service Corps' Web site at nhsc.hrsa.gov. Again, that is nhsc.hrsa.gov.

□ 2045

Next year, in 2011, a public option for long-term care insurance will become available. Further, in 2011, insurance companies will be required to spend 80 to 85 percent of all premiums received on patient care or provide a rebate to customers. Insurance companies can no longer just take inordinate sums of money and put them in their pocket and have nothing to show for the care that they have given to the people who have paid these premiums. Now they must spend at least 80 to 85 percent on care. In 2011, Medicare patients will receive free preventive care.

As President Obama rightly noted, passing health care reform is just the first step. Implementing it in an effective, accountable way is now the challenge and our goal. I am honored and privileged to have voted for health care. We need to remind ourselves reform was necessary and why we fought so hard to insure all Americans.

I want to share the story of a constituent who was diagnosed with cancer when he was almost 15 years of age. This young man—we will call him Steve—should have been worrying about getting his driver's license or what he was going to wear to the homecoming dance or excelling in school. Instead, he was concerned for his very basic survival. Steve and his family were told he only had a 15 percent chance of living because he had a softball-sized tumor which had grown in his ribcage and into his spine. Luckily for Steve, he lived in the Cleveland area. He was being treated at Rainbow Babies and Children's Hospital in Cleveland, which is one of the leading pediatric hospitals in the world. Rainbow Babies is a world-class facility and cares for patients around the world.

The doctors, nurses, and support staff at Rainbow worked miracles on this young man. He had intense chemotherapy and spine surgery, which shrank and ultimately removed the tumor. His bones, which had been eaten away by the aggressive cancer, were replaced with titanium rods. And he started on an 8-week path to learn how to walk again, a remarkable feat

which, at 15 years of age, is something that few would have the emotional and mental maturity to handle, let alone the physical capacity.

Despite the expert care, continuing radiation, and chemotherapy, it was not enough to prevent the relapse that occurs to a majority of patients diagnosed with this cancer. Within 4 months, Steve had to repeat the process of removing yet another tumor. The tumor was removed by Rainbow Babies. Thankfully, this particular type of cancer did not return.

Steve would go on with his studies and graduate high school and stay close to home and go to John Carroll University in University Heights. His life was starting to get back on track, especially for an 18-year-old. He was still worrying about school but adjusting to college life and figuring out what it means to be a young adult. But just as Steve had started his new life, he received devastating news. He was diagnosed with a new and different type of cancer called acute myeloid leukemia, or AML. AML is a blood cancer that required him to have a bone marrow transplant. An anonymous donor and doctors at Rainbow saw him through a successful operation. And thanks to them and the resilience of his family, Steve is now a robust young adult, physically and mentally ready for the challenges that come to college students.

The story of Steve's resilience and his doctors' skill and persistence is a heroic one that can serve as inspiration to all of us. But what makes this story most notable was that much of it was done without the basic protections that should be guaranteed to minors by health insurance.

Steve had exceeded his lifetime insurance limit during his third bout of cancer and, as a full-time student, he was ineligible for his parents' insurance. Steve sums up his own feelings about health care reform with this quote. He says, If you voted for the health reform bill, thank you, because for other kids, teens, and young adults like me, you solved two problems this year: one to prevent insurance companies from having lifetime maximums, and allowing young adults and teens to remain on their parents' coverage until age 26, even if they are not enrolled in postsecondary education.

A story like this, Mr. Speaker, will never need to be repeated again in this Chamber, and that's because of health care reform. I am, again, proud to have been one of the persons who voted in this House to save the lives of so many.

With that, Mr. Speaker, I yield back.

LESSONS FROM THE PAST

The SPEAKER pro tempore (Mr. MURPHY of New York). 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. It's a treat to be able to join my colleagues this evening as we

take a look at, once again, some of the fundamental questions that we face as a Nation: the questions that center around our budget deficits, the world economy—particularly unemployment in America—and the various policies that are involved in some of these questions. These are things that have absorbed the attention of our Nation now for some period of time because the economy has been very tough. There are many Americans that are hard workers that are out of work, and the condition of our country overall, even particularly various States, is troubling at best, and dire probably would be more accurate.

I think that it's appropriate sometimes just to look back a few years to see where we have come from and also to develop a little wisdom from the past and the lessons that we can learn from the past. I have chosen just to jump in at a particular point, an interesting point in history that I think a lot of people don't know. This isn't really old history. This is things most of us have lived in our own day.

This was September 11, just 2 years after the attack on the Twin Towers, September 11, 2003, the situation chronicled by The New York Times, not exactly a conservative oracle, yet accurately reflecting a proposal, in fact, a plea, from President Bush. This is what the actual text of the article says: The Bush administration today recommended the most significant regulatory overhaul in the housing finance industry since the savings and loan crisis a decade ago.

This is 2003. This is not 2008, when the housing crisis came crashing down upon all of our ears and destroyed the stock market and our economy. It says here: Under the plan disclosed at the congressional hearing today, a new agency would be created within the Treasury Department to assume supervision of Fannie Mae and Freddie Mac, the government-sponsored companies that are the two largest players in the mortgage lending industry.

Freddie and Fannie, for people who have just gotten a little hazy in their memory, of course, were quasi-governmental. They were really private companies, but they were created with almost the implicit assumption that if anything goes wrong, the Federal Government will step in. And what was going on was that going back even before 2003, you had Federal policies. This is closely tied up with the ACORN organization and our President. You had Federal policies that said that banks had to give loans to people who were a very poor risk. There were certain areas of the country where it was very hard to get mortgages and for individuals to buy a house. We felt that home ownership was a good thing, in general. And so the banks, the Congress decided that the banks should be required to make loans to people who may not be able to pay those loans.

So what you have here is social engineering. It reached its height almost

under President Clinton in his last year. And he changed the percentage, saying that the banks have to up the percentage of loans which, by most other economic standards, would be just considered risky or poor loans. Well, what happened was the different bankers and other people who sold the loans took these loans and offered people money to buy houses, even though their credit or perhaps the job they had showed that they could not support that rate of mortgages and mortgage payments. So they sold all these things. But guess who picked up the tab? Well, it was Freddie and Fannie. And Freddie and Fannie got into a huge business of underwriting people's home mortgages, and this grew and grew and grew.

Well, by 2003, even while we were in the height of the real estate boom and it seemed like housing prices were doubling every few years, Freddie and Fannie lost a few billion dollars or so, or a lot of millions of dollars, and that reflected the fact that Freddie and Fannie, in the President's estimation, were in trouble. So the President wanted more authority from Congress to regulate Freddie and Fannie, who were largely private, and the President had no authority to do that. So he is requesting authority.

The response of the Democrats—in this case, particularly the top Democrat in the House at the time was Representative FRANK. He said these two entities, Fannie Mae and Freddie Mac, are not facing any kind of financial crisis. The more people exaggerate these problems, the more pressure there is on these companies, the less we will see in terms of affordable housing.

Now, of course, 20/20 hindsight, you look back and say, Well, yeah, this isn't a very smart thing to have said because Freddie and Fannie were in huge trouble. They continue to be in huge trouble. They're extended way beyond what they have any means to pay for. They've got lots of debt that they shouldn't have. So there is a huge problem with Freddie and Fannie. But Freddie and Fannie were very popular here in Washington, D.C., because they had hordes of lobbyists with many, many thousands and hundreds of thousands and millions of dollars which they gave out to political people in Washington, D.C. So Freddie and Fannie were very popular, and it was quite a number of people, particularly Democrats, said, No, there's no real problem with Freddie and Fannie.

As we know, Freddie and Fannie did have a problem and they're in a tremendous crisis. As that crisis developed, what happens is not only does ACORN and the social engineering threaten just the housing market, but it affected not only just our economy but the entire world economy and created this crisis which started in housing but, unfortunately, did not stay contained just to the housing market.

So we see the beginning of the economic problems that we're experiencing now started with ACORN, started in the housing market.

Now, there are people who say sometimes that this is evidence of the failure of free enterprise. I bristle a little at that because this is not a failure of free enterprise. This is a failure of government social engineering. The loans that didn't work, I suppose that those loans were made in the name of compassion, although I don't know what is compassionate about asking somebody to take a loan and giving them a loan that they can't afford to pay and slowly they get farther and farther behind in debt and eventually get evicted from their house. That doesn't seem, to me, very compassionate.

Anyway, it was this social engineering that got us into trouble. People could not afford to make these loans. And for a while there it got to be a pretty good deal, because you could get a loan where you wouldn't have to make any payments for a couple of years. You could buy a house for \$300,000, make no payments for a couple of years, sell it just about the time you're going to have to make this huge, big mortgage payment, and double your money. That worked okay for a while until the bubble popped. Anyway, we start to get into serious economic problems.

Now, as that continued, it affected other parts of the economy. As people are aware, we had the great big TARP or the big bailout of \$700 billion, something that I did not vote for and many other conservatives did not vote for. We believed that that problem could have been solved by changes in accounting rules, but I won't go into the details of that. Following that, then, is President Obama is elected, recognizing there were some difficulties in the economy. We had unemployment that was getting up there, 7 and 8 percent unemployment. At that time, the President came in and told us that we needed a big stimulus bill.

Now, I have to say that many conservatives are skeptical about "stimulus" bills. Just the premise of the whole idea is flawed.

□ 2100

The government cannot stimulate really the economy; the government can only just create an environment where the private sector can be productive, can produce jobs, can create wealth. But the government cannot create wealth, and it cannot really stimulate. It can only simply take money and spend it.

So this stimulus bill was put together at about, not \$700 billion like the big bailout for Wall Street; this was an even bigger bailout of about \$800 billion. This is what we were told before the bill was passed: Our stimulus plan, this is the Democrats speaking, will likely save or create 3 to 4 million jobs; 90 percent of these jobs will be created in the private sector,

and the remaining 10 percent are mainly public sector jobs. This is President-elect Obama January 10, 2009. And then the Romer Report estimated unemployment without stimulus is 8.8 percent in 2010. So, in other words, we were told, If you don't pass this stimulus bill, what is going to happen is you are going to get unemployment that is going to go as high as 8 percent, so you need to hurry up and pass this big stimulus bill.

Now the stimulus bill was not a stimulus bill. It was an investment in big government. It was an investment in socialism, and it was never going to work. We stood on the floor, I and a number of other Republican colleagues, a year ago and said, This will not work. And it is not because we were geniuses that we knew it would not work; it is just because history shows that this approach is flawed. It doesn't work at all.

So, now as we take a look, the private sector has lost nearly 8 million jobs. They claimed it was going to create three to four in the positive. We have lost 8 million since 2008. The government has gained 656,000 jobs of government employees. A lot of these are temporary Census workers. And in May, only 5 percent of the job creation was in the private sector. In fact, the May unemployment rate was at 8.7 percent, approaching 10 percent. So this stimulus bill didn't work.

Now you could say, how is it you know it wasn't going to work. Well, we know because it has been tried before. It was tried by FDR. In fact, his Secretary of Treasury, Henry Morgenthau, tried this same basic idea. And as a former engineer myself, it is like the concept of reaching down into the loops of your boots and lifting hard and attempting to fly around the room by lifting your own boots.

What they decided to do was, when the economy was having a hard time, with a little bit of coaching from dear little Lord Keynes from England, that what we would do is have the government spend a ton of money, and when the government spent this money, it would get the economy going. It would, quote, stimulate it, and get us back onto a sober track. Well, of course, that is pretty appealing to politicians because you get to be the guys to hand out all of other people's money in giveaways. That is what the stimulus bill included, a lot of handouts to various State governments so that their pensions could be propped up when the State governments had irresponsibly spent pension money that really wasn't there, and promising all kinds of retirees that they could have a much fatter pension than what the government can afford, that and a whole series of other things.

But this bill was not even a classic FDR kind of stimulus bill because that would have been lots of cubic yards of concrete and hydroelectric dams and also lots of roads and sort of public works projects. This stimulus bill was

much longer in increasing sort of welfare-related type of giveaways, giveaways to various States and butressing and increasing various government handouts. And it was not as long and concrete in those types of jobs.

Be that as it may, we can learn from Henry Morgenthau, if the leading and liberal party in this Capitol can learn from history, but they didn't.

This is Henry Morgenthau going way back to 1939 after the Great Depression, and he appears before the House Ways and Means Committee and he says, We have tried spending money; we are spending more than we have ever spent before, and it does not work.

Now we have read this here on the floor many times, but people in politics don't want to hear it because they like dishing out other people's money.

He continued, I say, after 8 years of the administration, we have just as much unemployment as when we started, and an enormous debt to boot.

It sounds hauntingly familiar; doesn't it? We did the stimulus bill. We created that much more debt, spent \$800 billion, on top of the \$700 billion for the Wall Street bailout; the one was a bailout for big Wall Street firms, the other was a bailout for States and other individuals who spent more money than they should, and so we are supposed to bail them out. How well did it work? Well, Henry Morgenthau said it didn't work. And what do we find? Oh, my goodness, it doesn't work. Our unemployment is higher now than when we spent the money.

So we are saying, okay, is this a failure of free enterprise? No, it is a failure of government to be able to straighten the economy out by taxing people a lot and spending all of their money. That just doesn't work. It may make you popular with the people you give the handouts to, but it does not get the government going. Unemployment, of course, skyrockets.

Now here is the logic of how this thing works. Here is a picture of it graphically. This white line is the private sector level of employment. You can see the drop in employment coming down here in terms of the number of jobs on this axis, and the red line is the increase in government employment. So, as private sector jobs are going down, which means that is where you get tax revenue by people who are making income in their jobs, as the private sector is flat on its back, you see the red line here is government spending for hiring all kinds of different people who work in government.

In fact, some statistics came out the other day saying people who work for the government now on the average are making twice as much as the people working in the private sector. That sounds hauntingly like what is going on in Europe. Obviously, you can't have a whole lot of people working for the government making more money per person than the people in the private sector because pretty soon, there just isn't going to be any more money

in the private sector. Not only will you slow the businesses down that create the jobs, you will kill the businesses dead, and then we will really be going from a recession to more like a great depression.

So here we have the big government Democrat way. We see that this whole plan of stimulating the economy really is a failed scheme. You could say, well, you have your theories; everybody has their theories. But the fact of the matter, we just did this \$800 billion experiment with your money, the taxpayers' money, and it hasn't worked. And the economy has not responded. That shouldn't be anything surprising because in a few minutes, we will get into the logic of how that works and why it doesn't make any sense.

As we continue along after the big proposal for the stimulus plan, we have other major initiatives that the President and Speaker PELOSI and Senator REID have been proposing. The first was this cap-and-tax deal. We saw that last spring a year ago, and that, of course, was to deal with global warming. The theory was, of course, in that, that CO₂ was a very, very bad gas, and it is making the planet heat up at a terribly alarming rate, and we have to reduce the amount of CO₂ that is being created because that is actually going through a feedback loop in our weather system. The CO₂ has a disproportionate amount of leverage and is creating global warming. That is the proposed idea anyway.

If you assume that is true, which as an engineer, I don't believe that is true, certainly the data does not support the radical claims of global warming that we have seen from that community. In fact, we have seen evidence in some of the e-mails of the cheating that was done, where the lab was being fudged and the facts were being skewed in order to make it look like global warming was a bigger problem.

But even if you believed that were true, if you really want to get rid of CO₂, all you have to do is close down some coal-fired power plants and replace them with some nuclear plants. In fact, in America, if you just took 20 percent of our coal-fired plants and changed them to nuclear, it would get rid of the CO₂ produced by every passenger car in America.

Was that what this big old cap-and-tax bill did? No, this bill was huge amounts of government bureaucracy, and it was a huge taxation. It was a big taxation scheme. It was a big power grab by the Federal Government. Would it really reduce CO₂? Probably not.

□ 2110

It just increases the power of Washington, increases taxes. It's of course breaking the President's promise. He said, I will not tax anybody who makes more than \$250,000; and yet this is a tax every time you flip your light switch. So this was one of his initiatives, and he has a whole bunch more. And every

one of these initiatives is carefully crafted, whether they were done intentionally or not I am not saying, but every single one of these things has the effect of further destroying jobs and ruining our economy.

I am joined by a good friend of mine from down in Georgia, my good friend Dr. GINGREY, and we are going to talk a little bit about some of these problems. And then as we start to conclude this evening, we are going to talk about the positive things, the things that can be done to fix this problem. These problems are not things we haven't seen in America.

We have not seen this much gross uncontrolled Federal spending, this much lack of discipline, fiscal discipline in our country any time that I recall. It's been this bad, but that doesn't mean that there aren't solutions and there are things we can do. But we need to do them rapidly and soon.

I would now recognize my good friend, medical doctor and U.S. Congressman from Georgia, a good friend, and a very bright fellow, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I appreciate the gentleman from Missouri for recognizing me. And just looking at some of the slides that he is presenting in regard to the one that's currently on the easel, Mr. Speaker, I encourage all of my colleagues on both sides of the aisle to pay close attention to that, the one entitled "Obama Plan Taxes." And the gentleman from Missouri has already explained the bullet points, cap-and-tax, the carbon taxation, health care taxes, employers' tax if they don't offer a government-approved plan, and medical device manufacturers taxed on the sales price of their products, and then of course the last two, the death tax, tax on inheritance, and capital gains tax.

One that's not on that particular slide, Mr. Speaker, that is really troublesome, of course, is raising the tax on dividends from 15 percent to whatever one's marginal rate might be. And with President Obama planning to let the Bush tax cuts expire, that means all the marginal rates will increase, and the highest rate will go up to 39.6 percent. So individuals in that income tax bracket will be paying not only 39 percent on their earned income, but 39.6 percent in fact on capital gains.

What a job killer, Mr. Speaker, to tell people, you know, you're going to have to pay this much to invest. The stock market is already struggling. Do we want to deal it a death blow? It makes no sense whatsoever.

I wanted to, if the gentleman would allow me, and I know we will engage in a colloquy back and forth, but Mr. Speaker, I did want to mention one thing. Maybe it's already been said this evening, but I don't think it can be said too much, and that is the President reneging on his promise to the American people in regard to health care: if you like your health care plan you can keep it, until you can't keep it.

Mr. AKIN. I don't think he added that little piece, did he, until you can't keep it? You can keep it. He didn't add, "until you can't keep it."

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman was absolutely right. That was Phil Gingrey's addition to the quote, the President's quote. But what I mean by that, of course, is the fact that under the Medicare Advantage program in particular, a very popular way of receiving health care for our Medicare population, fully 20 percent of the 45 million people who are on Medicare in this country, 20 percent of them choose Medicare Advantage because the advantage is there, the advantage to be able to get an annual physical examination as part of their Medicare benefits, the advantage of being able to have a screening done for a lot of diseases—I am talking obviously about screening for breast cancer, screening for colon cancer—without any copay required. The coverage in many instances of prescription drugs for folks so that they don't have to buy supplemental at about \$130 a month, Mr. Speaker.

The President under ObamaCare and the Democratic majority have cut those programs 17 percent a year. And I know my colleague from Missouri knows this. It adds up in the aggregate over a 10-year period, Mr. Speaker, of a \$130 billion cut to the Medicare Advantage program, 17 percent a year.

Now, when we started this debate, it was implied, maybe correctly, that Medicare Advantage insurance companies that ran these programs for our seniors got reimbursed on average 14 percent more than traditional fee-for-service Medicare expenditures on an annualized basis. Well, why cut it 17 percent if they were getting 14 percent more? If your argument is let's cut the fat out of Medicare Advantage, you cut the fat. And then you are down into the muscle and the gristle and the cartilage, right down almost to the bone.

And in the final analysis, what it means, Mr. Speaker and my colleagues, is that Medicare Advantage cannot survive. There is no way. And that means that these people, these 20 percent, 11 million of them, many of them in my 11th Congressional District of Georgia, northwest Georgia, are on the Medicare Advantage program, they are going to lose that coverage. It's as simple as that.

And I yield back to my friend. I thank him for allowing me to join him this evening.

Mr. AKIN. I appreciate it, Doctor. Certainly as a medical doctor you have been looking very closely over the last year at one of a whole series of these taxes. These things effectively work as taxes. Let's just take, if you will, health care out of the equation, whether people are healthy or get good health coverage.

The point of the matter is that this cap-and-tax is a huge tax that the House passed on the use of energy, which affects anybody who uses energy. You don't have to be very well-

to-do to have a pickup truck and have to drive a long way to a job, and you spend a lot of money in gas or some type of energy. So this is a big tax on energy. This is a big tax on health care.

There is going to be a huge, huge amount of taxes. They tried very hard to make it look like this is a trillion-dollar increase in taxes, and the numbers continue to come out that it's a lot more than that. So there's another tax. And then you have got the death tax, as you mentioned; you have got the capital gains dividend tax, which is one of the main things that helped get the economy going before.

All of these things are boomeranging around, and you finally, when you get done with the whole thing, you end up with a cartoon that some humorous fellow put together here: "Now give me one more good reason why you are not hiring." And you see these bulls coming into the china shop; and you have got cap-and-tax, or cap-and-trade, the health care reform, which is, of course, the biggest, probably the worst, bill we have seen; and then of course the various other taxes that are coming into this. And he says: "Why are you not hiring?"

And of course what's happening is we are doing two things, basically, in the economy. It's very simple. We are spending a whole lot of money, and we are taxing a whole lot. And, historically, that's exactly the wrong thing for us to be doing. And you have all of these taxes, and of course people don't even begin to realize how much that socialized medicine program is going to cost. Other nations have tried it. It's a total budget buster, even though it ruins the quality of health care as well.

Mr. GINGREY of Georgia. If the gentleman would yield, Mr. Speaker. I thank the gentleman for yielding. If you would leave that cartoon up there just for a second longer. I love that cartoon. It really portrays what's been going on under this administration and the current majority party in Congress.

I mean, this bull in a china shop approach, as this cartoon so adequately depicts, it's like rushing into a situation in a clumsy, haphazard way when the situation that you are going into is very fragile. And it deserves wisdom, and judgment, and temperament, and a measured response so that you don't go in and break all this valuable, fragile china. And the analogy of course would be our economy.

And when you think about some of the bulls that came charging in, what comes to my mind, Mr. Speaker, my colleague from Missouri, would be something like the economic stimulus package of almost a trillion dollars that has grown a lot of government jobs, most of them census workers, but very few jobs in the private market. The charging in there with the TARP bailout, \$800 billion. We are going to buy up all these toxic assets, these credit default swaps and all of these

things that none of us really understood when we first started discussing this and how fit Freddie and Fannie had packaged all these mortgages and a lot of them with their very poor credit and not worth a whole lot.

□ 2120

So we were going to buy the TARP. It stands for Toxic Asset Relief Program, and not one toxic asset to this day, and it's been a year and a half since that bill passed, has been purchased.

What we did, we started doling out the money to the nine largest in the country, said. Here, take these hundreds of billions of dollars even if you don't want it; and the poor community banks in my community and your community, the gentleman from Missouri (Mr. AKIN) and other colleagues, all 435 of us, you know, we see struggling, and yet nothing is done to this day to help them.

Again, I thought that slide was a very appropriate segue for me to show, you know, all of this bull-in-a-china-shop spending instead of cutting the deficit.

Mr. AKIN. I'm going to get to that, but one of the things when you do what you're talking about, that bull-in-the-china-shop mentality of just spending money out of control and it's a bailout for big businesses, bailout for Wall Street, bailout for various States, bailout for individuals that didn't save money and we're going to give this and this and this, when the government starts getting into the bailout business—of course it's choosing winners and losers—there are lot of people that are not getting any bailout. They're being expected to pick up the tab for other people's financial errors.

What happens is you start spending all this money, of course if you're running any kind of a responsible operation, you've got to have some sort of a budget saying, you know, how are we going to make this all work, because pretty soon you're going to start giving away more money than you have. In fact, I think somebody was quoted one time saying, the trouble with socialism is pretty soon you run out of other people's money.

So budgets are necessary, and some of our leaders here on the floor, some of the Democrats said they recognize the fact budgets are necessary. The Democrat whip, Congressman HOYER, said the most basic responsibility of governing was a budget. The most basic responsibility of governing. I have to agree with Congressman HOYER. Here's Congressman SPRATT, the head of the House Budget Committee, said, if you can't budget, you can't govern. Those are strong words and they're true words.

Mr. GINGREY of Georgia. Indeed. If the gentleman would yield for a second, and, Mr. Speaker, what the gentleman is talking about here, these quotes from the Democratic whip at the time but now Democratic majority

leader, the Honorable, and distinguished I might add, STENY HOYER from Maryland and Representative JOHN SPRATT from my—well, I lived 20 years of my life, was born and raised in South Carolina, and I respect JOHN SPRATT and STENY HOYER. I think Members on both sides of the aisle—so you're talking about not a couple of freshmen Members sitting on the back bench. You're talking about the chairman of the Budget Committee, who has been in this body and served with distinction probably for—I'm going to guess JOHN SPRATT has been here 25 years or so, STENY HOYER as well, and we respect them. They're intelligent. They're thoughtful Members, without question. You know, we don't agree with them, we Republicans, Mr. Speaker. A lot of times we will be voting opposite, many times we will be voting opposite.

But for these two gentlemen to have those quotes, this really says something, and the gentleman from Missouri is so right. When they say that—and then today it's like, well, we don't have a budget and, furthermore, we're not going to have one because, well, maybe the gentleman from Missouri would like to talk about that. But I think it needs to be discussed, because if you can't budget, I agree with Mr. HOYER and Mr. SPRATT, you cannot govern.

Mr. AKIN. You know, there's a certain point where if you spend too much money and you try and put a budget together, the train is going to come off the track. I think that's where we are, and that's, I think, the reason why the Democrats said, yeah, you have got to budget. We always had a budget when the Republicans were in the majority and we always had a budget here in the House. It didn't always get through the Senate necessarily, but we had a budget in the House.

We're also joined, as you can see, my friend, by another good friend of ours coming from the State of New Jersey, and that's Congressman GARRETT. And, you know, I have to say that the State of New Jersey has been refreshing in the last year or so with their new Governor showing some fiscal responsibility, just giving heartburn to all the big spending people that want to spend that State into oblivion. And Congressman GARRETT is a good friend of ours, a good, solid, fiscal thinker, and I'm just delighted that you've joined us in our discussion this evening.

I yield.

Mr. GARRETT of New Jersey. Thank you. I wasn't going to start off on that road, but it's probably a good one to talk about for just a moment. I commend the gentleman for his leadership on this general issue and being down on the floor bringing an educational point not just to the Members of the Congress who are here or watching back in their offices but the American public as well. So I commend the gentleman.

Yes, I am from the great State of New Jersey, and we have gone through

phenomenally bad fiscal times for the last decade or so in our State that brings us to the brink of economic morass that we're in in the State right now. In one sense, you might say that New Jersey is sort of like a microcosm of the rest of the country, and that is spending beyond its means.

We hear a lot in the news with regard to the great State of California out on the West Coast, and that's simply because the State's so large and the economy is so large. But a lot of the economic funds and the debt limits, New Jersey is actually in a worse state than California is on a per capita basis.

Mr. AKIN. I don't know if that's good bragging rights or not. That's pretty scary.

Mr. GARRETT of New Jersey. New Jersey often says we're number one in a lot of things, and sometimes the things that we're number one in are great but at other times they're not so good, and the debt levels and the responsibilities of the taxpayers of New Jersey to pay them off are quite astounding. And the number that comes to head just as an aside right now is that per family, which is about four people, it's around a hundred thousand dollars, the debt level, if you add the State, counties, and local levels.

Mr. AKIN. So local spending, the average family of four, is a hundred thousand bucks of debt, per family of four?

Mr. GARRETT of New Jersey. Right. And if you translate that into if you wanted to go out and get a mortgage on your house right now for a hundred thousand dollars, at around 6 percent, I guess that would translate to around \$600 a month. So that's what we are all on the hook for in the State of New Jersey.

The Federal Government, of course, goes way beyond that, and I don't have to tell you that, but the Federal Government needs to simply do what New Jersey is doing right now and that is begin the process of living within its means. It's not an easy one by any means. That's why our Governor is making—

Mr. AKIN. What would be the first step in living within your means? Would it not be putting a realistic budget together, perhaps?

Mr. GARRETT of New Jersey. Well, there you go. It would be, and as a matter of fact, as you know, I serve on the Budget Committee and Chairman SPRATT is the chairman of that committee. We had just this past week the head of the Federal Reserve, Chairman Bernanke, before our committee, and we put that question to him. We asked him a two-step process: What are the financial markets of this country looking for today, and why do you have so much unrest in the financial market? And he basically said it is because of all the uncertainty out there—I'm paraphrasing, if you will. And then we said, well, is it a problem that creates uncertainty, then, if the Federal Government does not make transparent exactly what we are going to be spending,

i.e., present a budget? And he basically says, well, that is one of the elements of uncertainty, absolutely.

Mr. AKIN. I guess he was being gentle at least, trying to give us a little nudge in the right direction.

Mr. GARRETT of New Jersey. He was, and I was being a little bit gentle in those areas. I put a chart on the screen showing where we've been over the last several years because, you know, the Democrat majority always says that they inherited this problem and that all the problems that we're dealing with today are all President Bush's fault. And I put up a little chart on the wall showing going back, I guess it was, from 2000 and 2004 and showing what the budget deficits were, and that was the gray chart. I don't have the chart right here. So it was this big, then it got a little smaller and a little smaller, and then it went to the year 2007 and it got about this level, and 2007 and 2008 it goes basically off the chart.

Mr. AKIN. I think I've got that chart, gentleman. Maybe we'll proceed. I have one other chart here I think that's kind of interesting, because we've heard these statements now from the Democrat leadership saying budgets are critical, and as you know, you know the punch line, the decision is we're not going to have a budget. So here you have, this is The Hill, a newspaper. It says, Skipping a budget resolution this year would be unprecedented.

The House has never failed to pass an annual budget resolution since the current budget rules were put into place in 1974, according to Congressional Research Service.

□ 2130

Now, that's a fairly reliable report; at least they can get the history of whether we passed a budget in the House. They said we have always, since 1974, passed a budget, and yet we're not going to pass a budget this year. That's unprecedented.

Mr. GINGREY of Georgia. If the gentleman will yield.

Mr. AKIN. I do yield.

Mr. GINGREY of Georgia. Again, we are getting back to that issue, Mr. Speaker, of not even having an intention to pass a budget. And I thank the gentleman from Missouri for bringing that point out, that this is the first time at least since 1974. The Congressional Research Service is very accurate in the information they present the Members of Congress.

I was thinking about—it's been in the news so much, Mr. Speaker—the Euro zone. Those countries of the European Union, 27 of them—I guess maybe 23 or 24 are members of the Euro zone. They have that common currency. And the crisis that's going on there in regard to, the acronym is PIIGS, but it stands for the countries of Portugal, Italy, Greece and Spain. I'm forgetting one "I."

But in any regard, Greece got this massive bailout of something like \$140

billion, and the Euro zone from the International Monetary Fund with them pledged, I think, another \$750 billion worth of bailout because these countries that constitute that acronym PIIGS, their debt ratio to their gross domestic product is so high. Well, look in your own eye. Don't curse the speck in somebody else's eye when you have a plank in your own, as the Bible says. But that's essentially what we are doing, the United States of America. That's what we are doing. Our debt to GDP is what, my colleagues? You can tell me. But it's close to 90 percent, and by 2020, it will be well over 100 percent, if not 150 percent.

I will yield back to let you all discuss that.

Mr. AKIN. I very much appreciate you bringing that up. Actually, I should pay you a few dollars for helping me get to the next slide because I've got a picture of where Greece and Italy and some of the European nations are relative to the U.S., but I will get to that in a minute.

But I think, just before you joined us, my good friend from New Jersey mentioned the level of this deficit spending. And I think it's important to take a look on a bar graph as to what we're looking at here.

I know that President Bush—and as a Republican, I heard this frequently—he was criticized for spending too much money. And I voted against some of those things and think, yeah, we did spend too much money because we had a deficit. But on the other hand, he argued that we had a couple of wars and a bad economy kicking things off. As you can see, the amount of deficit during the George Bush years here was coming down because of the things that they did by reducing taxes. They had the right formula for getting us going in the right direction.

Here was President Bush's worst spending year, his very far worst when Speaker PELOSI was in charge of Congress, so he wasn't getting any help from the Republicans in the House at that point. This was Bush's worst spending year.

And then you come to the first year of President Obama, and he triples the deficit. From about \$450 or so billion of deficit, we go to \$1.4 trillion of deficit right off the bat in the first year. I mean, this is absolutely skyrocket, smashing, incredible levels of spending.

Mr. GARRETT of New Jersey. If the gentleman will yield.

Mr. AKIN. I yield.

Mr. GARRETT of New Jersey. And you are setting the record straight, but just to elucidate a little bit more on the record as to the process here in the House.

As the gentleman well knows, all appropriation bills, all spending of taxpayers' money originates right here in the House. And who was the person holding the gavel at that time when those spending bills originated from here in the House? Well, it's the gentleman's name who was on the last chart, Chairman SPRATT.

So, on the 2007 year, right down there, that would have been when the Democrats would have been taking control of the Congress. They took control, and so they would have been having the appropriations process that year going forward. And so, realistically, who was responsible for that immediate uptick in the red chart right after that? Well, we didn't have to wait for President Obama to come into office in order to see the control of Congress that changed; that was the Democrat majority. And so although President Bush was still in the White House, where was the spending coming from at that point?

Mr. AKIN. Originated in the House.

Mr. GARRETT of New Jersey. Right here in the House.

Mr. AKIN. So that was this one. But what happens when you put Chairman SPRATT together with President Obama?

Mr. GARRETT of New Jersey. Off the charts.

Mr. AKIN. Here we go, \$1.4 trillion.

Now, there are different ways of looking at this. When you talk about billions and trillions, for poor little people like me, those numbers are very hard to understand or make much sense out of it. But one way to take a look at it is this deficit as a percent of gross domestic product; that is, all of the goods made in America, what is the ratio? This one, the worst, was 3.1 percent of GDP. President Obama's first year here, where you have total Democrat control, one party rule, you've got \$1.4 trillion, which is, as I recall, 9.9 percent of GDP, which is the highest since World War II. So this stuff is unlike anything we've seen before. And this is part of the reason why the Democrat Party doesn't want to make a budget, because they're really proud of those numbers. If those were my numbers, I'd be scared to death. And I think the American public is concerned about that level of spending.

I was going to jump just to a little bit—I mean, we've been very critical of the fact that we're doing two things wrong in this one-party rule run by the Democrats, and that is too much spending and too much taxing. It shows a tremendous faith on their part of what the Federal Government can do in terms of solving problems. They believe that there isn't any problem that can't be fixed with more taxing and spending; that's where we seem to go.

But let's talk about some stuff that's just so basic that many, many Americans understand this, particularly kids in Georgia or New Jersey or Missouri that have ever run a lemonade stand, just to understand a little bit about how businesses go. And so I put together a list of some of the main things that are job killers because the result of too much spending and too much taxing is there is unemployment. So what is it that kills a job? What is the solution to this problem? I'm an engineer. You're a doctor. And gentlemen, I don't recall—

Mr. GARRETT of New Jersey. I'm a lawyer.

Mr. AKIN. A lawyer. This is almost like one of those jokes, you know.

But anyway, what is it that kills jobs? I've talked to my businessmen in my district, and I've heard this over and over: The first thing is excessive taxation. You take a look at the stimulus bill, huge amounts of Federal spending. You've got the socialized medicine bill. You've got the cap-and-tax bill, all those massive tax increases, capital gains, dividends, death taxes, all these, more and more taxation, heavy taxation. And what does that do? It kills jobs.

Well, why would that be the case? Well, if you're a businessman and you're going to get taxed a lot, it takes your money away from investing back in your own business. And 80 percent of the jobs in America are with companies with 500 or fewer employees, and so if that guy that owns the business, he looks like he's a rich guy. Maybe he's making more than \$250,000 a year. You say, let's tax that guy. But if you tax that guy, then he can't put the money back into building a wing in the business, putting new machine tools in it, or whatever the new technology is, and creating the jobs. And so this taxation inevitably works to create unemployment.

The funny thing is the Democrats can't have it both ways; they can't have a war on business and say they're worried about unemployment, because it's businesses that employ people. They act like there isn't a connection between businesses and the people who get hired by the businesses. So if you tax a business out of business, there won't be any jobs. It's not that complicated. So the solution to these things isn't that complicated. You can't hammer the guys that own the businesses with all these taxes.

Of course, the other problem that we've created economically is that the regulations on the banks are so tight that the small businesses are having trouble getting access to capital. There is a liquidity problem, and that's part of the regulation of the banks and the finance industry, which they've also managed to mess up.

□ 2140

Then, of course, economic uncertainty is a factor, which is where people don't know what's going to happen next. What crazy scheme are we going to do next? Well, it means you're going to hunker down, and you're not going to hire people. Then, of course, red tape and government mandates—all of these things—kill government jobs, and we're doing every one of these things. It's like we've declared war but not on radical Islam. We haven't declared war on Iran, on Iraq or on North Korea. We're declaring war on U.S. businesses.

Mr. GINGREY of Georgia. If the gentleman will yield, this slide, Mr. Speaker, the one that's currently on the easel, is labeled—for our colleagues

if you can't see that—"Close Job Killers," and it has the different bullet points.

I think, Mr. Speaker, that the third bullet point, "Economic Uncertainty," may be one of the most important reasons the situation is so bad in our country right now. The gentleman from Missouri referenced kids in New Jersey, in my State of Georgia, and in his State of Missouri who are creating lemonade stands, who are making lemonade. Certainly, the ingenuity of the American people is such that, over the 230-year history of this country, we have made a lot of lemonade—despite being hit with a lot of lemons. Yet that, too, has its limits. When you have excessive taxation, when you have insufficient liquidity, when you have, yes, economic uncertainty, like we have never had in probably 25 years, and when you have red tape and government mandates, you can just make so much lemonade. That's the problem, and it goes back to the slide earlier of the bull in the china shop approach.

Now here, this weekend, all of a sudden, after the President, Mr. Speaker, meets with our Republican leader, Leader BOEHNER, and with Leader HOYER, they're talking about what we can do to cut down on the excessive spending and on all these deficits, the debt. Lo and behold, on Saturday night, out of the blue, having not discussed that on Thursday in the presence of the leaders of this body, President Obama now says we want \$50 billion more, a mini-stimulus if you will, from this Congress in order to shovel it to the States on a temporary basis so we can keep teachers and public defenders and firefighters and all these folks on the job. Yet for how much longer? Then when you pull away and when you spend all of that \$50 billion, who is it on the backs of? Once again, it's on the backs of the States that have to balance their budgets. It is fiscally totally irresponsible.

Mr. GARRETT of New Jersey. If the gentleman will yield, first of all, isn't it amazing that we have gotten to the point where we would say that spending \$50 billion is a mini-stimulus proposal? I know you're doing that flipantly in light of the fact that we have \$700 billion here and \$700 billion there and trillions of dollars by the Federal Reserve, but that is amazing that we've gotten to this point. Perhaps there is so much lemonade that the American public has basically soured on all of this spending that has been going on here.

Not to play the puns any longer, you said earlier that this administration has waged war on business. I guess you could extrapolate that and say they're really waging war on job creation in this country. I think that's issue number one, job creation, because, by waging war against the expansion of businesses out there, that means we're not going to see job creation.

Part of that war is a battle that is going on right now, literally as we

speak. It started on Thursday of last week. It will go on for the next 2 weeks. What I'm talking about, of course, is the conference committee between the House and the Senate on the financial service reform, which is definitely an attack on your second bullet point there—insufficient liquidity.

The bill that came out of the House and out of the Senate, under the majority party, will restrict liquidity; and it will restrict credit in the credit markets across this country. It will do so on a whole host of fronts whether it's through the Federal Reserve activities, whether it's through the CFPB, or whether it's through the regulations of the derivative markets; and I can just go down the list.

What does all that mean to you, to me, and to all the folks back home?

It means it will be harder to go out and get that auto loan. It will be harder to go out and get that home equity loan. It will be harder to go out and get that mortgage so you can buy a new house. It will be harder for that small business that wants to buy a new truck so it can hire one more person to drive that truck to do business. It will be harder for that small business to get a loan to expand its operation. All of those things—a lack of liquidity and the tightening of the credit markets—will hurt business, and it will hurt job creation. That is what is going to be rolling out, unfortunately, in the next couple of weeks here in Congress.

Mr. AKIN. Gentlemen, fortunately for you, or maybe unfortunately for you, you are on the committee that is dealing with that. To me—and just tell me if I'm confused about this because I work more of the Armed Services side of things and the national security and the national defense side, and we've got a lot of bad news over there, but I'm not going to share that tonight.

There is an irony here that the Federal Reserve has created this huge, massive liquidity. Yet it's like they've choked the funnel off so tightly that the liquidity can't drip down. The Democrats used to talk about trickle-down economics. I mean, this truly is kind of a trickle-down scheme. You have all this liquidity created by the Fed. Yet it can't get down to the small business guy because, I assume, that part of this is the banking regulators and the banking policies that are saying to the local banks, That's not a good enough amount of security on that loan. You've got to go back because that loan is upside down. Even though that business has been there for 100 years, even though you know the family, even though you know they're going to pay off, even though they always pay on time, it's not good enough. You've got to go get a whole bunch more cash from them to make your books look right for your bank.

Mr. GARRETT of New Jersey. I think, if a bank were standing here with us, it would say, Well, look at bullet point No. 3, "Economic Uncertainty." It would say, With so much

coming out of Washington that is uncertain, we have no idea, A, what the rules are going to be tomorrow and, B, what the economy is going to be tomorrow. So they would argue that they're trying to do the prudent thing, the safe thing and say, We're not going to loan to that person who, under normal circumstances, we would loan to.

So you are absolutely right. The Fed theoretically is trying to provide liquidity, but the banks are saying, Whoa, not under this set of playing rules, which may change tomorrow or which may change next week. So the Federal Government is exacerbating the problem that they created in the first place.

Mr. AKIN. Well, I appreciate your perspective there, particularly with your working on that committee. That is very helpful.

Here are a couple of other charts that I thought were interesting. This gives a little bit of a sense of progress on a 20-year increment. This is 1970. The foreign holdings of our debt were 5 percent. This is who owns our debt. Foreign holdings were 5 percent in 1970. Jump forward 20 years to 1990. Foreign holdings were 19 percent. In 2010, foreign holdings are 47 percent. So not only are we being asked to pass another one of these stimulus bills to bail out these States that have been irresponsible in managing their pensions, but we are now asking foreign countries to come in and to underwrite our silly economic policies.

Now, after a while, these foreign countries are going to ask, Wait a minute. What's going on over there? What are you guys thinking?

Mr. GINGREY of Georgia. If the gentleman would yield, I know that time is short, but this is the whole point.

Once again, Mr. Speaker, I talked about the euro zone in Greece. The country of Greece has had their credit rating downgraded. So any country that would lend them money—buy their financial paper—will have to charge a higher rate of interest. I think the gentleman from Missouri and my colleague from New Jersey would probably agree with me that, pretty soon, that very same thing could happen to our country. They would agree that our debt is not as credit-worthy as it has been and that, all of a sudden, we are going to have to pay a higher rate of interest to borrow money.

I yield back.

Mr. AKIN. I promised the gentleman that we did have a chart that was taking a look at these foreign countries. We've taken a look at Greece, and Greece has been in the news because it has just created shock waves in Europe as to how it has been affecting their economic system.

This is the deficit as a percent of GDP. I mentioned that, as to where we are in the United States, which is at that \$1.4 trillion level that we just saw last year and at another even higher year this year, we are at about a 10.3 deficit as a percent of GDP. Greece is

at 9.4. So our deficit, as a percent of GDP, is worse than that of Greece. Spain and the United Kingdom seem to be worse off than we are, but we are the next worse on this chart with regard to the deficit.

If you go to debt as a percent of GDP, you've got the United States here. Greece is ahead of us there, and Italy is ahead of us, but we're ahead of the other European countries as well. So this isn't exactly a cheery picture of the job we should be doing in terms of management.

We are coming close on time here, and I have one other chart here, which is that of our corporate tax rates. The green one over on the right is the second highest corporate tax of any nation in the country.

So what's the solution?

I promised we'd deal a little bit with solution. The solution is quite simply that you've got to cut spending and that you've got to cut taxes. If the Democrats could not learn from Ronald Reagan or from Bush when they cut taxes and restored the economy, they should learn from JFK, who did the very same thing. Here is an example of this. It's called the "Laffer curve." You can see that this red is the tax rate. As the tax rate comes down, the bar chart shows the total Federal savings in receipts, so we actually get more revenues in. When you drop taxes, you get more revenue.

So the solution has been demonstrated by JFK, by Ronald Reagan, and by Bush. They turned economies around. Instead of doing what FDR did, which is what Henry Morgenthau told us would not work, you can simply do this: what you do is you've got to drop the tax rate and drop government spending. The trouble with dropping government spending is you can't do giveaways to everybody and do bailouts to everybody.

So what's going to happen here?

America is in the cross-hairs of a choice. We're either going to choose to follow—because there are two U.S.s: one U.S. had the idea that government is going to provide health care and education and jobs and food and housing. The other U.S. said that we believe the job of government is to provide life, liberty and the pursuit of happiness. That is a very narrow description of government—just national defense and a level playing field. Those are the two U.S.s. The one is, of course, the USSR, and that system didn't work. The other is the one that has worked for hundreds of years.

We need to get back to that idea of a limited government, doing just what it is supposed to do constitutionally and not try to be the bailout king of the entire world and of the entire country.

□ 2150

I thank my good friend, Congressman GINGREY from Georgia, for your insight, and not only your medical professionalism but the way that you've run your office. And the same thing for

my good friend from New Jersey, Congressman GARRETT. Thank you so much for joining us tonight.

Good night, and God bless all of America.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker.

It's my privilege and honor to be recognized to address you here on the floor of the House tonight and to pick up on some subject matter. I think my colleagues that spoke on the previous hour covered that subject matter pretty clearly and very well, the matter of global finances and the broader picture that we're working with. For me, I come here tonight with a number of things on my mind and things that are fresh on my mind, Mr. Speaker. They have to do with the immigration situation here in the United States.

Having had a long history with this subject matter, when I first came to this Congress, I recall listening to Congressman Tom Tancredo here on the floor. I actually was in my office and watching on C-SPAN and I thought, Well, this is a piece of history in the making. And so I walked over here and into the Capitol Chamber and sat here to listen to him speak. Tom, knowing the rhythm of the place here, saw me in the Chamber and concluded I came over because I had some things to say. He recognized me to speak on the subject matter of immigration. I was not preparing to do so, although I happen to have been prepared because of the issues in mind. From those days on forward, I have been active on this issue in my time here in Congress.

I happen to have had the privilege of sharing the stage with Congressman Tancredo Saturday night in Phoenix. It was the same good man with a passion and a great heart; a man that understands America, the need to have a sovereign Nation, a need to control our borders, a need to have a network across this country of all levels of law enforcement working together to enforce the law, the rule of law—I should say, reestablish the rule of law here in the United States—and build a greater country than we are today, Mr. Speaker.

It was a refreshing thing for me to hear those words again come out of the mouth of my good friend Congressman Tom Tancredo and to share some time on that microphone with Sheriff Joe Arpaio of Maricopa County in Arizona, who has a national reputation for enforcing immigration law, for establishing and building Tent City. And when Sheriff Joe, when he asked me if I had been to visit—and actually I had. He had sent a guide to take me to Tent City last year and presented me with a pair of his autographed underwear. When he found out I have that in my

office in safekeeping, I was his good friend, Mr. Speaker. That tent city was built because a judge ordered that the prisons provide more space; and the choice was, apparently, to turn some people loose, spend a lot of millions of dollars to put up a structure, or set up a tent city. They did what they needed to do to enforce the law, especially down in that climate, Mr. Speaker.

I also was able to share a microphone with State Senator Russell Pearce, who is the principal author of Arizona immigration law S. 1070, and to spend several hours probing his intellect, his sense of history, and his patriotism that runs so deep for America, and his dedication to the United States of America, the rule of law, the State of Arizona. Put those pieces together, and I looked across at the faces that filled the park grounds there next to the State Capitol in Phoenix, Arizona. A lot of red, white, and blue. A lot of the yellow Gadsden flags; the Don't Tread on Me flags, flying in the light breeze that we had there.

It was an event to remember, with people just clear out to the outside edges of the park; a good, respectable crowd that was there. People came from many of the States of the Union. This time, I don't know that it's all the States but many of the States. A lot from Florida came all the way to Arizona to express their support for S. 1070, for the law that was principally drafted and pushed through into legislation by State Senator Russell Pearce. And he went out to bounce his legislation off of the best experts he could find in America.

And I do give great credit to Governor Jan Brewer for signing and supporting Arizona's immigration law. It is a law that has been misinterpreted, I think willfully, by people on the other side of the aisle. But here's what it is. It is a mirror of Federal legislation. It doesn't go beyond the limits of Federal legislation. It's written within the limits that are there. And it simply says that Arizona law enforcement is going to enforce Federal immigration law.

Now, if you remember, Mr. Speaker, there seemed to have been a grudge match or something going on between now Secretary of Homeland Security Janet Napolitano, former Governor of Arizona, and Sheriff Joe Arpaio, the sheriff of Maricopa County. But when Janet Napolitano became the Secretary of the Department of Homeland Security, shortly after that she announced an initiative to look at how they were going to make some changes in the 287(g) law. The 287(g) law is the Federal law that provides Federal assistance to train local law enforcement officers so that they are well trained and certified to enforce Federal immigration law. And then it makes a commitment for ICE, Immigration and Customs Enforcement, to work in cooperation with the local law enforcement that has a memorandum of understanding that is the 287(g)—that's the section in the Federal code—that is an understanding that they now have

reached an agreement where they're going to work and cooperate together.

There are a lot of jurisdictions in America that had 287(g) agreements. What it is, it's a commitment for the local law enforcement to enforce and support Federal immigration law. It's that simple.

Now, you don't have to have a 287(g) agreement in order to have local law enforcement enforce Federal immigration law. In fact, there's an Attorney General's opinion that was written under John Ashcroft that makes it clear that local law enforcement can enforce Federal immigration law. There are a number of pieces of Federal case law out there that address this. One of them would be a 2001 case, the 10th Circuit, and it's *U.S. v. Santana-Garcia*.

In case you want to look that up tonight, Mr. Speaker, if you're having trouble sleeping, I just will tell you simply what that says is that the Federal court, the 10th Circuit, has concluded that it is implicit that local law enforcement has the authority to enforce Federal immigration law, that it wasn't contemplated otherwise. And I would go further and say that if there's something implicit that local law enforcement can't enforce Federal law, does that mean then that if there is a Federal officer that's being assaulted or that is murdered by someone that we can't have local law enforcement pick them up, that it's a Federal crime so, therefore, only Federal officers can enforce Federal crime? If it's a national bank that would be robbed, could the county sheriffs pick up those bank robbers and support the violation of the Federal law against robbing Federal banks or would you have to wait until the FBI showed up to be able to pick up the robbers of the Federal banks?

By the same token, if it's a city ordinance that's being violated, can the State highway patrol enforce a city ordinance? I will suggest that yes, they should do that. They should do that when that becomes an obligation of their job. When there's a law being broken in front of them, they should enforce that law. If the speed limits are written by either the State or the city or perhaps county on county roads, if those are the speed limits set, does that mean the county sheriffs and deputies and people can enforce speed limit laws only on county highways but they can't do so on city streets or State highways?

I mean, it borders on ludicrous to make the argument that immigration law has been, up until this time, Federal. Therefore, the only people that can enforce it are Federal officials, and they only would be the ones who were trained within ICE and Border Patrol and Customs and border protection to enforce immigration law. It's ludicrous to believe that. There has to be a network of law enforcement working in conjunction, from city police to county sheriffs to highway patrol, departments of criminal investigation, all of

our Federal officers working in cooperation with each other with great profound respect for the Constitution of the United States, for the laws that are duly passed here in the United States Congress and those laws that are passed in the State legislatures, the ordinances that come from the cities, and the list goes on.

□ 2200

So it is a cooperative effort. It always has been a cooperative effort for law enforcement to work together, and it cannot be such a thing as we are going to separate statutes by the jurisdiction of the entity that passed the law. If we do that, then we will have law enforcement officers who watch crimes before their very eyes but don't enforce the law.

Mr. Speaker, that would be the circumstances that take place in sanctuary cities now, sanctuary cities across the country that number by name, places like Houston or Denver or San Francisco. Many other cities have established sanctuary city ordinances that would tell their local law enforcement, Do not work or cooperate in the Federal immigration law. And even though the 1996 Immigration Reform Act that was passed into law, and much of that work was done by now the ranking member of the Judiciary Committee, the gentleman from Texas (Mr. SMITH), who deserves a lot of credit for language that is there, there is language in that 1996 Immigration Reform Act that prohibits the cities from establishing sanctuary cities.

I don't have the language in front of me, Mr. Speaker, but it is language that says to the effect that you cannot prohibit your officers from enforcing Federal immigration law or working in cooperation with. But the problem is that those cities got together that wanted to have a sanctuary policy, and apparently, they found out the same lawyer or lawyers, or sent out a memo to the League of Cities or whatever ties these larger cities together. And they found a way to write an ordinance around the Federal language, and they prohibited their officers from gathering information. And because they were prohibited from gathering, they didn't have any information to pass on and share with ICE and the other law enforcement officers when it came to immigration.

It created this thing called sanctuary cities. And so they have said that they are not going to enforce the immigration law within these cities. And what would happen? Of course, you create a magnet for illegals to go to those cities where they are sheltered by the sanctuary city language.

And we have, out of the House of Representatives, several times passed amendments on appropriations bills that prohibited any of those dollars coming out of those bills from being distributed to the cities that have jurisdictions where they passed sanctuary language and made sanctuary

cities. But it never made it through the Senate, and it never made it into law.

So we have city after city that protects illegals within them because there is a political base already there for illegals. And in Arizona, what they have done is, S. 1070, in effect, it invalidates any city that wants to provide a sanctuary city, and simply requires them to enforce immigration law by their local law enforcement. And if they refuse or fail to do so, it allows a citizen to have standing to bring a lawsuit against that entity, against that city or county that is not enforcing the immigration law, not inquiring as to the legal status of the people that they encounter in the course of their normal law enforcement duties. I think that is a good thing.

Once 1070 is implemented into law, which I think will be on the last day of July of this year, then you will see the sanctuary cities that happen to exist in Arizona, that will shut down, and they will be compelled to enforce the law, or they are going to be brought into court by the people of Arizona.

But the uproar, the objection hasn't been about shutting off sanctuary cities in Arizona; it has been about whether there would be a boycott of Arizona because some claim that the Arizona law will bring about racial discrimination profiling.

Well, first, let me say, Mr. Speaker, that profiling has always been an important component of legitimate law enforcement. If you can't profile someone, you can't use those commonsense indicators that are before your very eyes.

Now, I think it is wrong to use racial profiling for the reasons of discriminating against people, but it is not wrong to use race or other indicators for the sake of identifying people that are violating the law.

Now we all get profiled. I had a moment of irony this morning when I stepped out of the USDA building down here several blocks west of the Capitol. I was wearing a suit, and I had just stepped out to the sidewalk. I hadn't even looked for a cab. I started to walk down the street thinking I would go to the corner. There was a cab going the other direction on the opposite side of the street. He tapped his horn. I looked up, and he swung around the street and picked me up. I asked, How did you identify me as someone who needed a cab ride? I hadn't indicated I wanted one. I was walking down the street.

He said, Well, you were wearing a suit and you stepped out the USDA office. There wasn't a car there to pick you up; I knew you needed a cab. He profiled me. He said, I don't stop for people wearing shorts and sneakers because they are not looking for a ride. People in suits coming out of that building are. There I was, profiled because I was a guy in a suit at a time of day when it would be logical I would be looking for a ride somewhere.

It is just a commonsense thing. Law enforcement needs to use commonsense

indicators. Those commonsense indicators are all kinds of things, from what kind of clothes people wear, the suit in my case, what kind of shoes people wear, what kind of accent they have, the type of grooming that they might have. There are all kinds of indicators there, and sometimes it is just a sixth sense, and they can't put their finger on it.

But these law enforcement officers, if they were going to be discriminating against people on the sole basis of race, singling people out, that would be going on already. And we would have already the files of the objections that are taking place.

But this is about a political argument. It is not about Arizona's law being unconstitutional or preempted by Federal law or somehow had stretched the bounds that have been set by case law that is out there. It is not about any of that. They would like to say it is; in fact, they have said that it is.

But what it is about, Mr. Speaker, is about making a political argument that would like to brand Republicans as being anti-people because of race.

Now, could this happen? Could anyone start an agenda here to try to brand people and try to scare the American people on the subject of race or the subject of immigration? My answer to that is, You bet. I have seen it happen. It started here on this floor right over here, in 2006, when in the early summer, if I remember my dates correctly, we passed immigration reform legislation out of here headed up by at that time chairman of the Judiciary Committee JIM SENSENBRENNER of Wisconsin. Of the things that it did, it was enforcement of immigration law. In the original bill, it made it a felony to cross into the United States illegally. To sneak into the United States, it made it a felony. The gentleman from Wisconsin (Mr. SENSENBRENNER) sensed that that would be a highly contested issue if it became law, and so he offered an amendment to strike the language that made it a felony to enter the United States illegally.

Now, had Mr. SENSENBRENNER's amendment passed, then it would have eliminated the language that made it a felony to enter the United States illegally. JIM SENSENBRENNER argued vociferously in favor of his amendment. He didn't actually convince me, by the way, but he understood what was going on. And when the vote went up on the board, 194 Democrats voted "no" on the Sensenbrenner amendment, which can only be concluded that they wanted it to be a felony to enter the United States illegally. And it is a crime, but it is not a felony. So 194 Democrats voted to make it a felony when they voted "no" on the Sensenbrenner amendment. And that Sensenbrenner amendment failed. And when it failed, brought down by Democrats, the streets filled up with protesters protesting that Republicans wanted to make it a felony to enter the United

States illegally; 194 Democrats wanted to, and almost all of them demagogued Republicans for the language that was in the bill when they had voted to keep the language in the bill.

It was completely cynical. They knew it. You all knew it, and there isn't anybody in this Congress that can challenge this statement. And I would be happy to yield to anybody who has a different perspective on this. I watched it happen. I was in the middle of it. And I watched the streets fill up with people that were storming in the streets, first with Mexican flags and then with white T-shirts and carrying American flags. And as they lined up for the protest, the organizers were taking their Mexican flags out of their hands, handing them an American flag, saying put on this white T-shirt, come out here and protest against these evil Republicans that want to make it a felony to enter the United States illegally.

□ 2210

It doesn't bother me that there is a little upset and turmoil in the streets if that's the case. We need tighter immigration laws. We need more tools to work with, not less. But my point, Mr. Speaker, is the very cynicism of voting one way and arguing the other way: 194 Democrats, and they turned and pointed their fingers at Republicans and said, You wanted to make it a felony. They brought down the amendment. It is a fact. It's a fact in the CONGRESSIONAL RECORD, Mr. Speaker.

So here we are now in 2010. No legislation of significance on immigration has been passed since then. It didn't happen in 2006 or 2007. The switchboards of the United States Senate were shut down at two different times during those years because the American people reject the idea of amnesty.

And I have watched immigration at the Federal level be enforced less with each administration since Ronald Reagan signed the 1986 amnesty act. But he was straight up and honest enough to declare it to be an amnesty act, Mr. Speaker. The 1986 amnesty act was the last amnesty. It was the amnesty to end all amnesties, and President Reagan signed it because he believed that there wouldn't be another amnesty.

It was supposed to be amnesty for about a million people. Turned out to be amnesty for about 3 million people by the time the system was gamed and the fraudulent documents and the people came out of the shadows. And 3 million people went through to receive the amnesty in '86, three times the number that they anticipated.

And we have had six lesser amnesties since then that aren't published very much. So we have had a continuous series of amnesties. And it's going to continue until such time as either nobody wants to come to the United States, or until such time as we simply give up on the idea that we can control our borders, or until we establish that

we are going to enforce immigration law and we are going to stand by the rule of law and we are not going to equivocate and we are not going to compromise.

And that, Mr. Speaker, is where I stand. I refuse to equivocate, I refuse to compromise on the rule of law, I refuse to grant amnesty. And we should talk about what amnesty is. To grant amnesty is to pardon immigration law-breakers and reward them with the objective of their crimes.

Now, I don't know necessarily what their objectives are. It may be a path to citizenship. It might be a job. They might want to have access to the United States to do philanthropic good things. Or they might want to have access to the United States so they can travel back and forth into the United States hauling illegal drugs into America. And that happens a lot.

A couple of nights ago on Sean Hannity's program you could see the video that he ran, and you could see the backpackers coming into the United States with roughly 50 pounds of marijuana bound in a burlap bundle on their back with straps that might be woolen scarves used for straps, makeshift backpacks. And you might see 10 or 15 or 20 or more all in a row each carrying their 50 or more pounds of marijuana on their back. And this goes on night after night after night, Mr. Speaker. It goes on every night.

And I have gone down and sat on the border in the dark, sat there quietly, didn't have night vision equipment, and just listened, and just listened as the vehicles came down, they let people off, they would set their pack out on the ground. You could hear the packs thump when they set them on the ground. They would get out of the vehicle. They would talk a little bit. Somebody would hush them up. They would close the doors on the vehicle. You could hear that. They would hoist their packs up, put them on their back, and they would march through the mesquite, come across the border.

And when you sit by a barbed wire fence that's got four or five barbs on it and a steel post, you can listen to the posts and you can hear the wire when it stretches. And you can tell each time somebody crosses the fence, and you can count them. And at night I never trust my eyes to be able to actually give an accurate count. I see the shadows, but shadows are not clear enough for me to tell you how many. I can tell you I have heard the noise, I have seen the shadows, I have listened to the same rhythm come over and over again.

I have gone up through the stream beds that are in the desert and there seen where they have dropped off many of their clothes that are unnecessary, empty water jugs. When they unload the packs, the burlap bags that they are in will be dropped there. There will be food that's dropped off, some that's been eaten, some that's been left partially eaten, and some of it left. The desert is full of smugglers' litter.

And if one would go down to the Organ Pipe Cactus National Monument down there where Kris Eggle was killed by an illegal, and he was a National Park Officer ranger, there is a monument to him at the headquarters at Organ Pipe Cactus, but there is a large percentage of Organ Pipe Cactus National Monument, and that's a national park called a monument that's off limits to Americans. And I am guessing at the area. I know it's the southern side of it. And it seems to me that as I looked at the map, about 40 percent of Organ Pipe Cactus is off limits to Americans because it's full of litter, it's full of drug smugglers' litter. It's drug smugglers gulch there. And it is too dangerous for people that are out just enjoying the desert to walk down into. And it's too full of litter. And we don't have the labor to go pick up the mess. And if we did, the mess is accumulating day by day, every day, every night.

And the numbers of people that have been crossing the border illegally, we could take the information that comes from Secretary Napolitano, I suppose, and accept it at face value. They would argue that their interdictions on the border have gone down significantly over the last year. And they claim that because they are arresting fewer people on the border that there is fewer border crossings. Now, that may be true. I don't know what's true.

But to use the data that shows that there are fewer interdictions of illegal border crossers to conclude that there are fewer crossing attempts isn't necessarily a logical or rational approach. It could also be that they are just simply not enforcing the law as aggressively as they were a couple of years ago when the numbers were higher. I don't know the answer to that question.

But when the Bush administration used the same argument, I had the same questions. Just because you arrest fewer people doesn't mean there are fewer people crossing. It might mean you are just not arresting as many people. But here are the numbers that came before the Immigration Subcommittee in testimony from witnesses that had represented our Federal Government. And I am including Border Patrol officers. The number of interdictions they believed turned out to be they were stopping about one out of four. Twenty-five percent of border crossing attempts were being stopped.

If you do the math on the stops that they had, that means that there were 11,000 a night on average every night. Not during the day so much. At night 11,000. And that turns out to be four million illegal border crossings a year. And when I go to the border and talk to the people that are enforcing the border and I tell them, so you are stopping about one out of four, you are getting 25 percent of those that attempt. And they look at me and laugh. It's not 25 percent. The most consistent number I get from the people that are hands-on is maybe they stop 10 percent.

If you go to some of the other officers there that are not quite as optimistic, they will take that number down to 2 to 3 percent. But I have never heard an officer that works the border regularly tell me that they stopped 25 percent. And I don't believe I have heard a number higher than 10. So I will tell you I think it's 10 percent that get stopped, not 25. That's still a whole lot that get through.

If it's 4 million attempts and we stop 25 percent, that means 3 million actually get through into the United States. And, yes, a lot of them go back to Mexico and flow back and forth. A lot of them are drug smugglers. They do that for a living.

The people that are working our law enforcement in the desert tell me that they will catch some of these drug smugglers and maybe they will have somebody that only weighs—young men, 15, 16, 18, and they get older—weighing 100 pounds, 105 pounds, not very big people, wiry, tough, with great big calves on them carrying half their body weight or more in marijuana on their back through the desert 70 or 100 miles. Tough people that can cover a lot of territory with a lot of weight on them. And this goes on night after night after night every night.

And does America know, Mr. Speaker, that in some of the sectors on our southern border the policy is that if we catch somebody that has less than 500 pounds of marijuana on them we just simply take the marijuana off their hands and turn them loose? That there is not a prosecution for the drug possession in many of the sectors on the southern border because they argue that they don't have the jail space, they don't have the prosecutorial time, and they don't have the judges to deal with this? And I am convinced that this is true, Mr. Speaker.

I hear this as not necessarily testimony before the committee, but I hear it come out of the people that have to live underneath it. And I was down there and watched an interdiction take place. And I helped unload the bundles of marijuana from underneath the false bed of a pickup truck, and this was down near Sells, Arizona. It was roughly 240 pounds of marijuana in there. And that would have been under the amount that they would be prosecuted for at the time. They have since raised that threshold. It was 250 at the time I was there. Now the threshold in some of those sectors has been raised to 500 pounds.

Now, where I come from, if it's an ounce or a half an ounce or any little particle, that's something to prosecute for. That's the rule of law. But the rule of law has been stretched to the point of ridiculous on our southern border, and the lawlessness from across the border in Mexico is flowing over into the United States.

□ 2220

The murders, the intimidation, the deaths are taking it out in the lives of

our law enforcement officers, innocent American people who are being murdered, who are being raped, who are being targeted as victims to crime that makes Phoenix, Arizona, the No. 2 capital of kidnapping in the world. Phoenix, Arizona, the No. 2 capital of kidnapping in the world. Does anybody believe that if we could enforce our immigration at the border that Phoenix would be the No. 2 capital of kidnapping in the world?

Mr. Speaker, it's important to note that 90 percent of the illegal drugs consumed in America come from or through Mexico. That means across our southern border, 90 percent of the illegal drugs.

I pointed out that we have 4 million—the number is probably down a little bit from that, but I don't have any other data—4 million illegal border crossing attempts a year, and maybe we stop 10 percent. So that means that we still have a number that is about 3.6 million successful border crossings a year, a 10 percent interdiction rate, 3.6 million. Now, just the attempts, I did the math and I said it was 11,000 a night every night. One might take a look, what was the size of Santa Anna's army? Well, 4,000 to 6,000. So we're looking at a number every single night that I will say is probably twice the size of Santa Anna's army, every single night pouring across our southern border, bringing in 90 percent of the illegal drugs in America. We are importing the violence and the death that goes with the illegal drug trade, and still, this President's heart is hardened.

So the President scares the American people by telling us that a mother and her daughter could be going out to get some ice cream and be pulled over and stopped and asked to produce their papers based upon a presumption of their skin color. Where is that in the Arizona law? It specifically prohibits such a thing, specifically prohibits.

Then, as the President of the United States had his shot or two shots at Arizona, he ordered the Attorney General of the United States to use the resources of the Department of Justice to seek to invalidate Arizona's immigration law. So when Attorney General Eric Holder came before the Judiciary Committee a couple of weeks ago, just before the Memorial Day break, to testify before the committee, he knew that Arizona's immigration law would come up before the committee, that that would be a subject matter that he would be questioned about. It was his job to be briefed on the subject matter so he could answer in an informed, intelligent way.

So as the subject came up, I asked the Attorney General if the President had ordered that he use the Justice Department to seek to invalidate Arizona's immigration law. I can't quote back into this RECORD his exact quote in the CONGRESSIONAL RECORD. I can tell you he didn't dispute that. So it was at least by assent that twice the Attorney General acknowledged that the President had directed him.

Now, this is supposed to be a Justice Department that's independent from politics, a Justice Department that makes its decisions based upon the law, an objective evaluation of the law, and, by the way, a Justice Department that has an obligation to enforce the law. These are not policy setters. The President of the United States, Mr. Speaker, is not to be a policy setter when it comes to areas where the Congress has legislated. That's what we do here. We set policy. We set policy here in the United States Congress. That's part of the separation of powers.

Just at the risk of being redundant, everybody in this Chamber, Mr. Speaker, should know this. I think it's getting harder and harder to teach government class in our schools today because of the conduct of especially our executive branch of government. The separation of powers, the judicial branch of government will take care of things that have to do with the courts. The legislative branch of government, the House, down that hall, the Senate, we pass the legislation. We set the policy. We write the laws. The executive branch of government's job is to see that those laws are faithfully upheld, enforce the law, carry out the policy, the will of the people of the United States of America as expressed to the Republic, the constitutional Republic, the representatives that are elected by the people.

Yet, we have Members of the executive branch of government as high as the President, himself, who seem to not understand that simple concept. A President who taught Constitution law at the University of Chicago is still a President that would tell America that a mother taking her daughter to get some ice cream could have a problem and have to produce their papers. This is misinforming the American people. Is it willful? In his case, I don't know. I think when he said that he had not read the bill, and a week or so later he uttered a mitigating statement that indicated to me that either he was briefed or he might have read the bill.

But Eric Holder, the Attorney General, to come before the Judiciary Committee, and when I asked him the question, So you have directed the Justice Department to seek to invalidate the Arizona immigration law and to test it constitutionally or statutorily or by case law, could you point to me, General Holder, a place in the Constitution that gives you concern that Arizona's immigration law might be unconstitutional? No, he could not.

Could you, General Holder, point to a Federal statute that would preempt Arizona's immigration law? He could not.

Could you then, General, point to some case law that would be controlling and limit Arizona's ability to pass immigration enforcement law at the State level? He could not. The Attorney General of the United States could not point to even a potential constitutional violation or a statute that could

preempt Arizona's immigration law or any case law that would control, none of it whatsoever. Yet he was still committed and still taking the resources of the taxpayers of the United States of America to seek to invalidate Arizona's immigration law and bring suit against Arizona. And that's what he seems to be doing.

There is a draft memo out there—it's not the exact word for it. It's a draft something, Mr. Speaker, that is a product of the Justice Department now that apparently lays out the parameters by which the Justice Department would bring suit against Arizona to invalidate their immigration law, and here's what I believe happened, and I don't think it can be proven otherwise.

The ACLU has already brought a lawsuit against Arizona, and the ACLU along with the SEIU, and just name your leftist organization in America. They all joined in common cause. They have made these arguments. This is a lawsuit filed May 17, 2010. Here's what the ACLU and the Muslim group here in America and the SEIU and others have brought suit on, against Arizona's immigration law 1070.

It says that it violates the Supremacy Clause. That's the preemption component of this. I don't know where and the suit doesn't say where, not that I have found.

It says it also violates the Equal Protection Clause. It argues that plaintiffs who are racially and national origin minorities, including Latinos residing or traveling in Arizona, might be targeted. It does make targets out of them is what it says. I would argue that the bill says that you can't use racial profiling, and so if the targets are breaking the law, you have to enforce the law no matter what their skin color is, Mr. Speaker. That's the ACLU's argument.

Another is it violates the First Amendment. I don't know what the logic is on that, and I won't trouble this Congress with that part.

But this goes on and says that it violates the Fourth Amendment against unreasonable search and seizure. Well, on what basis? I don't think it goes very deep into that.

□ 2230

And then due process, privileges and immunities, right to travel—people breaking the law don't have a right to travel in the United States, and it violates 42 U.S.C. 1981, which is, prohibits discrimination under color of State law on the basis of alienage, national origin, or race. Well, no, the law prohibits such a thing.

But here's what I'll predict to you, Mr. Speaker: When we finally see the litigation that the Department of Justice is seeking to bring against Arizona, we will see that it has been copied and pasted right off of the ACLU's lawsuit. That's the work that I believe is being done. The outside groups, the left-wing groups play the tune—the tune is right here in this lawsuit from

the ACLU—and then the Justice Department dances at the direction of the President of the United States, at the direction of the ACLU, the SEIU, and the rest of the left-wing organizations that have filed this lawsuit.

But this is not a rational approach. If the President can't articulate a problem, a constitutional violation—even though he taught constitutional law at the University of Chicago—the Attorney General, under oath, couldn't articulate a constitutional Federal statute or a case law violation by Arizona's immigration law, S. 1070, but yet, this radical case that I think is irrational and illogical that's brought by the ACLU—and this is just a summary, it's about that thick, and I've read a lot of it, actually—this will make sole theories of specious arguments, and I believe that the Justice Department—if they come forward, and I think they will—will be making those same irrational speeches, arguments.

So, Mr. Speaker, I'm concerned about an unbiased Justice Department. It's hard for me to buy the idea that they are unbiased. When I look at this case, this all-out effort to focus on Arizona's immigration law and to invalidate it without a basis or a rationale, when I look at the many faces of the administration that have spoken against it that hadn't read the bill—Attorney General Holder, of course, would be the lead person that had admitted he hadn't read the bill. When Judge POE asked him that question shortly after my questions of the Attorney General that day, he admitted he hadn't read the bill. Seventeen pages, he hadn't read the bill.

He clearly had not been briefed by any objective person that had read the bill. He may have taken the MoveOn.org or the Huffington Post talking points and read them. It sounded to me like he had. It sounded to me like the President had as well. And then Janet Napolitano, the Secretary of the Department of Homeland Security, who is charged with heading up the office that enforces immigration law, the former Governor of Arizona, who should have focused on that bill—well, Governor Jan Brewer should have focused on that bill more; I know she did. Senator Russell Pearce focused on 1070 a lot more; I know he did. But Janet Napolitano, a former Arizona Governor and now Secretary of the Department of Homeland Security, had not read the bill, but still made public statements that implied, at a minimum, that it would bring about profiling of people in Arizona and disagreed with the law. And when JOHN MCCAIN point-blanked her before the Senate hearing, she had to admit she hadn't read the bill either.

The President didn't read the bill when he talked about the mother and her daughter going for ice cream; either that, or he willfully misinformed the American people. We know that Eric Holder didn't read the bill. He admitted to that under oath. We know

that Janet Napolitano didn't read the bill. She admitted that under oath. We go further down the line.

Michael Posner, the Assistant Secretary of State, he was so outraged by Arizona copying Federal's immigration law that he took the argument to the Chinese. We brought it up early and often, he said, apparently to compare Arizona's immigration law with the brutality that goes on in that brutal regime in China.

I don't think I'm done yet, Mr. Speaker. Let's see, who am I forgetting? Assistant Secretary John Morton, who heads up ICE, Immigration and Customs Enforcement, who made the public statement that he wouldn't commit to cooperation with Arizona when it came to picking up the illegals that would be arrested by Arizona under S. 1070.

Now, John Morton doesn't get to set policy, neither does Janet Napolitano, nor does Eric Holder, nor does Assistant Secretary of State Michael Posner, nor the President of the United States; they have to work within the laws that they get. Now, there are other policies that they do get to set within the framework, but they don't get to amend the policy. Congress sets that. The voice of the American people sets it.

If John Morton, the head of ICE, doesn't want to enforce the law, if he doesn't want to pick up the illegals that are arrested by Arizona's law enforcement officers, then John Morton should just simply find himself a job that his heart was in. He should go do something that he could do that he believed was right if he disagrees with the policy. You know, a general that thinks we're off on the wrong mission will just resign their commission if they don't think they're getting the support from the political people, and that's happened a number of times throughout our history. When they get an order that they can't carry out, generals have just resigned. At least they maintain their integrity that way.

Well, there is an order out there, and it is, Enforce the law. Cooperate, by the way, with Arizona, who has uttered this almost a primal scream of despair and frustration that they've had to take their resources in their State and pass an immigration law that, by the way, I hope and plead goes to every State in the Union. If they can find ways to toughen it up, tighten it up and make it more effective, do that, but start with that foundation of Arizona's law. It's rare when a State takes an initiative that it begins to set the policy for America. I would be very happy to see this happen, Mr. Speaker, when it comes to the case of Arizona.

So our Federal officials that got this wrong, that are trying to mirror, by the way, the President of the United States, but the President misinformed the American people. He hadn't read the bill. Janet Napolitano misinformed the American people. She hadn't read the bill. Eric Holder misinformed the

American people. He hadn't read the bill. I don't know if John Morton read the bill, but he didn't want to enforce the law, you could tell that. Now I actually think he has made some mitigating statements, and he will be better to get along with. Michael Posner had no business sticking his nose in this whatsoever, and he carried it all the way to negotiations with the Chinese under the State Department.

And by the way, I can't stand here in this place on the floor of the House of Representatives, Mr. Speaker, without raising an issue of Felipe Calderon, back behind where I'm standing now and before Memorial Day, spoke to a Joint Session of Congress, and he had to lecture us on how he strongly disagrees with Arizona's immigration law. Well, if he does, he also disagrees with the United States Federal Government's immigration law because that's what Arizona's law does; it mirrors it. It mirrors the Federal immigration law.

And so we're in an era where the administration, the highest ranking officials within the administration aren't compelled to check the facts before they misinform the American people. They might check a left-wing Web site, but they're not checking the facts. And the American people, who are they going to trust? Shouldn't they be able to trust the voice of the President of the United States? Who's briefing him? Who's telling him what's in the bill? Did they all decline to read the bill? Couldn't anyone have given him an objective analysis? What kind of a shop is being run at the White House in that regard? I think we're getting an indication.

And so, furthermore, while I talk about the immigration subject matter, there is another one out here that causes me reason to be concerned. It was reported in the news that President Obama's aunt was granted asylum—and I always have to check her name to make sure that I get it exactly right. Zeituni Onyango is President Obama's aunt, and she has lived in public housing—reported by the news, at least—in Boston for some time. I believe she came to the United States in the year 2000. We don't know necessarily how she got into the United States, whether it was on some type of a visa, whether it was a tourist or what it might have been, but she stayed. And along about the year 2002, she became the focus of the immigration law enforcement personnel. By 2004, his aunt, Zeituni Onyango, had been adjudicated for deportation by an immigration judge.

□ 2240

Well, she defied the deportation order. She stayed in the United States, purportedly on public benefits of a series of kinds. I don't know how she actually did that, but that's what the news has reported. Then not that long ago, after her nephew became President, she received asylum. Now, "asy-

lum," in this case, is the equivalent of amnesty for an individual, Mr. Speaker. So Zeituni Onyango, who, if she had honored the deportation order, would have left the United States and would have gone back to Kenya, stuck around here, and couldn't be deported or was not forcibly taken out of the United States. She defied the order, and now she is rewarded with the objective of her crime.

Remember when I said that the definition of "amnesty" is to pardon immigration lawbreakers and to reward them with the objectives of their crimes?

Well, it is a crime to come into the United States illegally. She may have overstayed a visa, in which case it puts her onto the civil side of this, but if her objective were to be able to stay in the United States, the asylum that she has been granted has come from a judge to whom she has argued that it is too dangerous for her to go back to Kenya because, now, the notoriety of being related to the President makes it too dangerous for her to go back and live there.

Well, if that's the case, if the President's aunt who lives in Kenya can't go back to Kenya because there is too much focus on her there, then I think there are a lot of the other relations of the President who are in Kenya who would be living under the same kind of fear. Wouldn't they get the same asylum if they came here to the United States? Is that something that the President is for, her getting asylum after the court had said "no," based on the fact that her nephew was elected President? Would that be a reason?

As I read that law, I have a lot of questions that come up, but one of them is: If his aunt gets asylum, then wouldn't all of the Obama relations get asylum if they just snuck into the United States? Maybe they can move onto the White House grounds. Then none of them can go back to Kenya anymore. I don't know. I think we should be concerned about whether there was favoritism involved. If a court would grant asylum with no greater basis than what I read here, then I think it is one that should be questioned.

Robert Gibbs said, no, there was nothing out of the ordinary, and there was no impropriety. No one from the White House had anything to say about that. They just let the court do what they did. Really? I would wonder if the administration would say the same thing about the bankruptcy court for General Motors and Chrysler. Yes, they have.

I happen to have thought about this to the point where I reached in, and I wanted to look at some of the testimony before the Judiciary Committee on hearings that took place some time back. I, actually, don't have this date in my record, but it is a matter of the CONGRESSIONAL RECORD. This would be testimony of the Indiana State Treasurer, Treasurer Mourdock, who gave

some compelling testimony before the Judiciary Committee. I listened to a number of the witnesses testify on this similar theme. The theme was that the White House had dictated the terms of bankruptcy to the automakers. So I asked the question of Treasurer Mourdock:

Did any of that testimony that came before the bankruptcy court—"did any of that testimony alter the anticipated result of chapter 11?" Well, this was for both Chrysler and General Motors. Did it alter it? In other words, did the evidence that was presented to the bankruptcy court change the terms that had been offered to it by the White House?

Here is what Treasurer Mourdock said: "No, it did not." Now, that's a quote. "No, it did not."

I'll just embellish that a little bit and say his answer was this—and this is how I interpret the answer, is more accurate: the White House dictated the terms of bankruptcy to the bankruptcy court. Now, whenever in the history of America has the President of the United States determined the terms of bankruptcy and told a bankruptcy court this is how it will be?

Furthermore, to go on with Treasurer Mourdock's testimony—and being from Indiana, he was in the middle of this, and he was speaking only of the Chrysler industry, I should make it clear. He said this: "You had the situation where one party was negotiating, setting values, determining which creditors would be in, which ones would be out, what they would be given, what would be liquidated, all to be set up for an auction sale for which there was only one bidder—the United States Government. It was on both sides of the table simultaneously. The impropriety of that in trying to establish value for a sale goes beyond plausible."

That entire string comes out of his testimony. It says to me, and my conclusion is that he was a witness of this, that the Federal Government set the terms of bankruptcy, and when the testimony went before the chapter 11 bankruptcy court, the court had to make a determination. The determination was already made and offered to them. He said there was only one party negotiating, only one party setting values, determining which creditors got paid, which ones were the winners and the losers. There was one party that was offering shares over to the unions—that didn't have an interest in but they walked out of there with an interest in General Motors at least—of 17.5 percent of the shares. Yet this quote is about Chrysler, determining what they would be given, what would be liquidated, all to be set up for an auction sale for which there was only one bidder. That means the Federal Government, the United States Government, on both sides of the table simultaneously, bidding and receiving and dictating the terms to the bankruptcy court.

An administration that could do this we are to believe wouldn't find a way to provide amnesty and asylum for the aunt, Aunt Zeituni Onyango, who lives still in the United States and whom I've invited to testify before the Judiciary Committee?

This is not an obscure aunt of President Obama's. I've read his book, "Dreams from My Father," and this is the aunt who was his guide when he visited Kenya. I believe the year was 1988. President Obama writes extensively about his trip to Kenya. It was a transformative or at least it was a very enlightening experience for him, according to his book, which I take at face value. I know that it was fiction, at least in part, but it was based upon fact.

So I went through it the other night and searched to take a look as to when this subject matter came up. I thought, well, maybe he made just a light reference to his aunt in the book. So I went through and counted the references to his aunt, who now has received asylum in the United States after defying a deportation order. President Obama mentions Aunt Onyango 66 times in his book "Dreams from My Father"—66 times. She took him to place after place. Almost everywhere he went in Kenya, she was the one who took him there. His impressions of Kenya were delivered to him through her.

It is not conceivable to me that an aunt who is that close to him would have come to the United States without his knowledge, nor is it conceivable to me that an aunt who lived in the United States in public housing, presumably under public benefits—and I don't know how those terms were reached and how that could have happened—nor is it conceivable to me that an aunt could have gone to an immigration court and could have been adjudicated for deportation and could have escaped the knowledge or the awareness of Barack Obama. It's not conceivable.

It is not conceivable to me that a President can dictate the terms of bankruptcy to General Motors and to Chrysler and can take the shares away from the secured creditors, who are the people who should be first in line to receive the benefits or to receive any liquidation or any purchase or settlement of the automakers General Motors and Chrysler, and can ice them out, box them out, and give them nothing and hand shares of the automakers over to the unions that had no investment in and no collateral hold on those companies. It has mirrored the language exactly out of the Democratic Socialists of America, off the Socialist Web site.

If all of that can happen—and it has happened, and some of the evidence I've read into the RECORD here tonight, Mr. Speaker—it is not conceivable to me that this amnesty/asylum for President Obama's aunt happened independent from the influence of the White House. Perhaps show us the

records. Let's open up the case. Let's see.

By the way, Attorney General Holder, let's see your draft complaint that you've prepared now to bring the suit against Arizona. When that draft complaint is released—and I formally requested that as a document—I will take it myself and go into the ACLU's lawsuit, and I'll show you where the Attorney General's office copied and pasted right of the ACLU's lawsuit into their own. It will be what comes from that draft complaint.

I know it's coming. That's how they're operating. They're not operating independently within that operation. They've been politicized. They have canceled the most open-and-shut voter intimidation case in the history of America, which is the New Black Panthers' case in Philadelphia. It is on videotape. They had a conviction. All they needed to do was to follow through. They canceled the case. Loretta King did so inside the Justice Department. Her name rings back to me because she is the one who canceled the will of the people in Kinston, North Carolina, who voted that they wanted no more partisan elections in local elections. They wanted to take the "R" and the "D" off the names of the candidates; and with a 70 percent vote, Loretta King invalidated that because she said, Well, black people won't know to vote for another black person unless there is a "D" beside his name.

That is not equal protection. It is contempt for people's judgment. I think we need to have equal protection under the law. We need to uphold the Constitution, the rule of law and the separation of powers.

I am going to stand with the people of Arizona, who have done a great thing for America; and we are eventually going to get to the point where we establish this rule of law and enforce our immigration laws. When that becomes a practice in the United States of America, then we can talk about some of the other solutions when it comes to immigration.

Mr. Speaker, I appreciate your attention this evening, your indulgence and the opportunity to address you here on the floor of the House.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today.

Mr. FATTAH (at the request of Mr. HOYER) for today.

Mr. HILL (at the request of Mr. HOYER) for today on account of family business.

Mr. HONDA (at the request of Mr. HOYER) for today and until 5 p.m. on June 15 on account of illness.

Mr. INSLEE (at the request of Mr. HOYER) for today.

Ms. KILPATRICK of Michigan (at the request of Mr. HOYER) for today.

Mrs. NAPOLITANO (at the request of Mr. HOYER) for today.

Mr. GERLACH (at the request of Mr. BOEHNER) for today on account of attending his daughter's high school graduation.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. SCOTT of Georgia, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFazio, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, June 18.

Mr. POE of Texas, for 5 minutes, June 18 and 21.

Mr. JONES, for 5 minutes, June 18 and 21.

Ms. ROS-LEHTINEN, for 5 minutes, June 15 and 17.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. GINGREY of Georgia, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 15, 2010, at 9 a.m., for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend

the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 111th Congress, pursuant to the provisions of 2 U.S.C. 25:

TOM GRAVES, Georgia, Ninth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7861. A letter from the Lead Regulatory Analyst, Department of Agriculture, transmitting the Department's final rule — Swine Contract Library (RIN: 0580-AB06) received May 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7862. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sodium 1,4-Dialkyl Sulfosuccinates; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0739; FRL-8825-2] received June 9, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7863. A letter from the Director, Office of Management and Budget, transmitting a letter regarding the clean energy goals of the administration; to the Committee on Appropriations.

7864. A letter from the Chair, Federal Reserve System, transmitting the System's 96th Annual Report covering operations for calendar year 2009; to the Committee on Financial Services.

7865. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Web-Based Compliance and Certification Management System [Docket No.: EERE-2010-BT-CRT-0017] (RIN: 1904-AC10) received May 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7866. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Determination Concerning the Potential for Energy Conservation Standards for Non-Class A External Power Supplies [Docket No.: EERE-2009-BT-DET-0005] (RIN: 1904-AB80) received May 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal of the Emission-Comparable Fuel Exclusion under RCRA [EPA-HQ-RCRA-2005-0017; FRL-9160-9] (RIN: 2050-AG57) received June 9, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's "Major" final rule — Primary National Ambient Air Quality Standard for Sulfur Dioxide [EPA-HQ-OAR-2007-0352; FRL-9160-4] (RIN: 2060-A048) received June 9, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7869. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 09-141 Certification of proposed issuance of an export license, pursuant to sections 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7870. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-039, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7871. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-014, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7872. A letter from the Chairman, Federal Trade Commission, transmitting the semi-annual report on the activities of the Office of Inspector General for the period from October 1, 2009 through March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7873. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Incorporation of Special Permits into Regulations [Docket No.: PHMSA-2009-0289 (HM-233A)] (RIN: 2137-AE39) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7874. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2-1C, B2-203, B2K-3C, B4-103, B4-203, B4-2C Airplanes; Model A310 Series Airplanes; and Model A300 B4-601, B4-603, B4-605R, B4-620, B4-622, and B4-622R Airplanes [Docket No.: FAA-2009-0789; Directorate Identifier 2008-NM-185-AD; Amendment 39-16228; AD 2010-06-04] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7875. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives BAE SYSTEMS (Operations) Limited Model BAE 146-100A, -200A, and -300A Series Airplanes, and Model Avro 146-RJ70A, 146-RJ85A, and 146-RJ100A Airplanes [Docket No.: FAA-2009-1250; Directorate Identifier 2008-NM-169-AD; Amendment 39-16276; AD 2010-09-11] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7876. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Model FALCON 900EX and MYSTERE-FALCON 900 Airplanes [Docket No.: 2000-NM-418-AD; Amendment 39-12964; AD 2002-23-20] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7877. A letter from the Chief, Publications and Regulations, Internal Revenue Service,

transmitting the Service's final rule — Sections 7701(a) and 7805 — Definition of Foreign Partnership [Notice 2010-41] received May 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7878. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — James R. Thompson v. United States Court of Federal Claims No. 06-211T received May 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7879. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Tide-water Inc. and Subsidiaries and Tidewater Foreign Sales Corporation v. United States, 565 F. 3d 299 (5th Cir. 2009), aff'g No. 06-875, 2007 U.S. Dist. LEXIS 77147 (E.D. La. October 17, 2007) received May 20, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7880. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Qualified Nonpersonal Use Vehicles [TD 9483] (RIN: 1545-BH65) received May 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7881. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of Dividends received Deduction on Separate Accounts of Life Insurance Companies [LMSB-4-0510-015] received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7882. A letter from the Staff Director, Commission on Civil Rights, transmitting a report on "Wiretapping and the War on Terror"; jointly to the Committees on the Judiciary and Intelligence (Permanent Select).

7883. A letter from the Secretary, Department of Labor, transmitting a legislative proposal entitled, "Unemployment Compensation Program Integrity Act of 2010"; jointly to the Committees on Oversight and Government Reform, Ways and Means, and Education and Labor.

7884. A letter from the Principal Deputy General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2011; jointly to the Committees on Armed Services, the Judiciary, Oversight and Government Reform, the Budget, Financial Services, Small Business, Transportation and Infrastructure, Veterans' Affairs, Foreign Affairs, and Energy and Commerce.

7885. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2011; jointly to the Committees on Armed Services, Transportation and Infrastructure, Ways and Means, Energy and Commerce, Foreign Affairs, the Judiciary, Intelligence (Permanent Select), Oversight and Government Reform, and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TOWNS: Committee on Oversight and Government Reform. H.R. 2142. A bill to require the review of Government programs at least once every 5 years for purposes of assessing their performance and improving their operations, and to establish the Performance Improvement Council; with amendments (Rept. 111-504). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 4451. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; with an amendment (Rept. 111-505). Referred to the Committee of the Whole House on the State of the Union.

Ms. PINGREE of Maine: Committee on Rules. House Resolution 1436. Resolution providing for consideration of the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and providing for consideration of the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes (Rept. 111-506). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CASSIDY (for himself, Mr. CAO, Mr. BOUSTANY, Mr. ALEXANDER, Mr. SCALISE, Mr. FLEMING, Mr. MELANCON, Mr. GRIFFITH, Mr. ROGERS of Alabama, Mr. SULLIVAN, Mr. COLE, Mr. BOREN, Mr. SHADEGG, Mr. PENCE, Mr. YOUNG of Alaska, Mr. CHAFFETZ, Mr. MARCHANT, Mr. CULBERSON, Mr. LUCAS, Mr. CUELLAR, Mr. GUTHRIE, Mr. MCCAUL, Mr. FRANKS of Arizona, Mrs. CAPITO, Mr. CONAWAY, Mr. HARPER, Mr. OLSON, Mr. HENSARLING, Mr. PRICE of Georgia, Mr. THOMPSON of Pennsylvania, Mr. POE of Texas, Mr. BURTON of Indiana, and Mr. HALL of Texas):

H.R. 5519. A bill to terminate the moratorium on deepwater drilling and to require the Secretary of the Interior to ensure the safety of deepwater drilling operations; to the Committee on Natural Resources.

By Mr. KAGEN (for himself, Mr. RUPPERSBERGER, Mr. HALL of New York, Mr. BOSWELL, Mr. HARE, Ms. SUTTON, Mr. DEUTCH, Ms. VELÁZQUEZ, Mr. JOHNSON of Georgia, Mr. CONNOLLY of Virginia, Mr. LOEBACK, Mr. MCGOVERN, Mr. SCHAUER, Mr. SPRATT, Ms. CASTOR of Florida, Mr. BACA, Ms. CLARKE, Ms. LEE of California, and Mr. COHEN):

H.R. 5520. A bill to require immediate payment by BP p.l.c. to the United States of an amount for use to compensate all affected persons for removal costs and damages arising from the explosion and sinking of the mobile offshore drilling unit Deepwater Horizon, to make that amount available to the Secretary of the Interior to pay such compensation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CASTLE (for himself, Mrs. DAHLKEMPER, and Mr. EHLERS):

H.R. 5521. A bill to extend credits related to the production of electricity from offshore wind, and for other purposes; to the Committee on Ways and Means.

By Mr. MORAN of Virginia (for himself, Mr. CONNOLLY of Virginia, and Mr. WOLF):

H.R. 5522. A bill to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees; to the Committee on Oversight and Government Reform.

By Mr. EDWARDS of Texas (for himself, Mr. CARTER, Mr. AKIN, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Mr. CONAWAY, Mr. CRENSHAW, Mr. ETHERIDGE, Mr. FALOMAVAEGA, Mr. FARR, Mr. GONZALEZ, Ms. GRANGER, Mr. GRAVES of Missouri, Mr. SAM JOHNSON of Texas, Mr. KILDEE, Mr. KISSELL, Mr. KRATOVIL, Mr. LUETKEMEYER, Mr. MORAN of Virginia, Mr. OWENS, Mr. REYES, Ms. SHEA-PORTER, Mr. SMITH of Washington, Mr. SMITH of Texas, Mr. TAYLOR, Mr. TEAGUE, Mr. THOMPSON of Pennsylvania, Mr. WILSON of South Carolina, Mr. REICHERT, Ms. SCHWARTZ, Mr. ISRAEL, Mr. DAVIS of Tennessee, Mr. STUPAK, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. HINOJOSA, Mr. LUJÁN, Mr. MEEKS of New York, Mr. SCALISE, Mr. BUTTERFIELD, Mr. DONNELLY of Indiana, Mr. MURPHY of New York, Mr. MEEK of Florida, Mr. CRITZ, Mr. CARNEY, Mrs. KIRKPATRICK of Arizona, Mr. HARE, Ms. HIRONO, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. ORTIZ, Mr. SESSIONS, Mr. SHUSTER, Mr. WESTMORELAND, Mr. GRIFFITH, Mr. JONES, Mr. CAO, Mr. ROHRBACHER, Mr. FRELINGHUYSEN, Mr. SHIMKUS, Mr. COLE, Mr. BURTON of Indiana, Mr. LINDER, Mr. KINGSTON, Mr. BROUN of Georgia, Mr. FLEMING, Mr. LINCOLN DIAZ-BALART of Florida, Mr. CALVERT, Mr. KING of New York, Mr. EHLERS, Mr. MCCAUL, Mr. KING of Iowa, Mr. PENCE, Mr. WALDEN, Mr. ROE of Tennessee, Mr. DAVIS of Kentucky, Mr. CULBERSON, Mr. BUYER, Ms. GINNY BROWN-WAITE of Florida, Mr. GOHMERT, Mrs. MYRICK, Mr. BILBRAY, Mr. ROGERS of Kentucky, Mr. TIAHRT, Mr. CAMP, Mr. ELLSWORTH, Ms. JENKINS, Mr. LOEBACK, Ms. RICHARDSON, Mr. MCMAHON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARTON of Texas, Mr. BACHUS, Mr. MCCLEINTOCK, Mr. BONNER, Mr. ROONEY, and Ms. NORTON):

H. Con. Res. 286. Concurrent resolution recognizing the 235th birthday of the United States Army; to the Committee on Armed Services.

By Mr. BOEHNER (for himself, Mr. KLINE of Minnesota, Mr. LUETKEMEYER, Mr. LEE of New York, Mr. JONES, Mr. KING of Iowa, Ms. ROS-LEHTINEN, Mr. ROONEY, Mrs. MYRICK, Mr. COBLE, Mr. GUTHRIE, Mr. SULLIVAN, Mr. POSEY, Mr. LATHAM, Mr. TERRY, Mr. ROE of Tennessee, Mr. AKIN, Mr. CONAWAY, Mr. HERGER, Mr. WILSON of South Carolina, Mr. OLSON, Mr. MCHENRY, Mr. PAULSEN, Mr. ROGERS of Michigan, Mr. BROWN of South Carolina, and Mr. BARTON of Texas):

H. Con. Res. 287. Concurrent resolution recognizing Associated Builders and Contractors on the occasion of the 60th anniversary of its founding and for the many vital contributions merit shop commercial, industrial, and infrastructure construction contractors make to the quality of life of the people of the United States; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS (for himself, Mr. GALLEGLY, Mr. HOLT, Mr. ISSA, Mr. CASTLE, Mr. TIM MURPHY of Pennsylvania, Mrs. CHRISTENSEN, Mr. COHEN, Ms. BORDALLO, Ms. CLARKE, Mr. BISHOP of Georgia, Mr. TANNER, Mr. HINCHEY, Mr. SCOTT of Georgia, Mr. SMITH of New Jersey, Ms. NORTON, Mr. LOBIONDO, Mr. MORAN of Vir-

ginia, Mr. FATTAH, Mr. SERRANO, Mr. NEAL of Massachusetts, Ms. LEE of California, Mr. HILL, Ms. FUDGE, Mr. LYNCH, Mr. CRITZ, Mr. HOLDEN, Mr. MCGOVERN, Mr. GRIJALVA, Ms. RICHARDSON, Mr. GORDON of Tennessee, Mr. BURTON of Indiana, Mrs. DAVIS of California, Mr. SIREN, Mr. HINOJOSA, Mr. THOMPSON of Mississippi, Mr. ELLISON, Mr. FILNER, Mr. JACKSON of Illinois, Mr. GONZALEZ, Mr. BUTTERFIELD, Mr. BRADY of Pennsylvania, Mr. BOSWELL, Mr. BISHOP of New York, Mr. ROE of Tennessee, Ms. CORRINE BROWN of Florida, Mr. CLAY, Mr. MCINTYRE, Ms. KILPATRICK of Michigan, Ms. BERKLEY, Mr. SCOTT of Virginia, Mr. FRELINGHUYSEN, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. HARE, Mr. GUTIERREZ, Mr. CLEAVER, Mr. SARBANES, and Mr. FRANK of Massachusetts):

H. Con. Res. 288. Concurrent resolution supporting National Men's Health Week; to the Committee on Oversight and Government Reform.

By Mr. DJOU (for himself and Mr. DREIER):

H. Res. 1435. A resolution expressing the sense of the House of Representatives that the United States should initiate negotiations to enter into a free trade agreement with the Republic of the Philippines; to the Committee on Ways and Means.

By Mr. EDWARDS of Texas:

H. Res. 1437. A resolution congratulating the McLennan Community College Highlanders men's golf team for winning the 2010 NJCAA Division I Men's Golf Championship; to the Committee on Education and Labor.

By Mr. PAULSEN:

H. Res. 1438. A resolution promoting increased awareness and diagnosis of peripheral arterial disease (PAD) to address the high mortality rate of this treatable disease; to the Committee on Energy and Commerce.

By Mr. QUIGLEY (for himself, Mr. DAVIS of Illinois, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. HARE, Mr. ROSKAM, Mrs. BIGGERT, Mr. MANZULLO, Mr. HIGGINS, Mr. MINNICK, Mr. SCHOCK, Mr. JOHNSON of Illinois, Mr. TERRY, Mr. JACKSON of Illinois, Mr. KIRK, Mr. FOSTER, Mr. SHIMKUS, Ms. BEAN, Ms. BALDWIN, Mrs. HALVORSON, Ms. SCHAKOWSKY, Mr. RUSH, and Mr. COSTELLO):

H. Res. 1439. A resolution congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup Championship; to the Committee on Oversight and Government Reform.

By Mr. WEINER:

H. Res. 1440. A resolution recognizing and supporting Israel's right to defend itself; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

306. The SPEAKER presented a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2009 urging the Congress to enact legislation that provides grant funding for states to conduct feasibility studies for the domestic production and research of medical isotopes; to the Committee on Energy and Commerce.

307. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 927 urging the Congress to pass the Social Security Fairness Act of 2009; to the Committee on Ways and Means.

308. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2014 urging the Congress to support federal and state policy initiatives to spur a new wave of nuclear plant development; jointly to the Committees on Energy and Commerce, Ways and Means, and Science and Technology.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 52: Mr. HONDA.
 H.R. 211: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 235: Ms. SHEA-PORTER.
 H.R. 248: Mr. HOLDEN.
 H.R. 406: Ms. SPEIER and Mr. WALZ.
 H.R. 503: Ms. BALDWIN.
 H.R. 635: Ms. SUTTON.
 H.R. 669: Mr. DEUTCH.
 H.R. 707: Mr. CRITZ.
 H.R. 948: Mr. RYAN of Ohio.
 H.R. 1021: Mrs. BLACKBURN.
 H.R. 1193: Mr. FRANK of Massachusetts, Mr. LOEBSACK, and Mr. PRICE of North Carolina.
 H.R. 1210: Mrs. BLACKBURN.
 H.R. 1230: Mr. COHEN.
 H.R. 1240: Mr. LIPINSKI.
 H.R. 1305: Mr. WALDEN.
 H.R. 1324: Mr. THOMPSON of Mississippi.
 H.R. 1351: Ms. EDWARDS of Maryland.
 H.R. 1549: Ms. LORETTA SANCHEZ of California.
 H.R. 1806: Mr. MCCOTTER.
 H.R. 1826: Ms. CLARKE.
 H.R. 1829: Ms. ROS-LEHTINEN.
 H.R. 1927: Mr. DOGGETT.
 H.R. 1956: Mr. COSTA.
 H.R. 2246: Mr. BLUMENAUER.
 H.R. 2626: Mr. WALDEN.
 H.R. 2697: Ms. LORETTA SANCHEZ of California.
 H.R. 2731: Mr. MICHAUD.
 H.R. 2746: Mr. UPTON and Mr. KIRK.
 H.R. 2811: Mr. DEUTCH.
 H.R. 3164: Mr. CONNOLLY of Virginia.
 H.R. 3212: Mr. JOHNSON of Georgia and Mr. LOEBSACK.
 H.R. 3349: Mr. FALCOMAVAEGA.
 H.R. 3408: Ms. CLARKE, Mr. PAYNE, Ms. HIRONO, and Mr. BOSWELL.
 H.R. 3441: Mr. NYE.
 H.R. 3464: Mrs. SCHMIDT.
 H.R. 3491: Ms. CHU.
 H.R. 3554: Mr. HARE.
 H.R. 3625: Mr. KUCINICH.
 H.R. 3716: Mr. PAUL.
 H.R. 3839: Mr. MCCOTTER.
 H.R. 3974: Ms. PINGREE of Maine.
 H.R. 4051: Mr. CRITZ.
 H.R. 4080: Mr. LEWIS of Georgia.
 H.R. 4116: Mr. PERRIELLO, Mr. BISHOP of Georgia, Ms. CASTOR of Florida, Mr. MCDERMOTT, Mr. RYAN of Ohio, Mr. POE of Texas, and Mr. LUJÁN.
 H.R. 4128: Ms. WATERS.
 H.R. 4148: Mr. KUCINICH.
 H.R. 4190: Mr. HODES.
 H.R. 4195: Ms. HIRONO.
 H.R. 4197: Mr. FRANK of Massachusetts.
 H.R. 4296: Mr. PRICE of North Carolina.
 H.R. 4322: Mr. PRICE of North Carolina and Mr. BISHOP of Georgia.
 H.R. 4446: Mr. KUCINICH.
 H.R. 4480: Mr. RYAN of Ohio, Ms. BERKLEY, and Mr. CASTLE.
 H.R. 4530: Ms. TSONGAS.

H.R. 4544: Mr. PRICE of North Carolina and Mr. KUCINICH.
 H.R. 4594: Mr. LANGEVIN.
 H.R. 4638: Mr. FILNER.
 H.R. 4671: Mr. POLIS and Mr. MOLLOHAN.
 H.R. 4677: Mr. KUCINICH.
 H.R. 4684: Mr. BAIRD, Ms. BALDWIN, Mr. BARROW, Mr. BILBRAY, Mr. CARDOZA, Mr. CARSON of Indiana, Mr. CHAFFETZ, Mr. COBLE, Mr. COOPER, Mr. MARIO DIAZ-BALART of Florida, Mr. DINGELL, Mr. ETHERIDGE, Mr. FRANKS of Arizona, Mr. HOYER, Mr. INSLEE, Mr. JORDAN of Ohio, Ms. KAPTUR, Mr. KILDEE, Mr. MINNICK, Mr. PASTOR of Arizona, Mr. PENNCE, Mr. RUSH, Mr. SENSENBRENNER, Ms. SPEIER, Mr. TIERNEY, Mr. YARMUTH, Mr. YOUNG of Alaska, Mr. HASTINGS of Florida, Mr. CUELLAR, Mr. COFFMAN of Colorado, Ms. HERSETH SANDLIN, Mrs. HALVORSON, Mr. GUTIERREZ, Mr. SMITH of Texas, Mr. BOYD, and Mr. BACA.
 H.R. 4710: Ms. PINGREE of Maine.
 H.R. 4745: Mr. LAMBORN, Mr. PETERSON, and Mr. PLATTS.
 H.R. 4796: Mr. FRANK of Massachusetts.
 H.R. 4830: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 4844: Mrs. MILLER of Michigan.
 H.R. 4886: Mr. TURNER and Ms. CHU.
 H.R. 4910: Mr. CASSIDY.
 H.R. 4912: Mr. FILNER.
 H.R. 4923: Mr. HINCHEY, Mr. STUPAK, Mr. THOMPSON of California, and Mr. MCNERNEY.
 H.R. 4925: Ms. SCHAKOWSKY.
 H.R. 4926: Ms. SCHAKOWSKY, Ms. HIRONO, Mr. STUPAK, and Mr. GRJALVA.
 H.R. 4995: Mr. GARY G. MILLER of California.
 H.R. 5012: Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. KUCINICH, Mr. FRANK of Massachusetts, and Mr. CONYERS.
 H.R. 5032: Mr. DEUTCH.
 H.R. 5034: Mr. ROTHMAN of New Jersey, Mr. COURTNEY, and Mr. HEINRICH.
 H.R. 5040: Ms. DEGETTE, Mr. ENGEL, Mr. COHEN, and Mr. BOUCHER.
 H.R. 5041: Mr. OWENS and Ms. DEGETTE.
 H.R. 5081: Mr. LINDER and Mr. WEINER.
 H.R. 5092: Mr. SPRATT.
 H.R. 5119: Mr. POLIS and Ms. DEGETTE.
 H.R. 5141: Mr. CULBERSON, Mr. NUNES, Mr. REHBERG, Mr. BLUNT, and Mr. DAVIS of Kentucky.
 H.R. 5156: Ms. SPEIER and Ms. HIRONO.
 H.R. 5162: Ms. HERSETH SANDLIN, Ms. GINNY BROWN-WAITE of Florida, and Mr. JORDAN of Ohio.
 H.R. 5173: Mr. BACHUS.
 H.R. 5211: Mr. PIERLUISI, Mr. KUCINICH, and Ms. TITUS.
 H.R. 5232: Ms. WASSERMAN SCHULTZ.
 H.R. 5339: Mr. MCCLINTOCK.
 H.R. 5340: Mr. MCCLINTOCK.
 H.R. 5354: Mr. SCOTT of Georgia.
 H.R. 5355: Ms. WATERS and Mr. FRANK of Massachusetts.
 H.R. 5382: Mr. SHADEGG.
 H.R. 5426: Mr. ROGERS of Michigan.
 H.R. 5434: Mr. ROTHMAN of New Jersey, Mr. MARKEY of Massachusetts, Mr. GEORGE MILLER of California, Mr. HONDA, and Ms. LINDA T. SANCHEZ of California.
 H.R. 5441: Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, and Mr. MAFFEI.
 H.R. 5470: Mr. SARBANES and Mr. MARCHANT.
 H.R. 5478: Mr. BAIRD and Mr. ELLSWORTH.
 H.R. 5480: Mr. CONYERS.
 H.R. 5501: Mr. GARRETT of New Jersey, Mr. COFFMAN of Colorado, Mr. PRICE of Georgia, and Mr. CAO.
 H.R. 5502: Mr. MCMAHON, Mr. MCCARTHY of California, Ms. JENKINS, and Mr. MEEKS of New York.

H.R. 5510: Mr. DRIEHAUS.
 H.J. Res. 47: Mr. BISHOP of Georgia and Mr. PERRIELLO.
 H.J. Res. 81: Ms. CLARKE, Mr. FATTAH, Ms. WATSON, and Mr. WATT.
 H. Con. Res. 242: Mr. MEEK of Florida.
 H. Con. Res. 266: Mr. GARAMENDI.
 H. Con. Res. 281: Mr. NEUGEBAUER and Mr. GARRETT of New Jersey.
 H. Con. Res. 284: Mr. BARROW, Mr. TIAHRT, Mr. SMITH of Texas, Mr. EHLERS, Ms. KILROY, Mr. LAMBORN, Mr. FORTENBERRY, Mr. GRAVES of Missouri, Mr. HARPER, Mr. COBLE, and Mr. KENNEDY.
 H. Res. 111: Mr. CASTLE and Mr. CRITZ.
 H. Res. 173: Mrs. KIRKPATRICK of Arizona, Mr. RANGEL, and Ms. EDDIE BERNICE JOHNSON of Texas.
 H. Res. 536: Mr. AKIN and Mr. HOLDEN.
 H. Res. 764: Mr. JOHNSON of Georgia and Mr. COSTA.
 H. Res. 820: Mr. MANZULLO.
 H. Res. 913: Mr. FRANK of Massachusetts and Mr. MORAN of Virginia.
 H. Res. 966: Mr. CALVERT.
 H. Res. 1171: Mr. LIPINSKI.
 H. Res. 1207: Mr. WILSON of South Carolina.
 H. Res. 1219: Ms. MARKEY of Colorado.
 H. Res. 1291: Mr. BOUCHER and Mr. MARSHALL.
 H. Res. 1350: Mr. BURTON of Indiana and Mr. FLAKE.
 H. Res. 1401: Mr. CARNEY, Mr. LOBIONDO, Mr. WEINER, Mr. MEEKS of New York, Mr. HOLDEN, Mr. FILNER, Mr. WU, Mr. DEFAZIO, Mr. KLEIN of Florida, Mr. CAO, and Mr. BOSWELL.
 H. Res. 1406: Mr. LAMBORN, Mr. REHBERG, and Mr. FLEMING.
 H. Res. 1412: Mr. SCHIFF and Mr. SCHOCK.
 H. Res. 1417: Mr. GORDON of Tennessee.
 H. Res. 1429: Mrs. MCMORRIS RODGERS, Mr. MCINTYRE, Mr. MANZULLO, Mr. THOMPSON of Pennsylvania, Mr. CALVERT, Mr. LANCE, Mr. LATOURETTE, Mr. CAO, Ms. GRANGER, Mr. POSEY, Mr. CONAWAY, Mrs. BACHMANN, Mr. LAMBORN, Mr. GUTHRIE, Mr. JORDAN of Ohio, Mr. CONNOLLY of Virginia, Mr. GRIFFITH, Mr. CHAFFETZ, Mr. MAFFEI, Mr. MCCAUL, Mr. ROE of Tennessee, Mr. TURNER, Mr. KLINE of Minnesota, Mr. BACHUS, Mr. PRICE of Georgia, Mr. SIMPSON, Ms. BORDALLO, Mr. BROUN of Georgia, Mrs. BLACKBURN, Mr. NEUGEBAUER, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Mrs. HALVORSON, Mr. BUYER, and Mr. DUNCAN.
 H. Res. 1430: Mr. SABLAN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

144. The SPEAKER presented a petition of American Bar Association, Illinois, relative to Resolution 102G urging the President and the Attorney General to assure that lawyers in the Department of Justice do not make decisions concerning investigations or proceedings based upon partisan political interests; to the Committee on the Judiciary.

145. Also, a petition of American Bar Association, Illinois, relative to Resolution 102D urging federal, state, local, and territorial courts to adopt a procedure whereby a criminal trial court shall conduct a conference with the parties to ensure that they are fully aware of their respective disclosure obligations; to the Committee on the Judiciary.



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Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our heavenly Father, give us the courage to continue with hope when the days are difficult and our work is challenging. Stay near to our Senators, particularly when they are weary and when doubts and anxieties assail them. Give them the wisdom to do their best and leave the rest to Your loving care.

Lord, take their lips and speak through them; take their minds and think through them; take their hearts and love humanity through them.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U. S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. 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.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business until 3 p.m. with Senators permitted to speak for up to 10 minutes each. Upon the conclusion of morning business, the Senate will resume consideration of the House message with respect to H.R. 4213, which is the tax extenders legislation.

There will be no rollcall votes today. Senators should expect the next votes to begin around 11:50 a.m. tomorrow. Those votes will be on confirmation of several District Court nominations: Tanya Pratt of Indiana, Brian Jackson of Louisiana, and Elizabeth Foote of Louisiana.

FIXING AMERICA'S PROBLEMS

Mr. REID. Mr. President, we will learn a lot this week about who wants to fix problems and who wants to make excuses. This week will be the seventh week the emergency unemployment insurance bill has been on the Senate floor. It is another week the good families in Nevada and across the country

have to struggle to make ends meet after their benefits have expired—to simply cover the basics while they look for full-time work.

If my friends on the other side of the aisle have their way, this week will be yet another week with no lifeline for the most needy—those willing to work and who are waiting to work. The other side has slowed and stalled almost every piece of legislation this year, just as they did last year and the year before. And that is not a secret. The numbers don't lie and the Republicans make no efforts to hide their strategy of delay. That is why today they are known as the party of no.

But that strategy has consequences. The first is unemployment insurance. Years of disastrous Republican policies led to the worst economic disaster in generations. That, in turn, led to layoffs in nearly every industry in every State. When millions of Americans lost their jobs, they lost their incomes, their homes, their savings, their gas money, their tuition payments, all through no fault of their own. Democrats aren't about to turn their backs on out-of-work Americans, which is why we are trying to help them keep their heads above water in this emergency.

The second casualty is Medicaid funding, known as FMAP, so the poorest of the poor in our communities can see a doctor when they get sick. Many States, including the State of Nevada, have budgeted for this money and count on us to deliver it. Nevada is counting on more than \$100 million. Others are waiting on billions of dollars. If we don't deliver, we will leave huge holes in State budgets that will be filled with other deep and drastic cuts affecting the basic goodness of our country and directly the lives of millions. Critical services from coast to coast will bear the burden. We have to pass this bill on the FMAP legislation. We have to do it to protect those services and the jobs they create.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S4869

Third, this bill will fix an injustice to doctors who treat America's senior citizens—those on Medicare. More than a decade ago, a Republican-dominated Congress passed a flawed policy regarding how doctors are reimbursed for seeing patients on Medicare. Tomorrow, these doctors will see those payments drop 21 percent—that is more than one-fifth—and it will drop overnight. That is grossly unfair to doctors and it is dangerous for seniors, veterans, and others they may soon no longer be able to treat.

But that is not all. Many HMOs and other providers base their reimbursements on Medicare rates. So you don't have to be a senior citizen or a veteran to be affected by the sharp cut scheduled to take effect tomorrow.

Some on the other side are still trying again to stand in the way. As I said, the doctors payment problem came out of a Congress that was dominated by Republicans. The Democratic Congress is determined to fix this.

Let's say a word about the BP disaster. Next week will mark 2 months since millions of gallons of oil started gushing into the Gulf of Mexico. But this week will tell us a lot about who is fighting for the taxpayers and who is fighting for corporate America.

The cost of the BP disaster isn't limited to the devastated waters and wildlife along our gulf coast. The damage extends to the lives and livelihoods of so many in that region—such as small businesses that can't operate at full speed, and the workers whose jobs are threatened when these businesses slow. Whether it is fishermen, shrimpers, or tourism businesses whose workplace—the Gulf of Mexico—has been polluted on such a large scale, the damages would stretch clear across the State of Nevada, from our California border to our Utah border. Understand how big that is. Nevada is the seventh largest State in the Union, areawise.

Another cost, of course, is the families forever changed when 11 men died in the explosion that caused the spill. Some estimate the pricetag for this disaster will climb to the tens of billions of dollars. But let's be honest: Someone is going to end up paying that bill eventually, but we are making sure it is not going to be the taxpayers. We are going to send the tab to BP.

That is why I sent a letter yesterday to Tony Hayward, BP's chief executive officer. I am pleased and encouraged that the vast majority of Democrats we could get hold of signed their names alongside mine. We told Hayward we are committed to ensuring BP is held fully responsible, and that we refuse to ask taxpayers to bail out one of the richest companies in the whole world. We asked our Republican colleagues to join us.

We are calling on BP to create a special accountability account—overseen by an independent trustee—to pay for the damages from their historic disaster and the cost of cleaning up their catastrophe. We are making these de-

mands because we don't have a lot of reason to give BP the benefit of the doubt. Shortly after the explosion, we learned of the shortcuts that led to it. We saw it all over—including a very nice piece they did on "60 Minutes." We also recently learned BP vastly understated the extent and rate of the spill. And in past disasters, we have seen other oil companies spend millions on lawsuits and public relations campaigns, all designed not to compensate the businesses and families they hurt but to improve their profits.

Our message to BP is as simple as this: If you drill and you spill, we are going to make sure you pay the bill.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

FLAG DAY, HEALTH CARE AND EXTENDERS

Mr. McCONNELL. Mr. President, first, I would like to note a couple important anniversaries today. It was on this day in 1775 that the Continental Army was established and George Washington appointed to lead it. So June 14 has gone down in history not only as the beginning of America's defeat of the British Army but also as the birth of the greatest Army the world has ever known. The largest and oldest branch of the U.S. military, the Army is older than the United States itself. Its first leader became our first President. It continues to make Americans proud, and we are grateful on this day and every day for the men and women of the U.S. Army.

Incidentally, 2 years to the day after the establishment of the Army, the Second Continental Congress officially established the flag under which our military has fought ever since. The resolution in Congress said that 13 stripes would represent the 13 States, and that 13 stars would represent the Union in the form of a new constellation. President Wilson officially established this day as Flag Day in 1916. Ever since, Americans everywhere have honored this great symbol of freedom every year on Flag Day, June 14. We honor those who have fought for it, and we are proud of all that the flag of the United States of America represents here and wherever it flies around the globe.

On another topic, the Obama administration announced new regulations today that will give Americans a better sense of how the health care bill will affect them. These new regulations outline the various ways in which existing health plans will be forced to change under the new law. According to the Obama administration report we saw on all this today, these regulations could result in nearly 7 out of 10 workers—and 80 percent of workers at small businesses—seeing changes in their

plans. In other words, under the new health care bill, more than half of those who get insurance through their jobs may be forced to change their plans whether they want to or not.

This is not only bad news for the vast majority of Americans who like the plans they have. It also flatly contradicts the President's repeated promises to the contrary. A year ago this month, the President said the following on national television: "... Government is not going to make you change plans under health reform"

The implication here was that businesses might change your plans, but government won't. Today's regulations show that this isn't true. The government is about to change the plans most Americans have. Here's one more promise the administration has broken on health care and one more warning Republicans issued on this bill that's been vindicated.

Now onto the business on the floor. Since Democrats continue to argue among themselves about the extenders bill, I will be asking consent at the end of my remarks to pass a 30-day extension of the recently expired provisions in the bill that will give doctors and those looking for work the assurances they need to plan ahead. And rather than doing it in a way that simply adds to the deficit, this proposal would actually reduce the debt by \$2.5 billion. Moreover, later today Senator THUNE will offer an amendment that would provide for a long-term extension of these programs, plus the tax provisions which expired at the end of last year, without adding a dime to the deficit.

In fact, the Thune amendment would enable us to lower the deficit by \$55 billion by enacting the kinds of spending cuts Americans are demanding of lawmakers in Washington.

Many of these cuts have been proposed previously by Senator COBURN and received bipartisan support on the supplemental spending bill. We need to show the American people we are making serious efforts to cut spending. The Thune amendment gives us an opportunity to do just that today. I hope our Democrat friends join us in that effort.

As I indicated and mentioned to the majority leader when we were in private discussion a while ago, I will now propound the consent agreement to which I referred in my remarks.

UNANIMOUS-CONSENT REQUEST—S. 3421

Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 411, S. 3421; further, that the bill be read a third time and passed, and the motion to reconsider be laid upon the table; before the chair rules, for clarity, this is a paid for 30-day extension of the extenders bill, which includes unemployment insurance, doc fix, COBRA, flood insurance, and the extension of the small business loan guarantee program and the 2009 Federal poverty guidelines.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, it is my understanding, through the Chair to my distinguished friend, the senior Senator from Kentucky, that this is paid for out of stimulus money?

Mr. McCONNELL. Mr. President, I believe most of the pay-fors are. I would say to my friend, having consulted with staff, it is some stimulus money but largely what we believe to be noncontroversial pay-fors.

Mr. REID. Mr. President, a 30-day extension doesn't solve the problems we have. A 30-day extension of unemployment, 30-day FMAP, 30-day doc fix, is just kicking them all down the road. We have to have a legitimate program to extend these benefits into the future, and 30 days does not do it. It just kicks the ball down the road.

I would also say, with money being taken from the recovery moneys—this is one of the job-creating things we have left going on in this government. It is a good program, it creates jobs.

I look forward to working with my Republican colleagues to have a more long-term fix of this difficult problem, and therefore I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. There will now be a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each, with the time divided or controlled by the two leaders or their designees.

The Senator from New Mexico.

SUPPORTING DONALD BERWICK

Mr. BINGAMAN. Mr. President, I come to the floor to urge quick confirmation of President Obama's nominee, Dr. Donald Berwick, to become the Administrator for the Centers for Medicare and Medicaid Services, also known as CMS. He is highly qualified and capable. This is an extremely important position for which he has been nominated.

Unfortunately, according to recent press reports, it appears that some who oppose the new health reform law are hoping to use Dr. Berwick's confirmation process as a forum to debate the merits of this new health reform law which has now been enacted.

In my view, whether Senators favored or opposed the enactment of health care reform legislation, it is clearly in the interests of our country that we have a capable Administrator to implement the new law. Over the last year and a half, there has been an enormous focus in Congress on address-

ing the very serious problems facing our health care system. It is important the President's choice to head the CMS be confirmed so that he can take up the enormous challenge and the enormous opportunity that is presented by the enactment of this new legislation.

It is clear our Nation has urgent needs. This is not a time for the Senate to delay Dr. Berwick's nomination. I recently spent time with Dr. Berwick at the annual Health Policy Conference headed by the Commonwealth Fund this last January. I was impressed both with the depth of his understanding of the many issues facing the health care system as well as his passion for improving the quality of health care and his impressive successes in doing so.

Dr. Berwick has dedicated his career to finding ways to make our health care system work better for patients and cost less for taxpayers. These are core missions he will take on as our next CMS Administrator.

Don is the founder and CEO of the Institute for Health Care Improvement. He is a professor of health policy at the Harvard Medical School and the School of Public Health, and he is a practicing physician at some of our Nation's top hospitals. He has held numerous leadership roles at the institutions that ensure quality care in America, including service on the board of the American Hospital Association and as chair of the Advisory Council for the Agency for Healthcare Research and Quality.

Don's vast experience with our health care system, his award-winning career as an expert in health care quality, make him the ideal candidate to lead CMS at this critical time. The historic health reform legislation that President Obama signed into law this year takes significant steps to strengthen Medicare, reduce waste, fraud, and abuse in the system, and makes critical improvements in the way care is delivered. Implementing those changes in the smartest and most effective way is going to require an Administrator who has seen firsthand what it takes to make meaningful improvements in health care quality and efficiency. It is also going to take an Administrator with a passion to get the job done right.

Don Berwick has both. That is why he was chosen by President Obama to be the next CMS Administrator. His nomination has won praise from across the political and professional spectrum, including former CMS Administrators who served Republican Presidents. For example, Thomas A. Scully, who was CMS Administrator under President George W. Bush between 2001 and 2003, said:

Dr. Berwick is about as noncontroversial and well liked as you can get. You are not going to do any better.

Mark McClellan, CMS Administrator under George W. Bush from 2004 to 2006 said the following:

What happens at CMS over the next couple of years will determine whether the new legislation actually improves quality and low-

ers costs. Don has a unique background both in improving quality care on the ground and thinking about how our Nation's health care policies need to be reformed to help make that happen.

Dr. Nancy H. Nielsen, M.D., immediate past president of the American Medical Association, said:

We welcome President Obama's nomination of Dr. Donald Berwick to be administrator of the Centers for Medicare and Medicaid services. He is widely known and well respected for his visionary leadership efforts that focus on optimizing the quality and safety of patient care in hospitals and across health care settings.

Dr. John Rather, the executive vice president of AARP, said:

Dr. Berwick's expertise on healthcare innovation and his dedication to quality improvement and patient safety would benefit the millions of low-income and older Americans served by Medicare and Medicaid. His appointment is welcome news to Medicare beneficiaries, as it signals that quality and safety will be at the top of the agenda.

Finally, our former colleague, Dave Durenberger, a Republican from Minnesota, said:

President Obama let us know he means business on "bending the medical cost curve" by nominating Dr. Don Berwick as head of the Center for Medicare and Medicaid services. . . . This appointment will be taken as an indication that health policy and health system reform is likely to be this President's top priority in his first term. We all know that Don Berwick has the ability to make both work.

There is broad consensus that the nomination of Dr. Berwick is an excellent choice by President Obama. Our country needs Dr. Berwick's remarkable talents now, and every day his confirmation stalls or is delayed is a missed opportunity to ensure his unparalleled leadership is directing our Nation's largest and most influential health care agency.

I urge my colleagues on both sides of the aisle to swiftly approve his nomination.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I might note to my colleague from New Mexico that there is a different point of view about this particular nominee. I would venture to say that since his hearing has not been scheduled yet, it may be a while before we are able to take up that nomination. In any event, there are many on our side of the aisle who have significant concerns about whether he should be put in charge of the CMS. But I appreciate the comments of my colleague, and I will turn to a different subject at this point.

SPENDING

Mr. KYL. Mr. President, about the time I think Washington is beginning to get the message that the American people are fed up with runaway spending, my hopes are dashed by proposals to spend even more. I would like to refer to one here in just a moment.

First, there is no question that the American people are unhappy about

the spending binge and soaring debt that have occurred under this administration and this Congress. In the last year and a half, there has been trillions in new spending, program after program, bailout after bailout. We are about to see another one.

Every time I return home to Arizona from Washington, my constituents remind me of their frustration with Washington's lack of restraint. They know the reckless spending and borrowing cannot go on forever. They are worried about how their kids and their grandkids will pay for all of President Obama's spending priorities and associated debt.

Now, \$260 of new debt has been added to each household every week of the Obama administration. Let me repeat. For every week of this administration, every household has another \$260 of debt. Our national debt has now reached \$13 trillion, much of which is held by countries such as China. More than \$1 trillion has been added to the debt since the majority adopted legislation they called pay-go. These are so-called budget controls which require Congress to pay for what it spends. But, unfortunately for the taxpayers, the emergency designations and other budget gimmicks have been a convenient way for the majority to circumvent these pay-go rules.

Now the President is asking for some more money to spend for yet another bailout. This time it is \$23 billion for teachers' salaries and a total of \$50 billion to defray the cost of State employees' and local employees' salaries. No guarantee that the funding would be used in the case of the teachers necessarily to save jobs, or firefighters, the same. And this comes just 16 months after Congress poured \$100 billion for education into the so-called stimulus legislation, including \$48 billion in direct aid to the States. As for total Federal education spending, it has doubled since the year 2000 to 15 percent of the Federal budget now—not an inconsequential amount.

Besides more spending and debt, I see the continuation of two troubling patterns here. One is the refusal of this administration and the majority in this Congress to encourage State and local governments to economize to live within their means, just as families and private sector businesses must do. The President's latest proposal for this \$50 billion in so-called emergency funding simply bails the States out, the State and local governments that have obligations to their employees.

With regard to education, the Education Secretary, Arne Duncan, says the \$23 billion for teachers is an emergency. But, as George Will pointed out in a recent column, the private sector has lost 8.5 million jobs during the recession or 7.4 percent of workers, while local governments have only lost 141,000 workers or less than 1 percent of their workers. Will writes, "Now this supposed emergency, and states' dependency, may be becoming routine

and perpetual." In other words, the Federal Government just becomes the payor for the salaries of people who work for State and local governments.

Spending \$23 billion is not going to help unemployed private sector workers find jobs; it may actually hurt them. And spending billions of stimulus dollars on State and local governments hasn't helped them to solve their financial problems thus far. How will spending billions remedy their underlying budget problems? It is just a temporary reprieve. But if they don't do anything to address the underlying cause of the problem, we will not have helped them at all.

Education spending has not been neglected during the recession, and at some point local governments have to figure out a way to make do with what they have. The debt and out-of-control spending are the real emergencies we should be dealing with.

The second pattern I would like to note is the administration's habit of supporting legislation that designates winners and losers, especially when it comes to labor unions. They were the beneficiaries of \$85 billion in bailouts to the car companies and special tax treatment of the President's health spending law. Teachers unions are the winners if the President convinces Congress to spend another \$23 billion on teacher salaries. This is not the kind of change Americans had in mind when President Obama took office; that is, political allies getting special status and treatment.

President Obama pays lip service to fiscal responsibility but does so as long as his own priorities do not have to be put on hold; otherwise, he would not talk in the same breath about fiscal restraint on the one hand and another \$50 billion in Federal taxpayer money or borrowing from other countries in order to pay teachers' salaries, firefighters' salaries, and the like. At some point, I believe the President will have to match his rhetoric with action; otherwise, the United States will not be able to avoid unprecedented budgetary and economic crises. Is this really the legacy this administration and this Congress want to leave behind? I think not.

I think when I go home this week and I visit with constituents of mine, including another tea party group, I am going to hear an earful about how they thought Washington was beginning to get the message that we were not supposed to spend so much money we did not have; that they are tired of us going to borrow money from other countries such as China and putting it on the credit card for our kids and our grandkids to pay. I think I am going to have to tell them: Well, I thought folks were beginning to get the message, but now, with the President's new request, it appears we are going to have to deal with the problem again.

I hope that when the President's proposed legislation comes to the Congress, we are able to say to him: No,

not this time, just as we are with the legislation that is on the floor of the Senate this week, the so-called emergency that continues certain tax policies in force, extends certain benefits such as unemployment insurance, but does a lot of other things that are not paid for, that are not offset by cuts in other spending.

I don't think we can continue to just keep piling on more and more spending without finding a way to offset it with savings elsewhere. It is not as if those savings can't be found, but we will never get there if we decide to take on the obligations of State and local governments to pay for all of the governmental workers who are on their payrolls. We have to start looking at the private sector and how to encourage the private sector to begin to put more of their folks back to work instead of taking money out of the private sector in order to keep these government workers employed.

I hope my colleagues will take the message I have heard loudly and clearly from home to heart and begin to apply some fiscal discipline to the spending policies this administration is proposing and will for once say: No, we can't afford this, and so we are not going to spend the money.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. 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.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for such time as I consume.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CAP-AND-TRADE

Mr. INHOFE. Mr. President, today I wish to speak on where I think this climate change debate is headed after last Thursday's vote on the Murkowski resolution. We got a very clear signal in today's Politico, which reported that President Obama, in his Oval Office address tomorrow night, will seek, as a part of the response to the BP oil spill, to "put a price on carbon."

Let's keep in mind what "a price on carbon" is. That is a tax, a carbon tax, or what we call cap and trade. Quite often people have said: Well, if those individuals really want to charge for carbon, want to stop this economy, why don't they just put a carbon tax on it? The reason they do not is then people would know how much it is costing them. As it is now, with cap and trade, they would not.

But again, he is going to have an Oval Office address. I think this will be

the first talk he will give from the Oval Office since he has been President. Of course, that is Washington-speak for cap and trade—a price on carbon.

This is remarkable. Here we have the most significant environmental disaster in our Nation's history, and the President decides now is the time for cap and trade—a massive new energy tax paid for by consumers, working families, farmers, and small businesses; a massive new energy tax that will destroy millions of jobs, in good measure by sending many of them to places such as China and India; a massive new energy tax that will make a gallon of gas more expensive; and a massive new energy tax that will not do anything to stop global warming but will increase the size of government and give more money to politicians to spend. Just how that will contain the oilspill, mitigate the environmental damage, or help those immediately affected by it remains a mystery. Put simply, it will not do any of those things, but it will damage the economy and make it harder to deal with this crisis.

We have a serious incident on our hands. People died, people's economic livelihoods are at stake, and the environment is being harmed. But instead of Presidential leadership and clear direction, we are getting pure partisan politics. One glaring example is President Obama's moratorium on deep-water drilling—something environmental groups have been seeking for many years. This is an exercise in overreaching that will do far more harm than good. The Louisiana Department of Economic Development estimates that the President's moratorium would kill 3,000 to 6,000 jobs in the next few weeks and over 10,000 Louisiana jobs in the next few months. More than 20,000 jobs are at risk in the next 12 months. That is one example of just pure politics.

Today, in a letter to supporters—we just got this, Mr. President; you may not be aware of this—this is a letter that went out today to Obama supporters all across the Nation, and it says: We are going to have a big meeting at the White House, and we are going to talk about moving forward on legislation to promote a new economy powered by green jobs, combating climate change, and ending our dependence on foreign oil.

Down further in the letter, he says that the House of Representatives has already passed comprehensive energy legislation. Let's remember what that was. That was the Waxman-Markey bill. That was a cap-and-trade bill—one that was very expensive. He says there is currently a plan in the Senate to do the same thing. That is the Kerry-Lieberman bill he is talking about and we are going to talk about.

So the whole idea of this meeting—and I understand the speech that is going to take place tomorrow night is to try to promote an agenda, a very liberal agenda, an agenda that has been rejected. Cap and trade has been re-

jected by this legislative body since the Kyoto Treaty. That was way back in the late 1990s. Then, of course, the 2003 and 2005 bills by McCain and Lieberman that have been cap-and-trade bills were rejected and every one of them since then, including the Warner-Lieberman bill and the other bills we have had. The interesting thing is, every time a cap-and-trade bill comes up here, it is defeated by a larger margin. That is why I have been saying cap and trade is something that is dead in the Senate.

Instead of Presidential leadership, we are getting rhetoric of the worst kind. A case in point came last week. We heard that the Murkowski resolution is a "big oil bailout" that will allow oil companies such as BP to pollute the air. That must be news to thousands of groups across the country because they certainly were very much in support of her resolution. I am talking about people such as the American Association of Housing Services for the Aging, Family Dairies USA, the Farm Bureau, the National Federation of Independent Business, the Brick Industry Association, the National Association of Manufacturers, the Associated Builders and Contractors—the list goes on and on of the people who realize they do not want to have this massive government takeover.

Let's keep in mind that when you talk about cap-and-trade legislation and then you talk about what the EPA is talking about doing under the Clean Air Act, it is essentially the same thing. It is just that since they could not get it passed legislatively, they are going to try to do it administratively. That is what the whole Murkowski resolution was about. It was about stopping that from taking place. Incidentally, it got 47 votes, and I am going to talk about those votes in a minute.

Well, do some Members really believe these groups have been duped, that what they are really supporting is nothing more than a sop to BP and big oil? This is simply insulting to the citizens across the country who supported the Murkowski resolution for one simple reason: It will stop the greatest bureaucratic intrusion into the lives of the American people in history.

I am confident we will keep hearing this refrain as we get closer to November. The story in today's Politico—and this is interesting; it just came out today—talks about a survey by a guy named Joe Benenson. He is President Obama's campaign pollster. He is an Obama guy. They are doing it for a very liberal group. Among other things, Mr. Benenson found that, based on his interpretation of the survey results, pushing for cap and trade and tying opposition to it to big oil is a "potent political weapon" for Democrats against Republicans this fall. Purely political. No one can argue that.

Well, it is my view that we should be capping that well and not the economy, but apparently the President sees it

differently. I suppose some of this was driven by last week's 47-to-53 vote on overturning the EPA's endangerment finding. The motion to proceed to the Murkowski resolution failed, but the President should not let those numbers obscure the hard political reality: there is a bipartisan majority in the Senate that supports either a delay of or an outright ban on the Obama EPA's job-killing global warming agenda.

By preventing a debate on the Murkowski resolution, the Democrat-led Senate voted last week to expand the reach of government into our daily lives. But the reason this bureaucratic intrusion will continue is that a deal was cut just prior to the vote.

Now, listen to this. It was exposed in a front-page story in the Hill the day of the vote. I am going to read from that story, the Hill story:

Democratic leaders are scrambling to prevent the Senate from delivering a stinging slap to President Barack Obama on climate change. They have offered a vote on a bill they dislike in the hopes of avoiding a loss on legislation Obama hates. The president is threatening to veto a resolution from Sen. Lisa Murkowski that would ban the Environmental Protection Agency from regulating carbon emissions. But if the president were forced to use his veto to prevent legislation emerging from a Congress in which his own party enjoys substantial majorities, it would be a humiliation for him and for Democrats on Capitol Hill. So Senate Majority Leader Harry Reid and other Democratic leaders are doing what they can to stop it. They are floating the possibility of voting on an alternative measure from Sen. Jay Rockefeller, a Democrat from the coal state of West Virginia, which they previously refused to grant floor time. . . .

This is all quoted from the article.

It appears at least seven Democrats took the deal offered to them. What is the deal? The deal is: I know you guys want to vote for the Murkowski resolution. All your people back home want you to vote for it. It is a very popular resolution to stop this overwhelming takeover. Yet, in order to keep them from getting to 51 votes, you are going to have to vote against it.

These are seven Democrats. At the same time, those same seven Democrats could use the Rockefeller amendment for cover. The Rockefeller amendment is the same as the Murkowski resolution, except it just delays it 2 years. Frankly, it accomplishes the same thing. I am for either one of them. Either one would be good. The problem with that is the Rockefeller bill would take 60 votes. So it is saying we know they can get the 51 votes, but if you seven won't vote for Murkowski, we will let you go ahead and vote for the Rockefeller thing and they won't get it anyway because it would take 60 votes.

I know it is heavy lifting. It is complicated, but that is what is going on around here. In other words, for the Democrats to ensure that the EPA can micromanage farms and other institutions in America, they have to develop a scheme to give cover to Democratic Members who should oppose the EPA takeover. I wish to emphasize that I

believe these Members are conflicted about what to do. I think they understand the economic harm and what an unfettered EPA bureaucracy could mean for their constituents—fewer jobs, more regulations, higher taxes, and a slower economy—but they were pressured by the President and the base of the Democratic Party. They were warned against defying the President on one of his top initiatives, so they turned to the Rockefeller bill as an alternative, which is a 2-year delay for implementation of this bill; in other words, not allowing the EPA to micromanage our lives at least for 2 more years, giving us a little breathing time. But it is not the end of the road.

As I see it, the Rockefeller bill should not be used as political cover. It is merely an alternative means of achieving a similar goal sought by Senator MURKOWSKI to stop the EPA from deciding our Nation's energy policy. We ought to get a vote on Rockefeller one way or another, and if it happens, I trust these seven Members—and possibly others who voted no on Murkowski—will vote with their constituents for the Rockefeller bill and against EPA taking jobs, businesses, and energy out of our struggling economy.

Let me be blunt. EPA's growing regulatory regime will lead to one of the greatest bureaucratic intrusions into the lives of the American people. Peter Glaser, an attorney with Troutman Sanders and one of the foremost Clean Air Act attorneys—the Clean Air Act passed many decades ago—said that the EPA's endangerment finding will lead to Federal regulation of schools, hospitals, nursing homes, commercial buildings, churches, restaurants, homes, hotels, malls, colleges and universities, food processing facilities, farms, sports arenas—all of these things. That is virtually everybody—and it would be a very expensive proposition.

If you look at what happened throughout the history of this endangerment finding, the debate over the Murkowski resolution began even before the resolution was introduced in January. It began with the creation of the Intergovernmental Panel on Climate Change, the IPCC. That was at the United Nations back in 1989. That led to the Kyoto Protocol, and we voted on the intent of the Kyoto Protocol right in this Chamber 95 to nothing. The question was this: We will reject any treaty that comes from the Clinton-Gore White House to us if it either hurts our economy or doesn't treat the developing nations the same as the developed nations. Of course, that is exactly what we did. That was 95 to 0.

Then, later on, as I mentioned, we had all of these different bills, including the Lieberman-Warner bill, the McCain-Warner bill, and all of these were cap-and-trade bills and they all died. All of this led to the EPA's endangerment finding. What that said

was—and this is the President: In the event that the House and the Senate refuse to vote in favor of some kind of a cap-and-trade bill, as has been mentioned, then we will go ahead and do it under the Clean Air Act. The Clean Air Act was set up to attack real pollutants such as SO_x, NO_x, and mercury. So they were saying we will go ahead and do it with this regulation.

Make no mistake. Despite testimony to the contrary by senior officials, the Obama administration was not forced by the Supreme Court to choose endangerment. As I noted, they had a choice. They made the wrong choice. They could have either voted not to consider CO₂ as endangering to health or they could do it or ignore it altogether. They decided to do it, and it didn't surprise me a bit.

So the IPCC put together this thing and we now—I can remember so well when we had Lisa Jackson, who is the Administrator of the Environmental Protection Agency, before our committee. We talked about the fact that I thought—this is before the endangerment finding. I said: Administrator Jackson, I think you are going to have an endangerment finding, and when you do, you have to base that on science. What science are you going to base it on? The answer was: The IPCC or the United Nations.

We know what has happened to the credibility of that science since that time. It has been totally debunked.

The other defense people use in trying to justify voting against the resolution as expressed by a few Democrats was that overturning endangerment would mean removing the authority from the National Highway Traffic Safety Administration—that is the NHTSA—to set Corporate Average Fuel Economy standards, CAFE standards. More specifically, some argue it would undo the historic auto deal reached last May by the two auto companies, the White House, and the EPA, DOT, and California. The only problem with this argument is that it is wrong. Ask the Obama administration. According to a February 19 letter by Kevin Vincent—that is the NHTSA's general counsel:

As a strictly legal matter, the Murkowski resolution does not directly impact NHTSA's statutory authority to set fuel economy standards under the Energy Policy and Conservation Act, as amended by the Energy Independence and Security Act of 2007.

So we are hearing that this resolution will revoke the new CAFE standards and increase the amount of oil we consume. It is patently false to assert that NHTSA said they can't continue to work on, and then implement, as they are doing today, the CAFE standards. So that argument is a phony argument.

Cap and trade. During the debate last week, I spoke briefly about the collapse of the science behind manmade global warming. I said the vote last week was not based on the science but, rather, on stopping a liberal job-killing

agenda. It is interesting because there are several people—all of the Republicans supported the Murkowski resolution. Yet there are some Republicans who actually believe that anthropogenic gas is a major cause of global warming. I am not one of those. I am at the other extreme. But there are some here who don't agree. So that wasn't what the vote was about. It was about whether they should take over control of our lives as they are talking about doing. There is no doubt that there is a wide spectrum of beliefs about the science in the Republican Party, but I am pleased that last week we stood united for protecting American jobs. That is all 41 Republicans. That is very rare. They always say Democrats are much more disciplined than Republicans are. That is where the phrase "herding cats" came from. That is why you try to get Republicans all together. It is a very unusual thing, but we were. We were all together last week.

The Clean Air Act is a monumental mistake that will shackle the American economy with job-killing regulations and higher energy taxes.

Let me now take a little time to discuss both the current state of cap and trade in the Senate and the latest science behind global warming. First, let me state the obvious. Despite the best efforts by many in the more extreme liberal wing of the Democratic Party, global warming cap-and-trade legislation is dead. It is dead. I stated that 2 months ago, and there is no way they are going to be able to bring it back. We will have to wait and see. In fact, just the term "cap and trade" is so toxic these days in the Senate, my Democratic colleagues refuse to even use the term anymore. They don't use "cap and trade." Last week Majority Leader HARRY REID said:

We don't use the words "cap and trade" . . . That's something that's been deleted from my dictionary.

Further, RollCall reported last week that Democrats in the House had a similar response to cap and trade. Roll-Call reported:

Both Speaker Nancy Pelosi and House Majority Leader Steny Hoyer bristled at a question about Senate Minority Leader Mitch McConnell's declaration that the House's cap-and-trade energy proposal is dead. The House passed a bill that includes the proposal last year, but the issue has stalled in the Senate. "That's not the bill they have in the Senate," Pelosi told reporters. "They don't have a cap-and-trade bill. That's not the bill they have in the Senate."

That is the bill we have in the Senate. It is cap and trade. All of those are cap and trade. The current bill, the Kerry-Lieberman bill, is cap and trade. They may change the name of it, but it is still cap and trade. They cap emissions and then they start trading around and the government picks winners and losers and tries to convince everyone that he will be the winner.

It wasn't long ago that the author of the cap-and-trade bill in the Senate tried to suggest that his bill wasn't cap and trade either. He said:

I don't know what "cap and trade" means. I don't think the average American does. This is not a cap-and-trade bill, it's a pollution reduction bill.

It is a cap-and-trade bill.

In fact, when Senators KERRY and LIEBERMAN finally introduced their bill, we soon learned that it was worse than cap and trade because it was cap and trade, but it also included a gas tax increase.

No matter the word games employed or the extent to which the Democrats wish to hide the truth from the American people, cap and trade will mean more job losses, more pain at the pump, and higher food and electricity prices for consumers. Despite the postmodern denial of "the truth" in which words can mean whatever one chooses, the next version of "putting a price on carbon" will be cap and trade, pure and simple. And if the House Waxman-Markey bill is any guide, it will showcase massive expansion of government mandates, spending, taxes, and energy rationing for America.

Now let me turn to cover the flaws of the science on which the EPA's endangerment is based. Lisa Jackson is President Obama's EPA Administrator. She admitted publicly that the EPA's finding of endangerment is in good measure a conclusion of the UN's IPCC. She told me in a public forum live on TV that EPA accepted those findings without any serious independent analysis to see whether they were true.

After climategate and the admission of errors by IPCC, we now know that the process was flawed all along. In a Senate report I released earlier this year on climategate, the report found that some of the world's leading climate scientists engaged in unethical behavior and possibly violated Federal laws. Many of those scientists appeared to have manipulated the data—this is what came out of the report—manipulated the data to fit preconceived conclusions. In other words, IPCC says, What do we have to show to come to the conclusion we have already come to 7, 8 years ago that anthropogenic gases are causing global warming. They obstructed Freedom of Information requests and dissemination of climate data—and by the way, they did show that was true in Great Britain, but the problem is the statute of limitations had already run and the IPCC had colluded to pressure journal editors against publishing scientific work contrary to their own.

The U.K. Government has already found that scientists from the Climate Research Unit, or CRU, who are at the center of this scandal, violated its Freedom of Information Act.

Importantly, the Senate report shows many of the scientists involved in this scandal worked for the UN's IPCC, the Intergovernmental Panel on Climate Change. They helped compile the IPCC's 2007 Fourth Assessment Report. That is important because that report is a primary basis for the EPA's endangerment finding for greenhouse

gases. The media has uncovered several errors and mistakes in the report which undermine the credibility of the IPCC's science.

The things I am going to list right here were found both in Al Gore's movie as well as the IPCC report. They are all in this thing together. They said it would melt the Himalayan glaciers by 2035. That is just flat not true. They admit that is not true. They said it would destroy 40 percent of the Amazon's rain forest. That is not true. They said it would melt the ice in the Andes, the Alps, and in Africa. That is not true. They said it would drastically increase the cost of climate-related natural disasters. That is not true. It would drive 20 to 30 percent of the species to extinction. That is not true. It would slash crop production by 50 percent in Africa by 2020. All of these things have been fabricated and since proven not to be true. Yet that is the science on which the endangerment finding has been based. Oh, yes. The IPCC said the Netherlands is 50 percent below sea level. That is not true, either, as we well know. There is even more, but I think we have made our point here.

The fact is that the EPA accepted the IPCC's erroneous claims wholesale without doing its own independent review. So EPA's endangerment finding rests on bad science. The EPA minority report provides further proof that EPA needs to scrap the endangerment finding and start all over again. By the way, anyone interested in this can look at my Web site where we cover all the details and all the documentation on everything I have been saying.

The Obama administration, however, is pressing ahead. We have been told that the science still stands. We have been told that IPCC's mistakes are trivial. We have been told that climategate was just gossipy e-mails between scientists. Yet global warming alarmism has been sold on the very notion that manmade greenhouse gases are causing environmental catastrophes, such as the Himalayan glaciers melting and all that stuff. So the science is certainly not so.

Further, the challenges to the integrity and credibility of the IPCC merit closer examination by the Congress. The ramifications of the IPCC spread far and wide, most notably to the endangerment finding.

The EPA's finding rests on the IPCC's conclusions, and the EPA has accepted them wholesale, without independent assessment.

Remember how the Telegraph of London referred to all this? That is one of their largest publications, the London Telegraph. They said climategate and the IPCC's errors amount to "the greatest scientific scandal of our time." That is a publication that was very favorable to the IPCC before climategate came along. Climategate—even though it happened this last December, if anybody wants to document how far back this was first discovered,

I made a speech at this podium on the Senate floor 4 or 5 years ago that documented all these scientists coming in and saying how they were rejected from the process of the IPCC because they would not verify their conclusions.

At this pivotal time, as the Obama EPA is preparing to enact policies potentially costing trillions of dollars and thousands of jobs, IPCC's errors make plain that we need openness, transparency, and accountability in the scientific research financed by U.S. taxpayers.

Mr. President, let me conclude with this: As the most conservative Member of the Senate, as ranked by the National Journal, I have spent the past 2 years speaking out against the unprecedented liberal agenda coming out of Washington. I have stood up and spoken out about massive out-of-control spending in Washington, increased government intervention into our daily lives, the gutting of our national defense, and of the costly global warming agenda.

In the midst of these challenges, we also face an unprecedented environmental catastrophe in the gulf. Today, as the American people continue to face high unemployment and a struggling economy, we must remain focused on finding every opportunity to stand on the side of the American worker and create opportunities.

In the gulf, we all have to work together and stay focused on mitigating and containing the environmental impacts and providing assistance to the gulf's affected commercial and recreational industries and investigating the causes so we can prevent a disaster of this kind from happening again. Staying focused will help us make prudent decisions.

The bottom line is, for the sake of our Nation, we must be willing to put aside the costly liberal agenda of the left and not allow them to use the gulf tragedy to advance their cap-and-trade energy tax, which is completely unrelated to stopping the spill and helping the people in the gulf. There is no relationship between cap and trade and the gulf disaster. There is no relationship between what the EPA endangerment finding would allow one bureaucrat to do and the gulf tragedy. By their own admission—to say they can parlay this into their own agenda is something we cannot let happen.

Twenty years ago, a very similar thing happened with the Exxon Valdez. It was tragic, and I went up there. The environmental extremists were up there celebrating and saying: We are going to parlay this into retarding the exploration and production on the North Slope. I made the statement there—it is all in writing—how can you figure this out? How can you stop oil production domestically in Alaska by using this issue?

Well, the issue was a transportation issue. It wasn't an oilspill or a production accident. It was a transportation accident.

I said: If you stop our production, we are going to be more dependent upon other countries for our ability to run this machine called America. They are going to have more transportation and a greater possibility of transportation accidents. That is what we are faced with now.

Clearly, I appreciate the two statements that were made by President Obama's old director of the EPA that the endangerment finding is based on the science that we now know is false science. By the way, even though it is not the end of the world that the Murkowski resolution failed, four key lawsuits are filed challenging the law on which they are basing this endangerment finding.

Even if we were to pass any of the cap-and-trade bills, it would not reduce worldwide emissions any. It would only affect the United States. I argue it would increase CO₂ emissions because as we lose jobs in the United States with cap and trade and force a lot of our manufacturers to other countries—they would go to countries such as China, India, and Mexico where they don't even have strong emissions standards.

With that, let's not politicize this any more. If they want to bring up cap and trade, let's do it, and we can defeat it like we have done over the past 10 years.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. 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.

OIL AND GAS PRODUCTION

Mr. INHOFE. Mr. President, there doesn't seem to be anybody else here, so I will make one comment about amendments coming up that are closely related to the subject we just discussed. It is Sanders amendment No. 4318. I knew this would happen—that the bill would be used to pass another agenda. Sure enough, that is what is happening.

The Sanders amendment is aimed at stopping oil production altogether. It does three things: It repeals expensing for tangible drilling costs, it repeals percentage depletion for marginal oil and gas wells, and it repeals the manufacturing deduction for oil and gas production.

I predicted the spill in the Gulf of Mexico would be used as an opportunity to shut down domestic oil and gas wells owned and operated by independent oil and gas producers throughout the country. That is what is happening with this amendment.

Repealing expensing of intangible drilling costs eliminates the ability to

expense intangible drilling and development costs, called IDC, which would force at least a 25- to 30-percent reduction in drilling budgets, leading to lost jobs, lost production, and higher prices for consumers. We have not talked much about higher prices to the consumers.

With cap and trade—if they were successful in that—we would feel that in a matter of weeks. Despite the rhetoric, IDC expensing is firmly grounded in sound accounting practices and principles, and it has been in the Tax Code since 1913. IDC expensing is similar to expensing by other companies for technology, wages, and fuels which other industries expense for operations. So they are singling out the oil and gas industry, just willfully, to stop them and put them out of business.

Likewise, since 1926, small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify and account for the decline in the value of minerals produced from a property. It is complicated, but percentage depletion recognizes that oil and gas reservoirs are depleted by production, so it is the amount which small producers can expense to reinvest in production. Percentage depletion is particularly important for the production of America's over 600,000 low-volume marginal wells.

I am particularly interested in this because in my State of Oklahoma we have mostly marginal well production. Marginal wells produce less than 15 barrels a day. It is a smaller type of production. The average marginal well produces barely two barrels a day—we have been talking about millions of barrels in the gulf—yet, cumulatively, they account for nearly 28 percent of domestic production in the lower 48 States.

Since every on-shore natural gas and oil well eventually declines into marginal production, the economic lifespan and corresponding production of nearly all natural gas and oil wells would be reduced through the elimination of percentage depletion.

Finally, Congress has already frozen the manufacturers' tax deduction specifically for only oil and natural gas companies less than 2 years ago. All other domestic manufacturing can deduct income at a higher rate than oil and gas companies. Repealing the entire reduction for oil and gas companies is only targeting oil and gas production, and it shows what the motivation is.

We have to remember a couple of very important points when we seek to target certain industries for tax treatment. First, oil and gas companies employ Americans and fund our communities. Oil and gas companies employ over 9 million people in the United States. Approximately 3 million land and mineral owners from coast to coast are the beneficiaries of monthly checks from the royalties produced on their properties. Many of these individuals are small property owners—very

small—and some are just small family farms. In fact, just today the National Association of Royalty Owners ranked this as its No. 1 concern on its Web site. That was today.

They say the Sanders amendment is their No. 1 target. These are not rich people. They are small farm owners and landowners. States annually collect billions of dollars in oil and gas excise and severance taxes that furnish critical funding for roads, schools, and law enforcement. By punishing America's oil and gas industry, this amendment only puts unemployment and State and local funding in peril.

Secondly, punishing our oil and gas industry only makes us more dependent on foreign sources of energy. After President Jimmy Carter imposed a windfall profit tax on the oil and gas industry in 1980, the nonpartisan Congressional Research Service later determined that its results were hugely counterproductive, saying:

The windfall profit tax reduced domestic oil production between 3 and 6 percent, and increased oil imports from between 8 and 16 percent. . . . This made the U.S. more dependent upon imported oil.

America's natural gas and oil companies are already paying taxes at the highest rates. Figures from the Energy Information Agency indicate that America's major oil producers already pay, on average, more than a 40-percent income tax rate.

The EIA also reported in December of 2009 that, on average, 53 percent of the net incomes of oil and gas companies are paid in taxes compared to 32 percent from others in the manufacturing sector.

Now is not the time to group the entire oil and gas industry together for punishment. Punishing the entire industry in the sledge hammer approach this amendment uses only increases the cost of energy for all Americans, and it makes us more dependent upon foreign countries to run this machine called America, as I often say.

People say they don't want oil, gas, coal, or nuclear. Well, in the final analysis, how do you run the country without it? You can't. If we retard in any way the ability to produce oil and gas, it will make us more dependent upon foreign countries for us to drive this machine called America.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, would the Chair be kind enough to have the bill reported.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of the House message to accompany H.R. 4213, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment to H.R. 4213, an act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus amendment No. 4301 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute.

Franken amendment No. 4311 (to amendment No. 4301), to establish the Office of the Homeowner Advocate for purposes of addressing problems with the Home Affordable Modification Program.

Sanders amendment No. 4318 (to amendment No. 4301), to amend the Internal Revenue Code of 1986 to eliminate big oil and gas company tax loopholes, and to use the resulting increase in revenues to reduce the deficit and to invest in energy efficiency and conservation.

Vitter amendment No. 4312 (to amendment No. 4301), to ensure that any new revenues to the Oil Spill Liability Trust Fund will be used for the purposes of the fund and not used as a budget gimmick to offset deficit spending.

AMENDMENT NO. 4344 TO AMENDMENT NO. 4301

Mr. REID. Mr. President, I have an amendment at the desk, and I ask unanimous consent that the pending amendment be set aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 4344 to Amendment No. 4301.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to extend the time for closing on a principal residence eligible for the first-time homebuyer credit)

At the end of part I of subtitle B of title II, insert the following:

SEC. —. FIRST-TIME HOMEBUYER CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 36(h) is amended by striking “paragraph (1) shall be applied by substituting ‘July 1, 2010’” and inserting “and who purchases such residence before October 1, 2010, paragraph (1) shall be applied by substituting ‘October 1, 2010’”.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 36(h)(3) is amended by inserting “and for ‘October 1, 2010’” after “for ‘July 1, 2010’”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to residences purchased after June 30, 2010.

(d) OFFSET.—

(1) DISALLOWANCE OF DEDUCTION FOR PUNITIVE DAMAGES.—

(A) IN GENERAL.—Section 162(g) (relating to treble damage payments under the antitrust laws) is amended—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(ii) by striking “If” and inserting:

“(1) TREBLE DAMAGES.—If”, and

(iii) by adding at the end the following new paragraph:

“(2) PUNITIVE DAMAGES.—No deduction shall be allowed under this chapter for any amount paid or incurred for punitive damages in connection with any judgment in, or settlement of, any action. This paragraph shall not apply to punitive damages described in section 104(c).”.

(B) CONFORMING AMENDMENT.—The heading for section 162(g) is amended by inserting “OR PUNITIVE DAMAGES” after “LAWS”.

(2) INCLUSION IN INCOME OF PUNITIVE DAMAGES PAID BY INSURER OR OTHERWISE.—

(A) IN GENERAL.—Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding at the end the following new section:

“SEC. 91. PUNITIVE DAMAGES COMPENSATED BY INSURANCE OR OTHERWISE.

“Gross income shall include any amount paid to or on behalf of a taxpayer as insurance or otherwise by reason of the taxpayer’s liability (or agreement) to pay punitive damages.”.

(B) REPORTING REQUIREMENTS.—Section 6041 (relating to information at source) is amended by adding at the end the following new subsection:

“(h) SECTION TO APPLY TO PUNITIVE DAMAGES COMPENSATION.—This section shall apply to payments by a person to or on behalf of another person as insurance or otherwise by reason of the other person’s liability (or agreement) to pay punitive damages.”.

(C) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end the following new item:

“Sec. 91. Punitive damages compensated by insurance or otherwise.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to damages paid or incurred after December 31, 2011.

Mr. REID. Mr. President, I will talk briefly on this amendment. It is an important amendment. Last year, in November, we passed the Worker, Home Ownership and Business Assistance Act containing a number of important provisions to support our economy.

First of all, let me say the idea for this came from the Senator from Georgia, JOHN ISAKSON.

It is a great idea. He was a businessman before he came here. This certainly indicates he must have been a good businessman. This credit has been so helpful to our economy, not only in Nevada but around the country.

As part of this bill we passed in November, we expanded and extended the home buyer tax credit. We made the credit available to more individuals and families who purchase a home.

We also extended the credit through April 30 of this year and allowed anybody who signed a binding contract on a home and makes the purchase before July 1 to benefit from that credit.

When this provision became law last November, the housing market was just beginning to recover. But further support was necessary given the importance of the housing industry to the overall economy.

Now we are beginning to see more signs of recovery. Sales have increased since January. Median home prices have increased since November. Still, in States such as Nevada, the housing

market is struggling. Across the State a significant percent of mortgages are underwater. That means the amount owed on the mortgage is greater than the value of the home.

The home buyer tax credit is helping to alleviate some of that pressure. Economists estimate that the home buyer tax credit increased demand by about 1 million buyers.

The stories I have been told about people being able to buy their first home are remarkable. Someone who worked for me had a girlfriend who wanted to buy a home. She was finally able to do that. She was so happy. She tried eight different times before she got one for which she qualified.

I was doing a tour of one of the hotels, the cafeteria in the Paris Hotel. It is actually two large rooms where they eat coming off their shifts. I was asked by one of the executives taking me around to come and talk to this man. He was so happy. He had come to this country. He was an immigrant. He had become a citizen. He was so excited because his son was able to buy a home because of this first-time home buyer tax credit. You could not have seen anyone happier than this man. He was proud of his son being able to buy a home.

This tax credit helps to increase the value of homes and, just as important, it adds jobs to the housing industry. This shows the credit is doing what it was designed to do—help stimulate the housing market in a tough economic climate.

There are some home buyers who entered into a binding sales contract by April 30 of this year expecting to receive a credit but will be unable to close by July 1, 2010, through no fault of theirs. There is a huge backlog of people wanting to buy these homes. They should not be prevented from doing this because of the paperwork.

These home buyers are doing everything they can to close by the deadline, but completion of the sale will take longer than some originally expected. One reason is because of the volume of work. The other reason is because some of the financial institutions are very slow, for administrative reasons, especially on sales of bank-owned properties where paperwork can take an inordinate amount of time.

An extension of the date to close the transaction from July 1 of this year to October 1 of this year will give these home buyers who properly secured a binding contract for their new home before April 30 the ability to receive the credit. This will especially help States still struggling to recover from the troubled housing market. These States have higher levels of bank-owned properties.

To remind my colleagues, this extension only applies to those home buyers who are already under a binding contract. This amendment is not an extension of the time to enter into a contract.

To quote my friend, the Senator from Georgia, whose idea this is, this whole concept:

As I tell so many who call me, it is not going to be extended because credits such as that are designed to do what it has done; that is, to bring the marketplace back and hopefully stabilize values and move forward.

We must make sure those home buyers who are already under a binding contract or committed to the purchase of a new home are able to receive the home buyer tax credit. This amendment is necessary to ensure we follow through on the commitment to help the struggling housing market. This extension of time is fully paid for with an offset included in the President's tax compliance proposals. The offset would deny a tax deduction for payments made for punitive damages.

Punitive damages are intended to be just that—punitive. The American taxpayers should not be subsidizing payments intended to be punitive in nature through a tax deduction. These exemplary damages entered should not be something they can write off. This offset is good policy and will help pay for our Nation's ongoing economic recovery. I urge my colleagues to support this amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAUFMAN). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, could I ask my friend to yield?

Mr. THUNE. I will be happy to yield to the leader.

Mr. REID. He will have the floor right back. I told the Republican leader earlier today I would file cloture. I am going to do that right now, recognizing this is not in any way going to hinder people offering amendments, but I told the Republican leader I would do that and, frankly, I want to do it now so I will not have to worry about it later.

CLOTURE MOTION

Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment on H.R. 4213, the American Workers, State, and Business Relief Act of 2010, with an amendment No. 4301.

Harry Reid, Max Baucus, Richard J. Durbin, Roland W. Burris, Benjamin L. Cardin, John D. Rockefeller IV, John F. Kerry, Thomas R. Carper, Jeff Bingaman, Bill Nelson, Tom Harkin, Jack Reed, Jeanne Shaheen, Byron L.

Dorgan, Frank R. Lautenberg, Robert P. Casey, Jr., Tom Udall.

Mr. REID. I express my appreciation to my friend from South Dakota.

AMENDMENT NO. 4333 TO AMENDMENT NO. 4301

Mr. THUNE. Mr. President, I ask to call up amendment No. 4333, and ask it be made pending.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE], for himself, Mr. McCAIN, Mr. McCONNELL, Mr. BOND, Mr. COBURN, Mr. ISAKSON, and Mr. ROBERTS, proposes an amendment numbered 4333 to amendment No. 4301.

The amendment is as follows:

(The text of the amendment is printed in the RECORD of June 9, 2010, under "Amendments Submitted.")

Mr. THUNE. Mr. President, the amendment I offer is cosponsored by Senators McCAIN, McCONNELL, BOND, COBURN, ISAKSON, and ROBERTS. It is an alternative to the legislation that is under consideration by the Senate today. That is the tax extenders bill that was the subject of some debate last week, that we will continue to do this week, perhaps into next week. I am not sure exactly when it will conclude.

What my amendment does is present an alternative because the amendment under consideration that has been offered up by the Democratic majority here in the Senate adds almost \$80 billion to the Federal debt, it raises taxes by \$70 billion, and increases spending by \$126 billion.

To put that into proper context, it is important to remember that we have a current \$13 trillion debt. The amount of publicly held debt is \$8.6 trillion, but if you include the amount of debt owed between intergovernmental agencies, intergovernmental debt is \$13 trillion that our government owes and is in debt.

What has been proposed by the other side is in direct contradiction of some legislation that we passed here a few months ago that suggested everything we were going to do around here, or almost everything, was going to be paid for. It was called pay-go. We passed the pay-go rules. It was highly touted at the time. There was great fanfare associated with the passage of pay-go rules that would insist when there is new spending or tax cuts that those be offset by some spending cuts or some combination of tax increases that would make sure there was no net impact on the deficit.

What is happening here is the exact opposite of that because what we are seeing happen with the legislation that is before the Senate today is, in fact this bill were enacted and became law, it ends up being about \$200 billion in new debt, debt we have added to the public debt since pay-go has been enacted.

I appreciate the Senator from Nevada, the majority leader, yielding

back time so I can continue to speak about this amendment. I understand the process for consideration of this legislation will now be somewhat truncated if in fact cloture is invoked. I suspect it will not be long now we will be having a vote on that. But I hope my colleagues will defeat the motion to invoke cloture until such time as we have had an opportunity to debate many of these important amendments.

Clearly I believe the amendment I am discussing right now is one we need to vote on. I suspect there will be others of my colleagues who will want to offer amendments that I hope we will be able to debate and vote on before this legislation moves forward.

The point I wanted to make is this. Since the enactment of the pay-as-you-go rules here in the Senate, about \$200 billion, if the current legislation on the floor today is enacted, will have been added to the Federal debt. That is \$200 billion which we hand to our children and grandchildren to pay, notwithstanding what we have said publicly here in the Senate a few months ago, that all these things are going to be paid for and we are now going to be serious here in the Senate and in the Congress about making sure we are not piling more and more debt on future generations. That is completely contradicted by the legislation we will be voting on here in the near future on this tax extenders bill because it does increase the debt by almost \$80 billion and, as I said earlier, raises taxes by almost \$70 billion.

What I offer is an alternative to that approach. What this alternative does is, rather than increasing and raising taxes, it reduces taxes by \$26 billion, it cuts spending by \$100 billion, and it reduces the debt by \$55 billion. So instead of more spending, more taxes, and more debt in the middle of an economy that is trying to get back on its feet and create jobs, my alternative and the one I will offer on behalf of my colleagues—who, as I mentioned earlier, are cosponsors of this amendment—will in fact reduce spending, reduce taxes, and reduce debt.

I think that is a good deal for the American taxpayer. I think it strikes at the very heart of what we ought to be focused on, which is job creation. We hear the other side talk a lot about job creation, but when it comes time to create jobs, you cannot find many policies coming out of Washington, DC, today that actually are additive when it comes to job creation. In fact, as I said earlier, it is just the opposite. You have a massive new health care entitlement that, when it is fully implemented, will cost \$2.5 trillion over 10 years, which in my view will add enormously to the Federal debt because of all the double counting that was used to understate the true cost of that legislation; you had a trillion-dollar stimulus bill passed a year ago which was totally put on the debt for America's future generations; you have now discussion of a new energy tax in the form

of some cap-and-trade legislation that could come before the Senate in the next few months—and you just go down the list. At every turn, what this Congress has done in the last several months, in the last year and a half since the new administration came to office, is to increase taxes, to increase spending, to increase debt, and to increase the size and the scope of government. We continue to see this effort to expand government. When we expand government, obviously it takes more revenues to fund that government, create new bureaucracies—which is what we will see with regard to the health care legislation—and in the end takes more and more of those dollars out of the private economy where the real permanent job creation should be occurring.

Instead, what we should be focused on is creating incentives for small businesses to create jobs. Rather than creating more government, expanding the size of government here in Washington, DC, we ought to be looking at what we can do to provide incentives for the economic engine in our economy—and that is our small businesses—to go out there and do what they do best, which is create jobs.

But what you hear from small businesses not only in South Dakota but all across the country is there is so much policy uncertainty coming out of Washington and there is so much concern about the spending and the debt and the taxes, that a lot of the small businesses that might be making investments that would create jobs—hire new personnel, hire new people, buy a new piece of equipment, make capital investment—are sitting on that investment for fear the next policy to come out of Washington, DC, could be a new energy tax, it could be higher taxes. We all know starting next year you are going to see higher taxes on dividends, higher taxes on capital gains, higher taxes on marginal income, unless Congress takes steps to extend some of these expiring tax provisions.

That being said, what we are doing here today is we are going to make matters that much worse. If you are a small business person in this country, if you are someone who is in this economy and is concerned about Federal debt, is concerned about Federal spending, is concerned about taxes, then the legislation that is before the Senate right now, if adopted, is going to add, as I said earlier, another almost \$80 billion to the Federal debt, will raise taxes by \$70 billion, and increase spending by \$126 billion.

There is a better way. That is why I offer this amendment. This amendment does a number of things. It reduces spending in a number of areas. It deals with some of the provisions of expiring tax law that everybody here agrees needs to be fixed. There are things both sides agree on. Both Democrats and Republicans here in the Senate believe it is important that we extend unemployment insurance for those people who

have lost jobs in the economy. Both Republicans and Democrats think it is important that there are certain expiring tax provisions that need to be extended—a research and development tax credit, for example, is one thing that comes to mind. But there is a whole list of these expiring tax provisions that need to be extended that both sides agree should be done.

The difference in how we go about doing that is I think what is going to be the difference in the amendment that I offered versus the underlying legislation. Again, what I will do is reduce Federal spending and address the expiring tax law, the need to extend unemployment insurance in a way that does not raise taxes, add to the debt, and increase dramatically Federal spending in this country.

What does the amendment essentially do? Very briefly, it includes all the major priorities that both parties want to accomplish but it drops the spending that has been rejected by the Senate. It would eliminate the \$24 billion that is in the Senate bill that was not in the House bill that deals with the bailout for States around the country. It does offer, by the way, an additional year of the so-called doc fix. There has been a lot of discussion here about extending the doc fix into the future.

And the underlying bill the Democratic majority has put forward does extend the doc fix. The reimbursement physicians receive under Medicare would drop dramatically if nothing is done by Congress to address that, and both sides agree that needs to be addressed. Frankly, it should have been done during the health care debate, but it was not. So the underlying bill, the majority Democratic bill before the Senate, would extend the doc fix through the end of 2011.

What my alternative amendment would do is extend the doc fix through the end of the year 2012. So you get an additional year for the doc fix. That is something physicians around the country are interested in, and I know for a fact that it is because my physicians in South Dakota—and I am sure most of my colleagues hear on a regular basis from their physicians around the country.

It drops all the tax increases in the bill, including carried interest, the tax on professional service S corps, the international provisions, and the increase in the per-barrel tax that funds the Oil Spill Liability Trust Fund that will raise gas prices for consumers around the country.

The alternative amendment I filed is fully paid for with spending cuts. It offers more than \$100 billion in savings by actually doing what the American people want; that is, reducing spending. Every American is dealing with a tough economy. A lot of Americans have lost jobs. A lot of Americans certainly have lost income. A lot of Americans have seen their net worth plummet as a result of the economic cir-

cumstances in which the country finds itself. So they are all making hard decisions. They are sitting around the kitchen table and they are having these discussions with their family about what part of their budget to cut or what they are going to have to do without. The only place where that hasn't been true is here in Washington, DC. Why shouldn't we, as the leaders of this country, be willing to make the hard decisions that every American family is having to make?

Well, this legislation does that. It takes \$37.5 billion of the \$50 billion in unobligated stimulus funds and uses that to extend existing tax and benefit provisions. It cuts money from the government by reducing congressional budgets right here close to home. We ought to have to do what every American family and what every American business is having to do right now; that is, make some hard decisions and reduce our own spending. So it does reduce congressional budgets.

It rescinds unspent Federal funds, those funds that have been appropriated but not spent. It requires the government to sell unused land and auction off unused equipment. So it generates some additional revenue that way.

It imposes a 1-year freeze on the salaries of Federal employees and eliminates their bonuses, and it caps the total number of Federal employees at current levels. In other words, the Federal Government can't continue to grow and expand at a time when we see a lot of our businesses around this country having to lay workers off or cut back their hours. It collects \$3 billion in unpaid taxes from Federal employees.

It encourages responsibility and prioritizing by requiring a 5-percent across-the-board discretionary spending cut for all agencies except the VA and the Department of Defense. So 5 percent across the board for all agencies except VA and DOD. And we think, again, that is an important step to take if we are serious about getting our own spending under control and addressing what is a very serious problem for the future of this country; that is, the ballooning Federal debt, the continual growth of government and spending and taxes.

It saves \$5 billion by eliminating nonessential government travel, and it eliminates bonuses for poor-performing government contractors.

Finally, it adds a new deficit-reduction trust fund where rescinded balances and money saved through this amendment will be deposited for the purposes of paying down the Federal debt.

This amendment ought to be a no-brainer for all of our colleagues in the Senate because it reduces the deficit by over \$50 billion; it cuts spending by over \$100 billion; it extends the existing tax law, the provisions we have all talked about that both sides think are important; and it provides 6 more

months of stimulus unemployment benefits for those who have lost jobs in our economy.

As I said earlier, that is the exact opposite of the approach taken by the Democratic majority, which is, as I said before, the way they finance all of these things is through \$70 billion in new taxes. Again, many of those taxes are going to hit squarely on our small businesses, which are the economic engine and the job creators in our economy and are going to hopefully lead us out of this economic malaise and get us on to times where we are growing and expanding and creating more and more jobs. And it adds \$80 billion to the Federal debt, which, as I mentioned earlier, is at \$13 trillion. If you include all of the Federal debt—that amount held by the public, held by foreign countries, held by people here in this country—and then you add in the government, the intergovernmental debt that is owed to various agencies of government, we are at \$13 trillion and counting.

In fact, if you look at the trajectory going into the future, we are talking about doubling and tripling that debt, doubling it in 5 years and tripling it in 10. And we are going to get to the point where over 4 percent of our entire economy is spent just paying interest on the debt.

Think about that. Over 4 percent of our entire economy—we have a \$14 trillion economy—would be spent just paying for interest on our Federal debt. There is going to come a point, 10 years out from now, when the amount of money we have to spend to finance our debt, to pay for the interest on the debt, exceeds the amount we spend on our military. Think about that. We would spend more financing the debt we owe, spend more on interest payments on the debt we owe, than we actually spend on our national security. That is a staggering thought, if you think about it. That is what we have to try to avoid. The only way we do that is by getting serious and starting here and starting now.

My colleagues on the Democratic majority side have said that because they passed pay-go, now we are on a different path; it is a different set of rules, a new sheriff in town; we are going to deal with these issues differently. But unfortunately what we are seeing is the same pattern, the same old way of doing things, which is to declare everything an emergency, borrow the money from China, and hand the bill to our children and grandchildren. It is time that stopped. This amendment gives us an opportunity to do that.

To put things into perspective because I think sometimes these numbers get to be very abstract, and you listen to politicians get up and talk about debt and spending and deficits and that sort of thing, and it is hard to kind of comprehend, if you will, the dimensions we are talking about—I mean, \$13 trillion. It is hard to even contemplate

what \$1 trillion is. So just to put that into proper perspective, if you were to equate a dollar to a second, how much is 1 trillion seconds?

I spoke at Boys State a week ago or a little over a week ago now, and I asked the Boys Staters to sit down and do the arithmetic and to figure out how much 1 trillion seconds is because I think it helps put into perspective how much \$1 trillion is. It is hard to even wrap your mind around what \$1 trillion represents. But if you equate that to 1 trillion seconds, 1 trillion seconds is 31,746 years—31,746 years. That is what 1 trillion seconds represents.

Well, we are not \$1 trillion in debt; we are \$13 trillion in debt. How much is 13 trillion seconds? Over 412,000 years. Over 412,000 years. If you were to help people understand and put it in a certain perspective, that is the amount of money—the \$13 trillion that we now owe, that is today. As I said before, if you look at the publicly held portion of that, we are expected to double that in 5 and triple it in 10 years.

It took us 200 years of American history to get to \$1 trillion, and we have exploded that. If you look at the trendlines and where we are headed as a nation, it is a very, very scary thought. It should be scary to all Americans, and I know it is. It certainly should be scary to the Members of this Chamber. That is why, every time we deal with a major piece of legislation, foremost in our mind ought to be, how is this going to impact the fiscal balance sheet of this country? How is this going to make the next generation—how is it going to improve their standard of living, their quality of life? What is it going to do to them? Are we going to be the first generation to bequeath to the next generation a lower standard of living and a lower quality of life because we haven't been willing to make the hard choices and to make the hard decisions that are so essential if we are going to get our country on a fiscal path?

This amendment does address the issues on which both sides agree. It addresses the issue of extending expiring tax provisions that many people on both sides care about. It extends unemployment insurance until the end of the year. It does extend the doc fix beyond what the base bill does. The base bill extends it through the end of the year 2011. What this amendment would do would be to extend it to end of the year 2012.

So we have an opportunity for Senators to take a vote and to let everybody know, let their constituents know whether they are serious about getting spending under control; about making sure we are doing everything we can to create the right economic conditions for job creation, and by that I mean keeping taxes low on small businesses, not raising taxes by \$70 billion, which is what this bill does; and whether we are serious here in Washington, DC, about listening to the American people and what they are saying with regard

to spending. They want us to cut federal spending. They want us to do what they are having to do in their family budgets and in their small business budgets. What every American is now having to deal with is becoming more fiscally responsible, dealing with austere measures that will keep them from having to go deeply into hock or into bankruptcy. We are doing that here—we are going into bankruptcy. We just have the luxury here in Washington, DC, of being able to continue to borrow and borrow and put it on the credit card and hand the bill to our children and grandchildren. It is time for that to stop. It can stop with this amendment.

I hope that as we continue debate on the underlying bill and get votes on those amendments, my colleagues in the Senate will do the right thing for the future of this country and start to get spending under control and start to pay for what we continue to borrow for so that we are not piling more and more debt on future generations.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I now ask that we be allowed to proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Madam President, I rise to submit to the Senate the sixth budget scorekeeping report for the 2010 budget resolution. The report, which covers fiscal year 2010, was prepared by the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended.

The report shows the effects of congressional action through June 7, 2010, and includes the effects of legislation enacted since I filed my last report for fiscal year 2010 on April 15, 2010. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the 2010 budget resolution.

The estimates show that for fiscal year 2010 current level spending is above the levels provided in the budget resolution by \$3.1 billion for budget authority and \$5.8 billion above for outlays. For revenues, current level shows that \$14.2 billion in room remains relative to the budget resolution level.

I ask unanimous consent that the letter and accompanying tables from CBO be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 10, 2010.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2010 budget and is current through June 7, 2010. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, as approved by the Senate and the House of Representatives.

Since my last letter, dated April 15, 2010, the Congress has cleared and the President has signed the Continuing Extension Act of 2010 (Public Law 111-157). The entire act was designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13. Provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes the budgetary effects of that act, as well as those of other emergency requirements (see footnote 2 of Table 2 of the report).

Sincerely,
DOUGLAS W. ELMENDORF.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2010, AS OF JUNE 7, 2010

	[In billions of dollars]		
	Budget resolution ¹	Current level ²	Current level over under (—) resolution
ON-BUDGET			
Budget Authority	2,897.5	2,900.5	3.1
Outlays	3,010.1	3,015.9	5.8
Revenues	1,612.3	1,626.5	14.2
OFF-BUDGET			
Social Security Outlays ³	544.1	544.1	0.0
Social Security Revenues	668.2	668.1	—0.1

¹ S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, includes \$10.4 billion in budget authority and \$5.4 billion in outlays as an allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts.

² Current level is the estimated effect on revenues and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of Table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

³ Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.
Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2010, AS OF JUNE 7, 2010

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted:¹			
Revenues	n.a.	n.a.	1,633,385
Permanents and other spending legislation	1,656,952	1,651,725	n.a.
Appropriation legislation ²	1,917,749	2,048,775	n.a.
Offsetting receipts	—690,252	—690,252	n.a.
Total, previously enacted	2,884,449	3,010,248	1,633,385
Enacted this session:			
An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti (P.L. 111-126)	0	0	—40
Emergency Aid to American Survivors of the Haiti Earthquake Act (P.L. 111-127)	50	50	0
Social Security Disability Applicants' Access to Professional Representation Act of 2010 (P.L. 111-142)	—4	—4	0
United States Capitol Police Administrative Technical Corrections Act of 2009 (P.L. 111-145)	10	6	0
Hiring Incentives to Restore Employment Act (P.L. 111-147)	20,903	141	—4,380
Patient Protection and Affordable Care Act (P.L. 111-148)	8,500	3,130	—580
Satellite Television Extension Act of 2010 (P.L. 111-151)	2	0	2
Health Care and Education Reconciliation Act of 2010 (P.L. 111-152)	1,130	220	—1,930
Total, enacted this session	30,591	3,543	—6,928
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	—14,500	2,066	0
Total Current Level^{2,3}	2,900,540	3,015,857	1,626,457
Total Budget Resolution⁴	2,907,837	3,015,541	1,612,278
Adjustment to the budget resolution for disaster allowance ⁵	—10,350	—5,448	n.a.
Adjusted Budget Resolution	2,897,487	3,010,093	1,612,278
Current Level Over Budget Resolution	3,053	5,764	14,179
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

¹ Includes legislation affecting budget authority, outlays, or revenues that was enacted in the first session of the 111th Congress.
² Pursuant to section 403 of S. Con. Res. 13, provisions designated as emergency requirements (and rescissions of provisions previously designated as emergency requirements) are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2010, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Previously Enacted (see footnote 1)	12,042	21,040	—4,475
Temporary Extension Act of 2010 (P.L. 111-144)	7,942	7,901	—704
Continuing Extension Act of 2010 (P.L. 111-157)	14,401	14,337	—1,292
Total, amounts designated as emergency requirements	34,385	43,278	—6,471

³ For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.
⁴ Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 13, pursuant to various provisions of the resolution. Those revisions are as follows:

	Budget authority	Outlays	Revenues
Original Budget Resolution Totals	2,888,691	3,001,311	1,653,682
Revisions:			
For the Supplemental Appropriations Act, 2009 (section 401(c)(4))	5	2,004	0
For an act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (sections 311(a) and 307)	0	0	40
For the Congressional Budget Office's reestimate of the President's request for discretionary appropriations (section 401(c)(5))	3,766	2,355	0
For further revisions to a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (sections 311(a) and 307)	10	13	6
For further revisions to the Supplemental Appropriations Act, 2009 (section 401(c)(4))	6	—1,175	0
For an act to make technical corrections to the Higher Education Act of 1965, and for other purposes (section 303)	32	36	0
For further revisions to the Supplemental Appropriations Act, 2009 (section 401(c)(4))	—11	—11	0
For an amendment in the nature of substitute to H.R. 3548, the Unemployment Compensation Extension Act of 2009 (sections 306(f) and 306(b))	5,708	5,708	—38,940
For the Patient Protection and Affordable Care Act of 2009 (section 301(a))	12,500	11,500	9,100
For the Department of Defense Appropriations Act, 2010 (section 401(c)(4))	0	1,950	0
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	—5,220	—6,670	—9,630
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	—7,280	—4,830	530
For further revisions to the Patient Protection and Affordable Care Act of 2009 (section 301(a))	8,500	3,130	—580
For the Health Care and Education Reconciliation Act of 2010 (section 301(a))	1,130	220	—1,930
Revised Budget Resolution Totals	2,907,837	3,015,541	1,612,278

⁵ S. Con. Res. 13 includes \$10,350 million in budget authority and \$5,448 million in outlays as an allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts.

Source: Congressional Budget Office.
Note: n.a. = not applicable; P.L. = Public Law.

OBJECTION TO EXECUTIVE
NOMINATIONS

Mr. GRASSLEY. Madam President, pursuant to a public letter to Secretary Sebelius dated September 24, 2009, there is a pending objection to unanimous consent requests for the following nominees: Jim Esquea, nominated for HHS Assistant Secretary for Legislation, and Richard Sorian, nominated for HHS Assistant Secretary for Public Affairs. I ask unanimous consent that a public letter dated September 24, 2009, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 24, 2009.

Hon. KATHLEEN SEBELIUS,
Secretary, Department of Health and Human Services, Washington, DC.

DEAR SECRETARY SEBELIUS: America's 11 million seniors enrolled in the Medicare Advantage program deserve to be informed of any actions by the federal government that could affect this program and its broad implications. Medicare Advantage Plans and Prescription Drug Plans that provide services through the Medicare program have a constitutional right to provide information about these Medicare programs to their customers. Therefore, I hope you can understand our grave concern with the recent Centers for Medicare and Medicaid Services directive barring all such providers from any and all communications of this kind with America's seniors. This gag order must be immediately lifted.

As the Supreme Court has repeatedly recognized, our constitutional tradition is one of "a profound commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open." Health plans, of course, have the right to speak on matters of public concern—a fundamental principle that your Department, until recently, had recognized and respected. Specifically, the Department of Health and Human Services (HHS) previously noted that there was no legal authority to justify prohibiting a health plan "from informing its members of proposed legislation and exhorting them to express their opinions" about it. In fact, HHS had previously determined that shutting down communication of this sort "would violate basic freedom of speech and other constitutional rights of the Medicare beneficiary as a citizen."

Now, the Obama administration has reversed this longstanding HHS decision—in the midst of a critical debate about the future of health care services in our country—to shut down communication between private companies and America's seniors on an issue that has a direct impact on their health care. And your Department has done so by imposing an industry-wide gag order without apparent justification or basis in law and completely contradictory to your past public guidance and the plain language and spirit of the First Amendment, among the most sacred tenets of our democracy.

America's seniors and the health plans that serve them deserve to have their free speech rights respected. Their rights should not be subject to the whims of any Administration, and the health plans that serve them should not be threatened with punishment if they speak out on a matter of public concern simply because the Administration disagrees with their position.

Until your Department rescinds its gag order and allows seniors to receive information about matters before Congress, we will

not consent to time agreements on the confirmation of any nominees to your Department or associated agencies.

Thank you for your consideration of this matter of such great importance to America's seniors.

Signed,

MITCH MCCONNELL.
JON KYL.
LAMAR ALEXANDER.
JOHN CORNYN.
LISA MURKOWSKI.
JOHN THUNE.
MICHAEL B. ENZI.
CHUCK GRASSLEY.

FREMONT COUNTY FLOODING

Mr. ENZI. Madam President, this past week, Fremont County in my home State of Wyoming has been hit hard by flooding. I want to take this opportunity to commend the communities in Wyoming that have come together and worked so hard to respond to the flooding, to help protect each other's homes, and whose willingness to step up and volunteer to help their neighbors really shows the true Wyoming spirit.

I want to thank the individuals who have been filling sandbags all week. Literally hundreds of thousands of sandbags have been filled to help hold back the floodwaters and protect homes and businesses. I am told that there are more sandbags if we need them and I know that people in my home State won't hesitate for a second to do the hard work that will help protect a neighbor's home or a community business. This truly is a community effort, and I am proud of the example that our small businesses, our community organizations, and Wyoming's volunteers are making.

Nearly 240 Wyoming National Guard members are in Fremont County right now. Their service is critical to our communities in times like these, and I want to recognize and thank them for their hard work. They are making a huge difference in helping make sure that communities like Lander, Ethete, Fort Washakie, and many other places have the help they need.

The extent of the damage from this disaster is still unclear, but our communities—both in Wyoming and in other States that have been hit by natural disasters—must have the resources to recover and put their towns and neighborhoods back together. For those agricultural producers affected by this flood, this is the very reason why I worked with my colleagues during the 2008 farm bill to enact a permanent disaster program—so funding would be available when it is most needed and would not require emergency congressional action.

I know Senator BARRASSO and Representative LUMMIS are working hard to make sure Fremont County can get the support it needs. Their energy and hard work have been critical to the teamwork that we do. Wyoming is a big State, so I am glad that we have always worked together to make sure we

can get different jobs done in different places.

I want to thank everyone who has helped respond to this disaster for their hard work and persistence. They have truly demonstrated what it means to part of the Wyoming community. Our prayers are with everyone at this difficult time.

FLAG DAY

Mr. CARDIN. Madam President, today I commemorate the 233rd Flag Day in the United States. On June 14, 1777, nearly a year after our Nation declared its independence, the Second Continental Congress approved the design of our national flag. The 13 stripes that alternate red and white and the white stars on a field of blue have proudly stood as a beacon of liberty and justice around the world ever since.

Flag Day—the anniversary of the Flag Resolution of 1777—was officially established by the Proclamation of President Woodrow Wilson in 1916. While Flag Day was celebrated in various communities for years after Wilson's proclamation, it was not until 1949 that President Truman signed an act of Congress designating June 14 of each year as National Flag Day and the corresponding week as National Flag Week.

My home State of Maryland plays an integral role in the rich history of our flag. The flag was the source of inspiration for Francis Scott Key's "Star Spangled Banner" which became our national anthem. That most famous of American flags flew over Fort McHenry in Baltimore Harbor. It bravely withstood the torrent of British buckshot and still hangs today in the Smithsonian Museum of American History. Each year the National Flag Day Foundation of Baltimore, MD, sponsors a moving ceremony at the Fort McHenry National Monument and Historic Shrine which brings our community together in celebration and remembrance of our glorious past.

America's flag graces classrooms, statehouses, courtrooms, and churches, serving as a daily reminder of this Nation's past accomplishments and ongoing dedication to safeguarding individual rights. The brave members of our Armed Forces carry "Old Glory" with them as they fulfill their mission to defend the blessings of democracy and peace across the globe; our banner flies from public buildings as a sign of our national community; and its folds drape the tombs of our distinguished dead. The flag is a badge of honor to all and a sign of our citizens' common purpose.

This week and throughout the year let us do all we can to teach younger generations the significance of our flag. Its 13 red and white stripes represent not only the original colonies

but also the courage and purity of our Nation, while its 50 stars stand for the separate but United States of our Union. Let us pledge allegiance to this flag to declare our patriotism and raise its colors high to express our pride and respect for the American way of life.

ADDITIONAL STATEMENTS

TRIBUTE TO PETER AND SUZIE ARNOLD

• Mr. KOHL. Madam President, the State of Wisconsin has a long and proud tradition of lands conservation. Wisconsin was home to John Muir and Aldo Leopold—two of our Nation's great conservationists. It is also home to Senator Gaylord Nelson who established the first Earth Day 40 years ago. At the first Earth Day, Senator Nelson noted that his goal was not just one of clean air and water, but also "an environment of decency, quality and mutual respect for all other human beings and all other living creatures." He knew that this goal was achievable through grassroots efforts by every day Americans.

Today I am pleased to congratulate Peter and Suzie Arnold for recently being named the Wisconsin Conservation Farmer of the Year Award Recipients by the Wisconsin Land and Water Conservation Association. Their leadership and dedication to land conservation over the last 11 years has been a model for grazing lands conservation. Through the years their farm near Edgar, WI, has served to educate other dairy farmers on the benefits of grazing lands conservation and served as a research site for the U.S. Department of Agriculture's Dairy Forage Research Center.

The Arnolds have adopted a number of conservation practices to improve soil, air, and water quality on their farm. Over the past several years the organic matter levels in their soils have increased from an average of 2.7 percent to 6 percent while attaining the highest Soil Quality Index score measured by the Natural Resource Conservation Service. This is a true testament to their commitment to conservation. I congratulate the Arnolds for their strong commitment to environmental stewardship and their willingness to continue Wisconsin's proud conservation legacy. The Arnolds are showing that Senator Nelson's vision of "an environment of decency, quality and mutual respect for all other human beings and all other living creatures" is achievable through grassroots efforts by every day Americans.●

RECOGNIZING AGAR, SD

• Mr. THUNE. Madam President, today I recognize Agar, SD. Founded in 1910, the town of Agar will celebrate its 100th anniversary this year.

Located in Sully County, Agar possesses the strong sense of community

that makes South Dakota an outstanding place to live and work. Agar is a little town with a big heart, and has continued to be a strong reflection of South Dakota's greatest values and traditions. The community of Agar has much to be proud of and I am confident that Agar's success will continue well into the future.

The town of Agar will commemorate the 100th anniversary of its founding with celebrations held June 11 through June 13. I would like to offer my congratulations to the citizens of Agar on this milestone anniversary and wish them continued prosperity in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations 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 ORIGINALLY DECLARED IN EXECUTIVE ORDER 13466 OF JUNE 26, 2008, WITH RESPECT TO THE CURRENT EXISTENCE AND RISK OF THE PROLIFERATION OF WEAPONS-USABLE FISSILE MATERIAL ON THE KOREAN PENINSULA—PM 62

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, is to continue in effect beyond June 26, 2010.

The existence and the risk of proliferation of weapons-usable fissile material on the Korean Peninsula constitute a continuing unusual and extraordinary threat to the national se-

curity and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency and maintain certain restrictions with respect to North Korea and North Korean nationals.

BARACK OBAMA.
THE WHITE HOUSE, June 14, 2010.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on June 14, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bill:

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 14, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

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-6186. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium 1,4-Dialkyl Sulfosuccinates; Exemption from the Requirement of a Tolerance" (FRL No. 8825-2) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6187. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Nonformula Federal Assistance Programs—Administrative Provisions and Subpart K for Biomass Research and Development Initiative" (RIN0524-AA61) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6188. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Procedures for Judicial Review of Certain Military Personnel Decisions"; to the Committee on Armed Services.

EC-6189. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Extension of Maximum Age for Appointment to Service Academies for Limited Number of Exceptional Candidates; to the Committee on Armed Services.

EC-6190. A communication from the General Counsel of the Department of Defense,

transmitting proposed legislation relative to Authority to Expedite Background Investigations for Hiring of Wounded Warriors and Spouses by Department of Defense and Defense Contractors; to the Committee on Armed Services.

EC-6191. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Exception to Full and Open Competition to Permit Consideration of Supply Chain Risk in the Interest of National Security; to the Committee on Armed Services.

EC-6192. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Expansion of Authority Relating to Phase II of Three-Phase Approach to Joint Professional Military Education; to the Committee on Armed Services.

EC-6193. A communication from the Secretary of Energy, transmitting proposed legislation relative to Elimination of Requirement for Annual Update and Report to Congress on Workforce Restructuring Plans; to the Committee on Armed Services.

EC-6194. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2010-0003)) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6195. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Final Rulemaking to Establish Take Prohibitions for the Threatened Southern Distinct Population Segment of North American Green Sturgeon" (RIN0648-AV94) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6196. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 10; Correction" (RIN0648-AY00) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6197. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico and South Atlantic; Revisions to Allowable Bycatch Reduction Devices" (RIN0648-AY58) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6198. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Revisions to Framework Adjustment 44 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements: Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2010" (RIN0648-AY29) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6199. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeastern Multispecies Fishery; Reductions to Trip Limits for Five Groundfish Stocks" (RIN0648-AY52) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6200. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus A318, A319, A320, A321 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0129)) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6201. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B and -3B1 Turbofan Engines; Correction" ((RIN2120-AA64) (Docket No. FAA-2007-27687)) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6202. A communication from the Deputy Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Department of Homeland Security in the position of Assistant Secretary/Administrator of the Transportation Security Administration, received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6203. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Weatherization Assistance for Low-Income Persons: Maintaining the Privacy of Applicants for and Recipients of Services" (RIN1904-AC16) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Energy and Natural Resources.

EC-6204. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of the Emission-Comparable Fuel Exclusion under RCRA" (FRL No. 9160-9) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Environment and Public Works.

EC-6205. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Primary National Ambient Air Quality Standard for Sulfur Dioxide" (FRL No. 9160-4) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Environment and Public Works.

EC-6206. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Consultative Examination—Annual Onsite Review of Medical Providers" (RIN0960-AH17) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Finance.

EC-6207. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revised Medical Criteria for Evaluating Hearing Loss—2862F" (RIN0960-AG20) received in the Office of the President of the Senate on June 9, 2010; to the Committee on Finance.

EC-6208. A communication from the Secretary of Labor, transmitting proposed legislation entitled "Unemployment Compensation Program Integrity Act of 2010"; to the Committee on Finance.

EC-6209. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Consolidation and Modification of Semiannual Reports on Progress Toward Security and Stability in Afghanistan and Pakistan"; to the Committee on Foreign Relations.

EC-6210. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6211. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Services Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6212. A communication from the Chairman, Postal Regulatory Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6213. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Semiannual Report from of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6214. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6215. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6216. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Enhanced Retirement Benefits for Certain Employees of the Pentagon Force Protection Agency"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2852. A bill to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy (Rept. No. 111-206).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 3951. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Ms. KLOBUCHAR):

S. 3483. A bill to amend section 139 of title 49, United States Code, to increase the effectiveness of Federal oversight of motor carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MCCASKILL (for herself and Mr. BENNETT):

S. 3484. A bill to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. CASEY, Mr. LIEBERMAN, Mr. MCCAIN, Mrs. SHAHEEN, Mr. KYL, Mr. FEINGOLD, Mr. BROWNBAC, Mr. MENENDEZ, Mr. GRAHAM, and Mr. LEVIN):

S. Res. 551. A resolution marking the one year anniversary of the June 12, 2009, presidential election in Iran, and condemning ongoing human rights abuses in Iran; considered and agreed to.

ADDITIONAL COSPONSORS

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 616

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 616, a bill to amend the Public Health Service Act to authorize medical simulation enhancement programs, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary

to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1112

At the request of Mr. DODD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1112, a bill to make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products, and for other purposes.

S. 1335

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1335, a bill to require reports on the effectiveness and impacts of the implementation of the Western Hemisphere Travel Initiative, and for other purposes.

S. 1580

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1580, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of 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.

S. 3181

At the request of Mr. BROWNBAC, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the names of the Senator from Nebraska

(Mr. NELSON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Program.

S. 3225

At the request of Mr. BEGICH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3225, a bill to direct the Secretary of Commerce to establish a comprehensive grant program to promote domestic regional tourism.

S. 3276

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3276, a bill to provide an election to terminate certain capital construction funds without penalties.

S. 3302

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3302, a bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in *Exxon Shipping Company v. Baker*.

S. 3412

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3412, a bill to provide emergency operating funds for public transportation.

S. 3463

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from

Wisconsin (Mr. FEINGOLD) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3463, a bill to amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed on the high seas.

S. 3478

At the request of Mr. SCHUMER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3478, a bill to amend title 46, United States Code, to repeal certain limitations of liability and for other purposes.

S.J. RES. 30

At the request of Mr. ISAKSON, the names of the Senator from Arizona (Mr. KYL) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S.J. Res. 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

S. RES. 519

At the request of Mr. DEMINT, the names of the Senator from Missouri (Mr. BOND) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. Res. 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

S. RES. 548

At the request of Mr. CORNYN, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

AMENDMENT NO. 4318

At the request of Mr. SANDERS, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 4318 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4322

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 4322 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.

AMENDMENT NO. 4324

At the request of Mr. WHITEHOUSE, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 4324 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.

AMENDMENT NO. 4333

At the request of Mr. THUNE, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), the Senator from Missouri (Mr. BOND), the Senator from Oklahoma (Mr. COBURN), the Senator from Massachusetts (Mr. BROWN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 4333 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4342

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 4342 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 Ms. SNOWE (for herself and Ms. KLOBUCHAR):

S. 3483. A bill to amend section 139 of title 49, United States Code, to increase the effectiveness of Federal oversight of motor carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that I believe will ensure that our motor vehicle operators, particularly those smallest businesses who rely on only one or two vehicles, are no longer subject to the nefarious practices of unscrupulous logistic companies and brokers.

The Bureau of Transportation Statistics has indicated that by 2020, freight volume will double in this country. A critical component of moving that vast expansion of freight to distributors and retailers will be motor carriers—that is, trucks.

However, for years, trucking operators, particularly the smallest companies who not only perform the back-breaking work of transporting freight across the country, but simultaneously run their own businesses, have fallen victim to fly-by-night brokers and intermediaries who connect the truck operators with shippers who need goods moved, then defraud the operators of their payments before vanishing in the night, depriving the operator of any

legal recourse in an effort to recover their losses.

How can they do this? Aren't these actions criminal? Unfortunately, the current regulations are long outdated. Beyond a prospective broker being required to pay a ten thousand dollar bond, there is little in the way of registration requirements or government oversight under present law. According to trucking experts, a broker can rake in revenues far in excess of that ten thousand dollar upfront payment in less than a month, allowing them to disappear in the night, losing their bond but more than making up for it in revenues stolen from hard-working truck operators who are left with nothing to show for their delivery, and no way to recoup those losses. The time has come to provide these operators that chance to defend themselves.

That is why I have taken this opportunity to introduce the Motor Carrier Protection Act. This legislation will bolster the rather meager framework of regulations now in place to guard against deceitful behavior from the handful of freight forwarders who engage in these criminal practices. The bond necessary to serve as a broker will no longer be a paltry 10,000, but will be elevated to 100,000, a more reasonable amount reflecting the reality of today's shipping environment. It will also expand the requirements to become a licensed broker, giving the Federal Motor Carrier Safety Administration to opportunity to collect licensing fees from brokers, intermediaries and freight forwarders—using those fees to fund greater enforcement capabilities. As a result of this legislation, the Federal Government will be able to revoke operating licenses for those brokers that do not meet these revamped strictures. These new licenses must be renewed annually. With these improvements to existing regulation, motor vehicle operators will no longer wonder if they will receive payment for a job well done.

Why is this legislation necessary? We must be mindful that these scams are not easily discouraged. For example, in Georgia, one group of individuals operated twelve different freight broker companies over a period of 3 years—continuously evading law enforcement and the truckers they defrauded by changing the name and location of their business—while never paying the truck operators who actually moved the freight. In the end, this racketeering enterprise collected over \$500,000, most of which was due to the operators. In fact, it was the diligent efforts of Georgia law enforcement that broke up this operation, not the Federal Motor Carrier Safety Administration, who the government has charged with preventing these sorts of fraud.

We must update these regulations, and provide FMCSA with more tools to prevent these kinds of criminal activities. I urge my colleagues to support this legislation as we move forward.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 551—MARKING THE ONE YEAR ANNIVERSARY OF THE JUNE 12, 2009, PRESIDENTIAL ELECTION IN IRAN, AND CONDEMNING ONGOING HUMAN RIGHTS ABUSES IN IRAN

Mr. KAUFMAN (for himself, Mr. CASEY, Mr. LIEBERMAN, Mr. MCCAIN, Mrs. SHAHEEN, Mr. KYL, Mr. FEINGOLD, Mr. BROWNBACK, Mr. MENENDEZ, Mr. GRAHAM, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 551

Whereas the Government of Iran has systematically undertaken a campaign of violence, persecution, and intimidation against Iranian citizens who have peacefully protested the results of the deeply flawed Iran presidential elections of June 12, 2009;

Whereas the 2009 Department of State Country Report on Human Rights Practices in Iran found that “[t]he government [of Iran] severely limited citizens’ right to peacefully change their government through free and fair elections” and “. . . severely restricted the right to privacy and civil liberties, including freedoms of speech and the press, assembly, association, and movement”;

Whereas hundreds of thousands of peaceful demonstrators gathered in the streets of Iran in the aftermath of the June 12, 2009, elections, and dozens of innocent Iranians were killed and more than 4,000 were arbitrarily arrested by police and security forces and the Basij militia;

Whereas hundreds of Iranian citizens remain in detention and more than 250 prominent activists and demonstrators were tried in mass “show trials” that began in August 2009, and at least 50 of these defendants have received sentences ranging from six months imprisonment to death;

Whereas, on June 20, 2009, a member of the Basij militia reportedly shot and killed 27 year-old student Neda Agha-Soltan, whose murder was recorded on a mobile phone camera, disseminated via the Internet, and became a rallying cry for the political opposition and Green Movement;

Whereas, since the election, the Government of Iran has systemically restricted and suppressed free press, free expression, free assembly, and free access to the Internet and other forms of connective technology in order to limit the flow of information and silence political opposition and other forms of popular dissent;

Whereas the Government of Iran has a deplorable human rights record that includes severe restrictions on the freedom of religion or belief, denial of the freedom of assembly and the rights of civil society, systematic torture and ill-treatment, and judicial proceedings that lack due process;

Whereas the Government of Iran continues to operate with hostility and impunity toward journalists, reformers, ethnic and religious minorities, political opponents, human rights defenders, women’s rights groups, student activists, and others, including through unlawful and arbitrary detentions, arrests, politically motivated sentencing, physical assaults, and killings;

Whereas human rights activists, journalists, and ethnic and religious minorities have fled Iran for fear of persecution and are residing, some in dangerous circumstances, in neighboring countries seeking refugee status

and asylum in the United States and other countries;

Whereas the Government of Iran has violated its obligations under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenant on Economic, Social and Cultural Rights;

Whereas the 2010 Freedom House Freedom in the World Report finds that Iran leads the world in the number of jailed journalists;

Whereas, since the June 2009 election, the Government of Iran has restricted foreign press access, banned more than 60 international media outlets, and jammed international broadcasts, including those of Radio Free Europe/Radio Liberty’s Radio Farda, Voice of America’s Persian News Network, the British Broadcasting Corporation, and other non-Iranian news services;

Whereas, on December 18, 2009, the United Nations General Assembly passed a resolution condemning “serious, ongoing and recurring human rights violations in Iran” and calling on the Government of Iran to respect its human rights obligations;

Whereas, on December 27, 2009, the Ashura holiday, at least eight civilians were killed in confrontations with authorities, and police reportedly arrested approximately 300 civilians in relation to popular demonstrations;

Whereas, on February 11, 2010, the anniversary of the Islamic Revolution, the Government of Iran beat and arrested numerous protestors, jammed text messaging technology, slowed and restricted access to the Internet, and blocked email and news websites, intentionally limiting the ability of Iranian citizens to communicate and freely access news and information;

Whereas, on April 19, 2010, the Government of Iran officially suspended prominent political parties, banned a reformist newspaper, and sentenced to prison leaders within the political opposition; and

Whereas activists connected to the 2009 election protests were recently re-arrested in an attempt to disrupt planned protests on the one-year anniversary of the election on June 12, 2010: Now, therefore, be it

Resolved, That the Senate—

(1) solemnly marks one year since the flawed June 12, 2009, presidential election in Iran, and honors Iranian citizens who have lost their lives in peaceful protest since the election;

(2) supports the people of Iran as they seek peaceful and free expression, free speech, free press, free assembly, unfettered access to the Internet, and freedom of religion despite a campaign of intimidation, repressions, and violence perpetrated by the Government of Iran;

(3) commends the people of Iran who have braved the persistent and pervasive threat of censorship, arrest, physical harassment, and death to have their voices heard and peacefully exercise fundamental human rights, as enshrined in the constitution of Iran and international human rights law, including the International Covenant on Civil and Political Rights, entered into force on March 23, 1976, and ratified by Iran;

(4) condemns the Government of Iran for perpetrating ongoing human rights abuses and for restricting, monitoring, and suppressing freedom of the press, expression, assembly, speech, and religion, as well as free access to the Internet and other forms of connective technology in order to limit the flow of information and silence political opposition and other forms of popular dissent;

(5) denounces the atmosphere of impunity for those who intimidate, harass, and commit violence against Iranian citizens, and

calls for the unconditional release of all political and religious prisoners in Iran;

(6) urges the President and Secretary of State to mobilize resources to support freedom of assembly, freedom of expression, freedom of the press, freedom of religion, and freedom of speech in Iran, especially on the June 12 anniversary of the 2009 presidential election;

(7) encourages the President and Secretary of State to work with the United Nations Human Rights Council to condemn the ongoing human rights violations perpetrated by the Government of Iran and establish a monitoring mechanism by which the Council can monitor such violations;

(8) urges the Government of Iran to cooperate with and allow visits of the United Nations Special Rapporteurs for Human Rights and the United Nations Office of the High Commissioner for Human Rights;

(9) urges the President and Secretary of State to work with the international community to ensure that violations of human rights are part of all formal and informal multilateral or bilateral discussions with and regarding Iran; and

(10) calls for the immediate return of all missing and detained United States citizens in Iran.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4343. Mr. WEBB (for himself, Mr. NELSON, of Florida, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4344. Mr. REID proposed an amendment to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, *supra*.

SA 4345. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, *supra*; which was ordered to lie on the table.

SA 4346. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, *supra*; which was ordered to lie on the table.

SA 4347. Mr. REID (for Ms. KLOBUCHAR) proposed an amendment to the bill S. 1660, to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

SA 4348. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4349. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, *supra*; which was ordered to lie on the table.

SA 4350. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4343. Mr. WEBB (for himself, Mr. NELSON of Florida, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R.

4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:
SEC. —. GUIDANCE ON TAX TREATMENT OF LOSSES RELATED TO TAINTED DRYWALL AS CASUALTY LOSS DEDUCTIONS.

Not later than the due date, including extension, for filing a return of tax for taxable year 2009, the Secretary of the Treasury shall issue guidance with respect to the availability of a casualty loss deduction under section 165(c)(3) of the Internal Revenue Code of 1986 for a taxpayer who has sustained a loss due to defective or tainted drywall, including drywall imported from China.

SA 4344. Mr. REID proposed an amendment to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; as follows:

At the end of part I of subtitle B of title II, insert the following:

SEC. —. FIRST-TIME HOMEBUYER CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 36(h) is amended by striking “paragraph (1) shall be applied by substituting ‘July 1, 2010’” and inserting “and who purchases such residence before October 1, 2010, paragraph (1) shall be applied by substituting ‘October 1, 2010’”.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 36(h)(3) is amended by inserting “and for ‘October 1, 2010’” after “for ‘July 1, 2010’”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to residences purchased after June 30, 2010.

(d) OFFSET.—

(1) DISALLOWANCE OF DEDUCTION FOR PUNITIVE DAMAGES.—

(A) IN GENERAL.—Section 162(g) (relating to treble damage payments under the antitrust laws) is amended—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,
 (ii) by striking “If” and inserting:
 “(1) TREBLE DAMAGES.—If”, and
 (iii) by adding at the end the following new paragraph:

“(2) PUNITIVE DAMAGES.—No deduction shall be allowed under this chapter for any amount paid or incurred for punitive damages in connection with any judgment in, or settlement of, any action. This paragraph shall not apply to punitive damages described in section 104(c).”.

(B) CONFORMING AMENDMENT.—The heading for section 162(g) is amended by inserting “OR PUNITIVE DAMAGES” after “LAWS”.

(2) INCLUSION IN INCOME OF PUNITIVE DAMAGES PAID BY INSURER OR OTHERWISE.—

(A) IN GENERAL.—Part II of subchapter B of chapter 1 (relating to items specifically included in gross income) is amended by adding at the end the following new section:

“SEC. 91. PUNITIVE DAMAGES COMPENSATED BY INSURANCE OR OTHERWISE.

“Gross income shall include any amount paid to or on behalf of a taxpayer as insurance or otherwise by reason of the taxpayer’s liability (or agreement) to pay punitive damages.”.

(B) REPORTING REQUIREMENTS.—Section 6041 (relating to information at source) is amended by adding at the end the following new subsection:

“(h) SECTION TO APPLY TO PUNITIVE DAMAGES COMPENSATION.—This section shall

apply to payments by a person to or on behalf of another person as insurance or otherwise by reason of the other person’s liability (or agreement) to pay punitive damages.”.

(C) CONFORMING AMENDMENT.—The table of sections for part II of subchapter B of chapter 1 is amended by adding at the end the following new item:

“Sec. 91. Punitive damages compensated by insurance or otherwise.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to damages paid or incurred after December 31, 2011.

SA 4345. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 236, strike line 20 and all that follows through page 237, line 5.

SA 4346. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 522.

SA 4347. Mr. REID (for Ms. KLOBUCHAR) proposed an amendment to the bill S. 1660, to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes, as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Formaldehyde Standards for Composite Wood Products Act”.

SEC. 2. FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS.

(a) AMENDMENT.—The Toxic Substances Control Act (15 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS

“SEC. 601. FORMALDEHYDE STANDARDS.

“(a) DEFINITIONS.—In this section:

“(1) FINISHED GOOD.—

“(A) IN GENERAL.—The term ‘finished good’ means any good or product (other than a panel) containing—

“(i) hardwood plywood;

“(ii) particleboard; or

“(iii) medium-density fiberboard.

“(B) EXCLUSIONS.—The term ‘finished good’ does not include—

“(i) any component part or other part used in the assembly of a finished good; or

“(ii) any finished good that has previously been sold or supplied to an individual or entity that purchased or acquired the finished good in good faith for purposes other than resale, such as—

“(I) an antique; or

“(II) secondhand furniture.

“(2) HARDBOARD.—The term ‘hardboard’ has such meaning as the Administrator shall establish, by regulation, pursuant to subsection (d).

“(3) HARDWOOD PLYWOOD.—

“(A) IN GENERAL.—The term ‘hardwood plywood’ means a hardwood or decorative panel that is—

“(i) intended for interior use; and

“(ii) composed of (as determined under the standard numbered ANSI/HPVA HP-1-2009) an assembly of layers or plies of veneer, joined by an adhesive with—

“(I) lumber core;

“(II) particleboard core;

“(III) medium-density fiberboard core;

“(IV) hardboard core; or

“(V) any other special core or special back material.

“(B) EXCLUSIONS.—The term ‘hardwood plywood’ does not include—

“(i) military-specified plywood;

“(ii) curved plywood; or

“(iii) any other product specified in—

“(I) the standard entitled ‘Voluntary Product Standard—Structural Plywood’ and numbered PS 1-07; or

“(II) the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04.

“(C) LAMINATED PRODUCTS.—

“(i) RULEMAKING.—

“(I) IN GENERAL.—The Administrator shall conduct a rulemaking process pursuant to subsection (d) that uses all available and relevant information from State authorities, industry, and other available sources of such information, and analyzes that information to determine, at the discretion of the Administrator, whether the definition of the term ‘hardwood plywood’ should exempt engineered veneer or any laminated product.

“(II) MODIFICATION.—The Administrator may modify any aspect of the definition contained in clause (i) before including that definition in the regulations promulgated pursuant to subclause (I).

“(ii) LAMINATED PRODUCT.—The term ‘laminated product’ means a product—

“(I) in which a wood veneer is affixed to—

“(aa) a particleboard platform;

“(bb) a medium-density fiberboard platform; or

“(cc) a veneer-core platform; and

“(II) that is—

“(aa) a component part;

“(bb) used in the construction or assembly of a finished good; and

“(cc) produced by the manufacturer or fabricator of the finished good in which the product is incorporated.

“(4) MANUFACTURED HOME.—The term ‘manufactured home’ has the meaning given the term in section 3280.2 of title 24, Code of Federal Regulations (as in effect on the date of promulgation of regulations pursuant to subsection (d)).

“(5) MEDIUM-DENSITY FIBERBOARD.—The term ‘medium-density fiberboard’ means a panel composed of cellulosic fibers made by dry forming and pressing a resinated fiber mat (as determined under the standard numbered ANSI A208.2-2009).

“(6) MODULAR HOME.—The term ‘modular home’ means a home that is constructed in a factory in 1 or more modules—

“(A) each of which meet applicable State and local building codes of the area in which the home will be located; and

“(B) that are transported to the home building site, installed on foundations, and completed.

“(7) NO-ADDED FORMALDEHYDE-BASED RESIN.—

“(A) IN GENERAL.—(i) The term ‘no-added formaldehyde-based resin’ means a resin formulated with no added formaldehyde as part of the resin cross-linking structure in a composite wood product that meets the emission standards in subparagraph (C) as measured by—

“(I) one test conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to clause (ii), ASTM D-6007-02; and

“(II) 3 months of routine quality control tests pursuant to ASTM D-6007-02 or ASTM D-5582 or such other routine quality control test methods as may be established by the Administrator through rulemaking.

“(ii) Test results obtained under clause (i)(I) or (II) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(B) INCLUSIONS.—The term ‘no-added formaldehyde-based resin’ may include any resin made from—

“(i) soy;

“(ii) polyvinyl acetate; or

“(iii) methylene diisocyanate.

“(C) EMISSION STANDARDS.—The following are the emission standards for composite wood products made with no-added formaldehyde-based resins under this paragraph:

“(i) No higher than 0.04 parts per million of formaldehyde for 90 percent of the 3 months of routine quality control testing data required under subparagraph (A)(ii).

“(ii) No test result higher than 0.05 parts per million of formaldehyde for hardwood plywood and 0.06 parts per million for particleboard, medium-density fiberboard, and thin medium-density fiberboard.

“(8) PARTICLEBOARD.—

“(A) IN GENERAL.—The term ‘particleboard’ means a panel composed of cellulosic material in the form of discrete particles (as distinguished from fibers, flakes, or strands) that are pressed together with resin (as determined under the standard numbered ANSI A208.1-2009).

“(B) EXCLUSIONS.—The term ‘particleboard’ does not include any product specified in the standard entitled ‘Voluntary Product Standard-Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04.

“(9) RECREATIONAL VEHICLE.—The term ‘recreational vehicle’ has the meaning given the term in section 3282.8 of title 24, Code of Federal Regulations (as in effect on the date of promulgation of regulations pursuant to subsection (d)).

“(10) ULTRA LOW-EMITTING FORMALDEHYDE RESIN.—

“(A) IN GENERAL.—(i) The term ‘ultra low-emitting formaldehyde resin’ means a resin in a composite wood product that meets the emission standards in subparagraph (C) as measured by—

“(I) 2 quarterly tests conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to clause (ii), ASTM D-6007-02; and

“(II) 6 months of routine quality control tests pursuant to ASTM D-6007-02 or ASTM D-5582 or such other routine quality control test methods as may be established by the Administrator through rulemaking.

“(ii) Test results obtained under clause (i)(I) or (II) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(B) INCLUSIONS.—The term ‘ultra low-emitting formaldehyde resin’ may include—

“(i) melamine-urea-formaldehyde resin;

“(ii) phenol formaldehyde resin; and

“(iii) resorcinol formaldehyde resin.

“(C) EMISSION STANDARDS.—

“(i) The Administrator may, pursuant to regulations issued under subsection (d), reduce the testing requirements for a manufacturer only if its product made with ultra low-emitting formaldehyde resin meets the following emission standards:

“(I) For hardwood plywood, no higher than 0.05 parts per million of formaldehyde.

“(II) For medium-density fiberboard—

“(aa) no higher than 0.06 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.09 parts per million of formaldehyde.

“(III) For particleboard—

“(aa) no higher than 0.05 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.08 parts per million of formaldehyde.

“(IV) For thin medium-density fiberboard—

“(aa) no higher than 0.08 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.11 parts per million of formaldehyde.

“(ii) The Administrator may not, pursuant to regulations issued under subsection (d), exempt a manufacturer from third party certification requirements unless its product made with ultra low-emitting formaldehyde resin meets the following emission standards:

“(I) No higher than 0.04 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii).

“(II) No test result higher than 0.05 parts per million of formaldehyde for hardwood plywood and 0.06 parts per million for particleboard, medium-density fiberboard, and thin medium-density fiberboard.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—Except as provided in an applicable sell-through regulation promulgated pursuant to subsection (d), effective beginning on the date that is 180 days after the date of promulgation of those regulations, the emission standards described in paragraph (2), shall apply to hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured in the United States.

“(2) EMISSION STANDARDS.—The emission standards referred to in paragraph (1), based on test method ASTM E-1333-96 (2002), are as follows:

“(A) For hardwood plywood with a veneer core, 0.05 parts per million of formaldehyde.

“(B) For hardwood plywood with a composite core—

“(i) 0.08 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2012; and

“(ii) 0.05 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2012.

“(C) For medium-density fiberboard—

“(i) 0.21 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2011; and

“(ii) 0.11 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2011.

“(D) For thin medium-density fiberboard—

“(i) 0.21 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2012; and

“(ii) 0.13 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2012.

“(E) For particleboard—

“(i) 0.18 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2011; and

“(ii) 0.09 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2011.

“(3) COMPLIANCE WITH EMISSION STANDARDS.—(A) Compliance with the emission standards described in paragraph (2) shall be measured by—

“(i) quarterly tests shall be conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to subparagraph (B), ASTM D-6007-02; and

“(ii) quality control tests shall be conducted pursuant to ASTM D-6007-02, ASTM D-5582, or such other test methods as may be established by the Administrator through rulemaking.

“(B) Test results obtained under subparagraph (A)(i) or (ii) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(C) Except where otherwise specified, the Administrator shall establish through rulemaking the number and frequency of tests required to demonstrate compliance with the emission standards.

“(4) APPLICABILITY.—The formaldehyde emission standard referred to in paragraph (1) shall apply regardless of whether an applicable hardwood plywood, medium-density fiberboard, or particleboard is—

“(A) in the form of an unfinished panel; or

“(B) incorporated into a finished good.

“(c) EXEMPTIONS.—The formaldehyde emission standard referred to in subsection (b)(1) shall not apply to—

“(1) hardboard;

“(2) structural plywood, as specified in the standard entitled ‘Voluntary Product Standard-Structural Plywood’ and numbered PS 1-07;

“(3) structural panels, as specified in the standard entitled ‘Voluntary Product Standard-Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04;

“(4) structural composite lumber, as specified in the standard entitled ‘Standard Specification for Evaluation of Structural Composite Lumber Products’ and numbered ASTM D 5456-06;

“(5) oriented strand board;

“(6) glued laminated lumber, as specified in the standard entitled ‘Structural Glued Laminated Timber’ and numbered ANSI A190.1-2002;

“(7) prefabricated wood I-joists, as specified in the standard entitled ‘Standard Specification for Establishing and Monitoring Structural Capacities of Prefabricated Wood I-Joists’ and numbered ASTM D 5055-05;

“(8) finger-jointed lumber;

“(9) wood packaging (including pallets, crates, spools, and dunnage);

“(10) composite wood products used inside a new—

“(A) vehicle (other than a recreational vehicle) constructed entirely from new parts that has never been—

“(i) the subject of a retail sale; or

“(ii) registered with the appropriate State agency or authority responsible for motor vehicles or with any foreign state, province, or country;

“(B) rail car;

“(C) boat;

“(D) aerospace craft; or

“(E) aircraft;

“(11) windows that contain composite wood products, if the window product contains less than 5 percent by volume of hardwood plywood, particleboard, or medium-density fiberboard, combined, in relation to the total volume of the finished window product; or

“(12) exterior doors and garage doors that contain composite wood products, if—

“(A) the doors are made from composite wood products manufactured with no-added formaldehyde-based resins or ultra low-emitting formaldehyde resins; or

“(B) the doors contain less than 3 percent by volume of hardwood plywood, particleboard, or medium-density fiberboard, combined, in relation to the total volume of the finished exterior door or garage door.

“(d) REGULATIONS.—

“(1) IN GENERAL.—Not later than January 1, 2013, the Administrator shall promulgate regulations to implement the standards required under subsection (b) in a manner that ensures compliance with the emission standards described in subsection (b)(2).

“(2) INCLUSIONS.—The regulations promulgated pursuant to paragraph (1) shall include provisions relating to—

- “(A) labeling;
- “(B) chain of custody requirements;
- “(C) sell-through provisions;
- “(D) ultra low-emitting formaldehyde resins;
- “(E) no-added formaldehyde-based resins;
- “(F) finished goods;
- “(G) third-party testing and certification;
- “(H) auditing and reporting of third-party certifiers;
- “(I) recordkeeping;
- “(J) enforcement;
- “(K) laminated products; and
- “(L) exceptions from the requirements of regulations promulgated pursuant to this subsection for products and components containing de minimis amounts of composite wood products.

The Administrator shall not provide under subparagraph (L) exceptions to the formaldehyde emission standard requirements in subsection (b).

“(3) SELL-THROUGH PROVISIONS.—

“(A) IN GENERAL.—Sell-through provisions established by the Administrator under this subsection, with respect to composite wood products and finished goods containing regulated recreational vehicles, manufactured homes, and modular homes, shall—

“(i) be based on a designated date of manufacture (which shall be no earlier than the date 180 days following the promulgation of the regulations pursuant to this subsection) of the composite wood product or finished good, rather than date of sale of the composite wood product or finished good; and

“(ii) provide that any inventory of composite wood products or finished goods containing regulated composite wood products, manufactured before the designated date of manufacture of the composite wood products or finished goods, shall not be subject to the formaldehyde emission standard requirements under subsection (b)(1).

“(B) IMPLEMENTING REGULATIONS.—The regulations promulgated under this subsection shall—

“(i) prohibit the stockpiling of inventory to be sold after the designated date of manufacture; and

“(ii) not require any labeling or testing of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacture.

“(C) DEFINITION.—For purposes of this paragraph, the term ‘stockpiling’ means manufacturing or purchasing a composite wood product or finished good containing a regulated composite wood product between the date of enactment of the Formaldehyde Standards for Composite Wood Products Act and the date 180 days following the promulgation of the regulations pursuant to this subsection at a rate which is significantly greater (as determined by the Administrator) than the rate at which such product or good was manufactured or purchased during a base period (as determined by the Administrator) ending before the date of enactment of the Formaldehyde Standards for Composite Wood Products Act.

“(4) IMPORT REGULATIONS.—Not later than July 1, 2013, the Administrator, in coordination with the Commissioner of Customs and Border Protection and other appropriate

Federal departments and agencies, shall revise regulations promulgated pursuant to section 13 as the Administrator determines to be necessary to ensure compliance with this section.

“(5) SUCCESSOR STANDARDS AND TEST METHODS.—The Administrator may, after public notice and opportunity for comment, substitute an industry standard or test method referenced in this section with its successor version.

“(e) PROHIBITED ACTS.—An individual or entity that violates any requirement under this section (including any regulation promulgated pursuant to subsection (d)) shall be considered to have committed a prohibited act under section 15.”

(b) CONFORMING AMENDMENT.—The table of contents of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended by adding at the end the following:

“TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS

“Sec. 601. Formaldehyde standards.”

SEC. 3. REPORTS TO CONGRESS.

Not later than one year after the date of enactment of this Act, and annually thereafter through December 31, 2014, the Administrator of the Environmental Protection Agency shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing, with respect to the preceding year—

(1) the status of the measures carried out or planned to be carried out pursuant to title VI of the Toxic Substances Control Act; and

(2) the extent to which relevant industries have achieved compliance with the requirements under that title.

SEC. 4. MODIFICATION OF REGULATION.

Not later than 180 days after the date of promulgation of regulations pursuant to section 601(d) of the Toxic Substances Control Act (as amended by section 2), the Secretary of Housing and Urban Development shall update the regulation contained in section 3280.308 of title 24, Code of Federal Regulations (as in effect on the date of enactment of this Act), to ensure that the regulation reflects the standards established by section 601 of the Toxic Substances Control Act.

SA 4348. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. ____ . APPLICATION OF GRANTS FOR SPECIFIED ENERGY PROPERTY TO CERTAIN REGULATED COMPANIES.

(a) IN GENERAL.—The first sentence of section 1603(f) of division B of the American Recovery and Reinvestment Act of 2009 is amended by inserting “(other than subsection (d)(2) thereof)” after “section 50 of the Internal Revenue Code of 1986”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 1603 of division B of the American Recovery and Reinvestment Act of 2009.

SA 4349. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and

for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 255, strike line 14 and all that follows through line 18 on page 260 and insert the following:

“(i) IN GENERAL.—A covered entity shall not request payment under title XIX of the Social Security Act for medical assistance described in section 1905(a)(12) of such Act with respect to a covered inpatient drug that is subject to an agreement under this section if the drug is subject to the payment of a rebate to the State under section 1927 of such Act.

“(ii) ESTABLISHMENT OF MECHANISM.—The Secretary shall establish a mechanism to ensure that covered entities comply with clause (i). If the Secretary does not establish a mechanism under the previous sentence within 12 months of the enactment of this section, the requirements of section 1927(a)(5)(C) of the Social Security Act shall apply.

“(iii) PROHIBITING DISCLOSURE TO GROUP PURCHASING ORGANIZATIONS.—In the event that a covered entity is a member of a group purchasing organization, such entity shall not disclose the price or any other information pertaining to any purchases under this section directly or indirectly to such group purchasing organization.

“(B) PROHIBITING RESALE, DISPENSING, OR ADMINISTRATION OF DRUGS EXCEPT TO CERTAIN PATIENTS.—With respect to any covered inpatient drug that is subject to an agreement under this subsection, a covered entity shall not dispense, administer, resell, or otherwise transfer the covered inpatient drug to a person unless—

“(i) such person is an inpatient of the entity; and

“(ii) such person does not have health plan coverage (as defined in subsection (c)(3)) that provides prescription drug coverage in the inpatient setting with respect to such covered inpatient drug.

For purposes of clause (ii), a person shall be treated as having health plan coverage (as defined in subsection (c)(3)) with respect to a covered inpatient drug if benefits are not payable under such coverage with respect to such drug for reasons such as the application of a deductible or cost sharing or the use of utilization management.

“(C) AUDITING.—A covered entity shall permit the Secretary and the manufacturer of a covered inpatient drug that is subject to an agreement under this subsection with the entity (acting in accordance with procedures established by the Secretary relating to the number, duration, and scope of audits) to audit at the Secretary’s or the manufacturer’s expense the records of the entity that directly pertain to the entity’s compliance with the requirements described in subparagraph (A) or (B) with respect to drugs of the manufacturer. The use or disclosure of information for performance of such an audit shall be treated as a use or disclosure required by law for purposes of section 164.512(a) of title 45, Code of Federal Regulations.

“(D) ADDITIONAL SANCTION FOR NONCOMPLIANCE.—If the Secretary finds, after notice and hearing, that a covered entity is in violation of a requirement described in subparagraph (A) or (B), the covered entity shall be liable to the manufacturer of the covered inpatient drug that is the subject of the violation in an amount equal to the reduction in the price of the drug (as described in subparagraph (A)) provided under the agreement between the Secretary and the manufacturer under this subsection.

“(E) MAINTENANCE OF RECORDS.—

“(i) IN GENERAL.—A covered entity shall establish and maintain an effective record-keeping system to comply with this section and shall certify to the Secretary that such entity is in compliance with subparagraphs (A) and (B). The Secretary shall require that hospitals that purchase covered inpatient drugs for inpatient dispensing or administration under this subsection appropriately segregate inventory of such covered inpatient drugs, either physically or electronically, from drugs for outpatient use, as well as from drugs for inpatient dispensing or administration to individuals who have (for purposes of subparagraph (B)) health plan coverage described in clause (ii) of such subparagraph.

“(ii) CERTIFICATION OF NO THIRD-PARTY PAYER.—A covered entity shall maintain records that contain certification by the covered entity that no third party payment was received for any covered inpatient drug that is subject to an agreement under this subsection and that was dispensed to an inpatient.

“(5) TREATMENT OF DISTINCT UNITS OF HOSPITALS.—In the case of a covered entity that is a distinct part of a hospital, the distinct part of the hospital shall not be considered a covered entity under this subsection unless the hospital is otherwise a covered entity under this subsection.

“(6) NOTICE TO MANUFACTURERS.—The Secretary shall notify manufacturers of covered inpatient drugs and single State agencies under section 1902(a)(5) of the Social Security Act of the identities of covered entities under this subsection, and of entities that no longer meet the requirements of paragraph (4), by means of timely updates of the Internet website supported by the Department of Health and Human Services relating to this section.

“(7) NO PROHIBITION ON LARGER DISCOUNT.—Nothing in this subsection shall prohibit a manufacturer from charging a price for a drug that is lower than the maximum price that may be charged under paragraph (1).

“(b) COVERED ENTITY DEFINED.—In this section, the term ‘covered entity’ means an entity that meets the requirements described in subsection (a)(4) that has applied for and enrolled in the program described under this section and is one of the following:

SA 4350. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 255, line 18, strike “a drug” and insert “a covered inpatient drug”.

On page 256, line 24, strike “a patient” and insert “an inpatient”.

On page 260, line 17, after “subsection (a)(4)” insert the following: “that has applied for and enrolled in the program described under this section”.

NOTICE OF HEARING

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Committee on Energy and Natural Resources. The business meeting will be held on Wednesday, June 16, 2010, at 11 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending legislation.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS ACT

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 352, S. 1660.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1660) to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, 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 “Formaldehyde Standards for Composite Wood Products Act”.

SEC. 2. FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS.

(a) AMENDMENT.—The Toxic Substances Control Act (15 U.S.C. 2601 et seq.) is amended by adding at the end the following:

“TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS

“SEC. 601. FORMALDEHYDE STANDARDS.

“(a) DEFINITIONS.—In this section:

“(1) FINISHED GOOD.—

“(A) IN GENERAL.—The term ‘finished good’ means any good or product (other than a panel) containing—

“(i) hardwood plywood;

“(ii) particleboard; or

“(iii) medium-density fiberboard.

“(B) EXCLUSIONS.—The term ‘finished good’ does not include—

“(i) any component part or other part used in the assembly of a finished good; or

“(ii) any finished good that has previously been sold or supplied to an individual or entity that purchased or acquired the finished good in good faith for purposes other than resale, such as—

“(I) an antique; or

“(II) secondhand furniture.

“(2) HARDBOARD.—The term ‘hardboard’ means a composite panel composed of cellulosic fibers manufactured with a wet process using—

“(A) no resins; or

“(B) resins that have no added formaldehyde.

“(3) HARDWOOD PLYWOOD.—

“(A) IN GENERAL.—The term ‘hardwood plywood’ means a hardwood or decorative panel that is—

“(i) intended for interior use; and

“(ii) composed of (as determined under the standard numbered ANSI/HPVA HP-1-2004 (or a successor standard)) an assembly of layers or plies of veneer, joined by an adhesive with—

“(I) lumber core;

“(II) particleboard core;

“(III) medium-density fiberboard core;

“(IV) hardboard core; or

“(V) any other special core or special back material.

“(B) EXCLUSIONS.—The term ‘hardwood plywood’ does not include—

“(i) military-specified plywood;

“(ii) curved plywood; or

“(iii) any other product specified in—

“(I) the standard entitled ‘Voluntary Product Standard—Structural Plywood’ and numbered PS 1-07 (or a successor standard); or

“(II) the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04 (or a successor standard).

“(C) LAMINATED PRODUCTS.—

“(i) IN GENERAL.—The Administrator shall conduct a rulemaking process pursuant to subsection (d) that uses all available and relevant information from State authorities (including the California Air Resources Board), industry, and other available sources of such information, and analyzes such information to determine, at the discretion of the Administrator, whether the definition of hardwood plywood should exempt any laminated product. The Administrator may also modify any aspect of the definition contained in clause (ii) before including it in such regulations.

“(ii) LAMINATED PRODUCT.—The term ‘laminated product’ means a product—

“(I) in which a wood veneer is affixed to—

“(aa) a particleboard platform;

“(bb) a medium-density fiberboard platform;

or

“(cc) a veneer-core platform; and

“(II) that is—

“(aa) a component part;

“(bb) used in the construction or assembly of a finished good; and

“(cc) produced by the manufacturer or fabricator of the finished good in which the product is incorporated.

“(4) MEDIUM-DENSITY FIBERBOARD.—The term ‘medium-density fiberboard’ means a panel composed of cellulosic fibers made by dry forming and pressing a resinated fiber mat (as determined under the standard numbered ANSI A208.2-2009 (or a successor standard)).

“(5) NO-ADDED FORMALDEHYDE-BASED RESIN.—

“(A) IN GENERAL.—The term ‘no-added formaldehyde-based resin’ means a resin formulated with no added formaldehyde as part of the resin cross-linking structure that meets the performance standard contained in section 93120.3(c) of title 17, California Code of Regulations (as in effect on July 28, 2009).

“(B) INCLUSIONS.—The term ‘no-added formaldehyde-based resin’ may include any resin made from—

“(i) soy;

“(ii) polyvinyl acetate; or

“(iii) methylene diisocyanate.

“(6) PARTICLEBOARD.—

“(A) IN GENERAL.—The term ‘particleboard’ means a panel composed of cellulosic material in the form of discrete particles (as distinguished from fibers, flakes, or strands) that are pressed together with resin (as determined under the standard numbered ANSI A208.1-2009 (or a successor standard)).

“(B) EXCLUSIONS.—The term ‘particleboard’ does not include any product specified in the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04 (or a successor standard).

“(7) ULTRA LOW-EMITTING FORMALDEHYDE RESIN.—

“(A) IN GENERAL.—The term ‘ultra low-emitting formaldehyde resin’ means a resin formulated using a process the average formaldehyde emissions of which are consistently below the phase 2 emission standards contained in the airborne toxic control measure for composite wood products described in section 93120.3(d) of title 17, California Code of Regulations (as in effect on July 28, 2009).

“(B) INCLUSIONS.—The term ‘ultra low-emitting formaldehyde resin’ may include—

“(i) melamine-urea-formaldehyde resin;

“(ii) phenol formaldehyde resin; and

“(iii) resorcinol formaldehyde resin.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—Except as provided in an applicable sell-through regulation promulgated pursuant to subsection (d), effective beginning on the date that is 180 days after the date of

promulgation of those regulations, the formaldehyde emission standard contained in table 1 of section 93120.2(a) of title 17, California Code of Regulations (relating to an airborne toxic control measure to reduce formaldehyde emissions from composite wood products) (as in effect on July 28, 2009), shall apply to hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured in the United States.

“(2) **APPLICABILITY.**—The formaldehyde emission standard referred to in paragraph (1) shall apply regardless of whether an applicable hardwood plywood, medium-density fiberboard, or particleboard is—

“(A) in the form of an unfinished panel; or
“(B) incorporated into a finished good.

“(c) **EXEMPTIONS.**—The formaldehyde emission standard referred to in subsection (b)(1) shall not apply to—

“(1) hardboard;

“(2) structural plywood, as specified in the standard entitled ‘Voluntary Product Standard—Structural Plywood’ and numbered PS 1-07 (or a successor standard);

“(3) structural panels, as specified in the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04 (or a successor standard);

“(4) structural composite lumber, as specified in the standard entitled ‘Standard Specification for Evaluation of Structural Composite Lumber Products’ and numbered ASTM D 5456-06 (or a successor standard);

“(5) oriented strand board;

“(6) glued laminated lumber, as specified in the standard entitled ‘Standard Glued Laminated Timber’ and numbered ANSI A190.1-2002 (or a successor standard);

“(7) prefabricated wood I-joists, as specified in the standard entitled ‘Standard Specification for Establishing and Monitoring Structural Capacities of Prefabricated Wood I-joists’ and numbered ASTM D 5055-05 (or a successor standard);

“(8) finger-jointed lumber;

“(9) wood packaging (including pallets, crates, spools, and dunnage); or

“(10) composite wood products used inside new vehicles (as defined in section 430 of the California Vehicle Code) (excluding recreational vehicles), rail cars, boats, aerospace craft, or aircraft.

“(d) **REGULATIONS.**—

“(1) **IN GENERAL.**—Not later than July 1, 2012, the Administrator shall promulgate regulations to implement the formaldehyde emission standard required under subsection (b) in a manner that ensures that compliance with the standard is equivalent to compliance with the standard contained in table 1 of section 93120.2(a) of title 17, California Code of Regulations (as in effect on July 28, 2009).

“(2) **INCLUSIONS.**—The regulations promulgated pursuant to paragraph (1) shall include provisions relating to—

“(A) labeling;

“(B) chain of custody requirements;

“(C) sell-through provisions;

“(D) ultra low-emitting formaldehyde resins;

“(E) no-added formaldehyde-based resins;

“(F) finished goods;

“(G) third-party testing and certification;

“(H) auditing and reporting of third-party certifiers;

“(I) recordkeeping;

“(J) enforcement; and

“(K) laminated products.

“(3) **IMPORT REGULATIONS.**—Not later than July 1, 2012, the Administrator, in coordination with the Commissioner of Customs and Border Protection and other appropriate Federal departments and agencies, shall revise regulations promulgated pursuant to section 13 as the Administrator determines to be necessary to ensure compliance with this section.

“(4) **MODIFICATION OF STANDARDS.**—The Administrator may modify, by regulation, any ref-

erence to an industry standard contained in this subsection if the standard is subsequently updated.

“(e) **PROHIBITED ACTS.**—An individual or entity that violates any requirement under this section (including any regulation promulgated pursuant to subsection (d)) shall be considered to have committed a prohibited act under section 15.”.

(b) **CONFORMING AMENDMENT.**—The table of contents of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended by adding at the end the following:

“**TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS**

“Sec. 601. Formaldehyde standards.”.

SEC. 3. REPORTS TO CONGRESS.

Not later than December 31, 2010, and annually thereafter through December 31, 2014, the Administrator of the Environmental Protection Agency shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing, with respect to the preceding calendar year—

(1) the status of the measures carried out or planned to be carried out pursuant to title VI of the Toxic Substances Control Act; and

(2) the extent to which relevant industries have achieved compliance with the requirements under that title.

SEC. 4. MODIFICATION OF REGULATION.

Not later than 180 days after the date on which the Administrator of the Environmental Protection Agency promulgates regulations under section 601(d)(1) of the Toxic Substances Control Act (as added by section 2(a)), the Secretary of Housing and Urban Development shall update the regulation contained in section 3280.308 of title 24, Code of Federal Regulations (as in effect on the date of enactment of this Act), to ensure that the regulation reflects the standards established by section 601 of the Toxic Substances Control Act (as so added).

Mr. REID. Madam President, I ask unanimous consent that the committee-reported substitute amendment be considered; that a Klobuchar amendment 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; and that 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. 4347) was agreed to, as follows:

(The text of the amendment is printed in today's RECORD under “Text of Amendments.”)

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

The bill (S. 1660), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. REID. Madam President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 547 and that we now proceed to that matter.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 547) supporting National Men's Health week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 547) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 547

Whereas, despite advances in medical technology and research, men continue to live an average of more than 5 years less than women, and African-American men have the lowest life expectancy;

Whereas 9 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas according to the Centers for Disease Control and Prevention, between ages 45 and 54, men are over 1½ times more likely than women to die of heart attacks;

Whereas according to the Centers for Disease Control and Prevention, men die of heart disease at 1½ times the rate of women;

Whereas men die of cancer at almost 1½ times the rate of women;

Whereas testicular cancer is one of the most common cancers in men aged 15 to 34, and, when detected early, has a 96 percent survival rate;

Whereas according to the American Cancer Society, the number of cases of colon cancer among men will reach almost 49,470 in 2010, and nearly 50 percent of men diagnosed with colon cancer will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas according to the American Cancer Society, the number of men developing prostate cancer in 2010 will reach more than 217,730 and an estimated 32,050 of those men will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of health problems that affect men, such as prostate cancer, testicular cancer, colon cancer, and infertility, could be detected and treated if men's awareness of these problems was more pervasive;

Whereas according to the Bureau of the Census, more than ½ of the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100, women outnumber men 4 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for these diseases;

Whereas appropriate use of tests such as prostate specific antigen (PSA) exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages and increase the survival rates to nearly 100 percent;

Whereas women are 2 times more likely than men to visit their doctor for annual examinations and preventive services;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas Congress established National Men's Health Week in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of over 45 States issue proclamations annually declaring Men's Health Week in their States;

Whereas, since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the Nation that promote health awareness events focused on men and family;

Whereas the National Men's Health Week Internet Web site has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups; and

Whereas, June 13 through 20, 2010, is National Men's Health Week, which has the purpose of heightening the awareness of preventable health problems and encouraging early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved, That the Senate—

(1) supports the annual National Men's Health Week; and

(2) calls upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

ONE-YEAR ANNIVERSARY OF THE PRESIDENTIAL ELECTION AND CONDEMNING ONGOING HUMAN RIGHTS ABUSES IN IRAN

Mr. REID. Madam President, I now ask unanimous consent that we proceed to S. Res. 551.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 551) marking the 1-year anniversary of the June 12, 2009 presidential election in Iran, and condemning ongoing human rights abuses in Iran.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, 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 resolution (S. Res. 551) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 551

Whereas the Government of Iran has systematically undertaken a campaign of vio-

lence, persecution, and intimidation against Iranian citizens who have peacefully protested the results of the deeply flawed Iran presidential elections of June 12, 2009;

Whereas the 2009 Department of State Country Report on Human Rights Practices in Iran found that “[t]he government [of Iran] severely limited citizens’ right to peacefully change their government through free and fair elections” and “. . . severely restricted the right to privacy and civil liberties, including freedoms of speech and the press, assembly, association, and movement”;

Whereas hundreds of thousands of peaceful demonstrators gathered in the streets of Iran in the aftermath of the June 12, 2009, elections, and dozens of innocent Iranians were killed and more than 4,000 were arbitrarily arrested by police and security forces and the Basij militia;

Whereas hundreds of Iranian citizens remain in detention and more than 250 prominent activists and demonstrators were tried in mass “show trials” that began in August 2009, and at least 50 of these defendants have received sentences ranging from six months imprisonment to death;

Whereas, on June 20, 2009, a member of the Basij militia reportedly shot and killed 27 year-old student Neda Agha-Soltan, whose murder was recorded on a mobile phone camera, disseminated via the Internet, and became a rallying cry for the political opposition and Green Movement;

Whereas, since the election, the Government of Iran has systemically restricted and suppressed free press, free expression, free assembly, and free access to the Internet and other forms of connective technology in order to limit the flow of information and silence political opposition and other forms of popular dissent;

Whereas the Government of Iran has a deplorable human rights record that includes severe restrictions on the freedom of religion or belief, denial of the freedom of assembly and the rights of civil society, systematic torture and ill-treatment, and judicial proceedings that lack due process;

Whereas the Government of Iran continues to operate with hostility and impunity toward journalists, reformers, ethnic and religious minorities, political opponents, human rights defenders, women’s rights groups, student activists, and others, including through unlawful and arbitrary detentions, arrests, politically motivated sentencing, physical assaults, and killings;

Whereas human rights activists, journalists, and ethnic and religious minorities have fled Iran for fear of persecution and are residing, some in dangerous circumstances, in neighboring countries seeking refugee status and asylum in the United States and other countries;

Whereas the Government of Iran has violated its obligations under the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, and the International Covenant on Economic, Social and Cultural Rights;

Whereas the 2010 Freedom House Freedom in the World Report finds that Iran leads the world in the number of jailed journalists;

Whereas, since the June 2009 election, the Government of Iran has restricted foreign press access, banned more than 60 international media outlets, and jammed international broadcasts, including those of Radio Free Europe/Radio Liberty’s Radio Farda, Voice of America’s Persian News Network, the British Broadcasting Corporation, and other non-Iranian news services;

Whereas, on December 18, 2009, the United Nations General Assembly passed a resolu-

tion condemning “serious, ongoing and recurring human rights violations in Iran” and calling on the Government of Iran to respect its human rights obligations;

Whereas, on December 27, 2009, the Ashura holiday, at least eight civilians were killed in confrontations with authorities, and police reportedly arrested approximately 300 civilians in relation to popular demonstrations;

Whereas, on February 11, 2010, the anniversary of the Islamic Revolution, the Government of Iran beat and arrested numerous protestors, jammed text messaging technology, slowed and restricted access to the Internet, and blocked email and news websites, intentionally limiting the ability of Iranian citizens to communicate and freely access news and information;

Whereas, on April 19, 2010, the Government of Iran officially suspended prominent political parties, banned a reformist newspaper, and sentenced to prison leaders within the political opposition; and

Whereas activists connected to the 2009 election protests were recently re-arrested in an attempt to disrupt planned protests on the one-year anniversary of the election on June 12, 2010: Now, therefore, be it

Resolved, That the Senate—

(1) solemnly marks one year since the flawed June 12, 2009, presidential election in Iran, and honors Iranian citizens who have lost their lives in peaceful protest since the election;

(2) supports the people of Iran as they seek peaceful and free expression, free speech, free press, free assembly, unfettered access to the Internet, and freedom of religion despite a campaign of intimidation, repressions, and violence perpetrated by the Government of Iran;

(3) commends the people of Iran who have braved the persistent and pervasive threat of censorship, arrest, physical harassment, and death to have their voices heard and peacefully exercise fundamental human rights, as enshrined in the constitution of Iran and international human rights law, including the International Covenant on Civil and Political Rights, entered into force on March 23, 1976, and ratified by Iran;

(4) condemns the Government of Iran for perpetrating ongoing human rights abuses and for restricting, monitoring, and suppressing freedom of the press, expression, assembly, speech, and religion, as well as free access to the Internet and other forms of connective technology in order to limit the flow of information and silence political opposition and other forms of popular dissent;

(5) denounces the atmosphere of impunity for those who intimidate, harass, and commit violence against Iranian citizens, and calls for the unconditional release of all political and religious prisoners in Iran;

(6) urges the President and Secretary of State to mobilize resources to support freedom of assembly, freedom of expression, freedom of the press, freedom of religion, and freedom of speech in Iran, especially on the June 12 anniversary of the 2009 presidential election;

(7) encourages the President and Secretary of State to work with the United Nations Human Rights Council to condemn the ongoing human rights violations perpetrated by the Government of Iran and establish a monitoring mechanism by which the Council can monitor such violations;

(8) urges the Government of Iran to cooperate with and allow visits of the United Nations Special Rapporteurs for Human Rights and the United Nations Office of the High Commissioner for Human Rights;

(9) urges the President and Secretary of State to work with the international community to ensure that violations of human

rights are part of all formal and informal multilateral or bilateral discussions with and regarding Iran; and

(10) calls for the immediate return of all missing and detained United States citizens in Iran.

ORDERS FOR TUESDAY, JUNE 15,
2010

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 15; that following the prayer and the 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; that following leader remarks there be a period of morning business until 11:30 a.m. with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the

next 30 minutes; that following morning business, the Senate proceed to executive session as provided for under the previous order. Finally, I ask that following disposition of the nominations, the Senate recess until 2:15 p.m. to allow for the weekly caucus lunches.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Under a previous order, at approximately 11:50 a.m. the Senate will proceed to a series of up to three rollcall votes. Those votes will be on the confirmation of the following district court nominations: Tanya Pratt of Indiana, Brian Jackson of Louisiana, and Elizabeth Foote of Louisiana, all to be district court judges. There could be additional votes in relation to the amendments to the tax extenders throughout the day.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. REID. 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 6:27 p.m., adjourned until Tuesday, June 15, 2010, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

ANNE M. HARRINGTON, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NON-PROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE WILLIAM H. TOBEY, RESIGNED.

NATIONAL TRANSPORTATION SAFETY BOARD

EARL F. WEENER, OF OREGON, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2015. (REAPPOINTMENT)

DEPARTMENT OF STATE

LAURENCE D. WOHLERS, OF WASHINGTON, 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 CENTRAL AFRICAN REPUBLIC.

EXTENSIONS OF REMARKS

A TRIBUTE TO DORIS TURNER KEYS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. TOWNS. Madam Speaker, I rise today in recognition of Doris Turner Keys, a union leader who has demonstrated dedication to improving the lives of others.

Doris Turner Keys has been a member of District 1199, National Union of Hospital and Health Care Employees, Retail, Wholesale and Department Store Union (RWDSU), AFL-CIO for more than thirty years. She was a leader in the historic 1959 hospital workers strike which launched the union, and she joined the union staff as an organizer in 1960. She rose through the ranks, quickly becoming Vice President, Area Director. She became Executive Vice President in 1967 and served in that position for 15 years.

In May 1982, she was elected President of District 1199, and was re-elected in 1984. As a founding member and principal organizer she served as Secretary, and as an officer of the State AFL-CIO, and was the only African American woman and one of two women of the AFL-CIO to serve at that time.

Mrs. Keys served as a trustee of the union's Training and Upgrading program which provides over \$1 million dollars annually to 1199 members seeking upward mobility. She was a leader in the struggle to improve union services for members and their families, especially children and retirees, and was instrumental in expanding the union's civic, social, cultural, and political programs.

She has dedicated herself to national, local and community endeavors. Mrs. Keys was a New York State delegate to the National Women Founding Conference in Houston, Texas in 1975 and served as a New York City Commissioner of Human Rights for six years. She was also a member of the Committee International Year of the Woman and a Trustee of the Martin Luther King Jr. Center for Non-Violent Social Changes. She served as a delegate representing Westchester County at a Democratic Convention. Mrs. Keys has served on the New York State Hospital Review and Planning Council as well as many other health and labor related organizations.

Mrs. Keys has been honored by the NAACP, the NYC Council AFL-CIO, the Urban League, and the African Peoples Christian Organization, among others. She is the recipient of the Coalition of Black Trade Unionists Sojourner Truth Loyalty Award, New York State 33rd Assembly District's Service and Humanitarian Award, and the Letha Loggins Bradford Memorial Foundations' Woman of the Year Award. She has been recognized for her role in raising money for AIDS research and treatment. She has also been listed in "Who's Who in Black America" and "Who's Who in the Labor Movement".

Mrs. Keys makes her home in Mount Vernon, New York and she and her family are active members of the Bethesda Baptist Church of New Rochelle. For more than 12 years, she was the cook in the church's soup kitchen, Lad's Lunch, which fed approximately 100 men, women and children each week.

She is married to Willie D. Keys and is the mother of 2 daughters. She has 7 grandchildren and 5 great grandchildren. Her extended family includes several sisters, brothers, nieces, nephews and cousins. However, she says she is most of all a child of the King.

Madam Speaker, I urge my colleagues to join me in recognizing the achievements of Doris Turner Keys.

IN HONOR OF US NAVAL ARMED GUARD AND AIR FORCE VETERAN CHARLES ARTHUR ALESHIRE

HON. DEBORAH L. HALVORSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mrs. HALVORSON. Madam Speaker, today I rise to recognize a Joliet citizen and hero of the Greatest Generation, Charles Arthur Aleshire. Due to its rapid disbandment and lack of proper records, the efforts of members of the Naval Armed Guard Service, such as Mr. Aleshire, have been largely overlooked by history. Mr. Aleshire served our country with courage and honor when the world turned to the United States to fight tyranny and oppression in World War II.

Mr. Aleshire volunteered when he was just 17 to join the U.S. Navy Armed Guard service and protect vital supplies and troops necessary for the war effort. His service took him around the world, to South America where he watched for German U-Boats, to the invasion of Okinawa, where he and his shipmates faced Japanese kamikaze attacks on their fleet. On February 18th, 1946, his 21st birthday, he was honorably discharged as a Coxswain at the Great Lakes Naval Training Center.

However, his service to our country did not end there. In 1948, Mr. Aleshire entered the Air Force, and was assigned to the 509th Bombardment Wing, as an Airframe Repair Specialist. This unit served as the core of the newly formed Strategic Air Command. Mr. Aleshire was on active duty during some of the most dangerous conflicts and crises of the 20th century, including the Korean War, the Berlin Airlift, and the Cuban Missile Crisis. He retired as a Staff Sergeant in 1966.

An indebted country cannot thank Mr. Aleshire and so many other brave men and women enough for their selfless sacrifice. His admirable service to our country is in keeping with the highest traditions of honor and service displayed by our armed forces, and is an example to all Americans.

HONORING DR. JOE E. ELLIS

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. WHITFIELD. Madam Speaker, I rise today to recognize my good friend, Dr. Joe E. Ellis of Benton, Kentucky.

Dr. Ellis will soon be elected president of the American Optometric Association during their 113th annual meeting, where he will be installed as AOA's 89th president on Saturday, June 19th, 2010 in Orlando, Florida.

Dr. Ellis is a graduate of the Southern College of Optometry and has a private practice in Marshall County. He was named Kentucky Young Optometrist of the Year in 1992 and has also received three President's Awards from the Kentucky Optometric Association.

Dr. Ellis' particular area of interest is advocacy, especially as it relates to patients' access to optometric care. He has been active in legislative and government relations at the state and national levels and recently served as Chairman of the AOA's State Health Care Legislation Committee.

Dr. Ellis was instrumental in the passage of the first state law of its kind that requires that all Kentucky children entering public schools receive a diagnostic eye examination. The Kentucky General Assembly identified problems with vision as an important factor limiting children's abilities to learn and succeed. Through this, they recognized that the early diagnosis and treatment of children's vision problems is a necessary component to school readiness and academic learning and the enactment of this legislation in 2000 ensured that children in my state are able to meet their developmental potential.

Doctors of optometry serve patients in nearly 6,500 communities across the country, and in 3,500 of those, they are the only eye doctors. Optometrists provide two-thirds of all primary eye care in the United States. The American Optometric Association represents approximately 36,000 doctors of optometry, optometry students and paraoptometric assistants and technicians.

Dr. Ellis' enthusiasm for optometry and commitment to excellence in eye and vision care has earned him this prestigious national office and public recognition. I am confident that he will have a very successful term as the American Optometric Association's president. His election is a tribute to his years of service to the profession of optometry in Kentucky and throughout the nation. I join his family, friends and colleagues in congratulating him on this achievement and wishing him the best of luck in this endeavor.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE LIFE OF FRANK
PELLEGRINI

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. ISRAEL. Madam Speaker, I rise today to recognize Frank Pellegrini, who passed away on March 25, 2010.

Frank touched the lives of people all over Long Island and he will be remembered as a man who showed grace and humility in all aspects of his life. For 40 years, he worked at Farmingdale State College where he served thousands of students and teachers through his roles as an Organic Chemistry teacher and then the Dean of the College of Arts and Sciences.

Frank also served for 35 years as the Chief and Commissioner of the Dix Hills Fire Department where his heroic efforts touched the lives of countless members of the community. Frank possessed extreme bravery and a passion for helping others.

Frank Pellegrini will be remembered by all who were fortunate enough to know him and his memory will remain a fixture in both institutions where he served for so long.

**NATIONAL DEFENSE AUTHORIZATION
ACT FOR FISCAL YEAR 2011**

SPEECH OF

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 2010

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. SKELTON. Mr. Chair, I would like to submit the following exchange of letters:

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2010.

Hon. JOHN CONYERS JR.,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on the Judiciary is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on the Judiciary.

This exchange of letters will be included in the committee report on the bill.

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 21, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SKELTON: This is to advise you that, as a result of your having consulted with us on provisions in H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011, that fall within the rule X jurisdiction of the Committee on the Judiciary, we are able to agree to waive seeking a formal referral of the bill, in order that it may proceed without delay to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 5136 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward, so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to this request, and for the cooperative relationship between our two committees.

Sincerely,
JOHN CONYERS, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 20, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the opportunity to review the text of H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011, for provisions which are within the jurisdiction of the Committee on Natural Resources. Among these provisions are those dealing with compensation and benefits for the NOAA Corps, as well as a report on civilian infrastructure needs for Guam in light of the upcoming military realignment in the Pacific.

Because of the continued cooperation and consideration that you have afforded me and my staff in developing these provisions, I will not seek a sequential referral of H.R. 5136 based on their inclusion in the bill. Of course, this waiver is not intended to prejudice any future jurisdictional claims over these provisions or similar language. I also reserve the right to seek to have conferees named from the Committee on Natural Resources on these provisions, and request your support if such a request is made.

Please place this letter into the committee report on H.R. 5136 and the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

With warm regards, I am
Sincerely,

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

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2010.

Hon. NICK J. RAHALL II,
Committee on Natural Resources, House of Representatives, Longworth Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on Natural Resources is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Natural Resources.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,
IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 21, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SKELTON: I am writing about H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I appreciate your efforts to consult with the Committee on Oversight and Government Reform regarding those provisions of H.R. 5136 that fall within the Oversight Committee's jurisdiction. These provisions involve the federal civil service and federal acquisition policies, among other things.

In the interest of expediting consideration of H.R. 5136, the Oversight Committee will not request a sequential referral of this bill. I would, however, request your support for the appointment of conferees from the Oversight Committee should H.R. 5136 or a similar Senate bill be considered in conference with the Senate. Moreover, this letter should not be construed as a waiver of the Oversight Committee's legislative jurisdiction over subjects addressed in H.R. 5136 that fall within the jurisdiction of the Oversight Committee.

Finally, I request that you include our exchange of letters on this matter in the Committee Report on H.R. 5136 and in the Congressional Record during consideration of this legislation on the House floor. Again, I appreciate your willingness to consult the Committee on these matters.

Sincerely,
EDOLPHUS TOWNS,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2010.

Hon. EDOLPHUS TOWNS,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Rayburn Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Oversight and Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive

consideration of certain provisions of the bill, the Committee on Oversight and Government Reform is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Oversight and Government Reform.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, May 21, 2010.

Hon. IKE SKELTON,
Chairman, House Armed Services Committee,
Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning the jurisdictional interest of the Permanent Select Committee on Intelligence in matters being considered in H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011.

The Committee recognizes the importance of H.R. 5136 and the need for the legislation to move expeditiously. Therefore, while the Permanent Select Committee on Intelligence has valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. My decision to waive further consideration of H.R. 5136 is conditional on the mutual understanding that no part of this legislation waives, reduces, or otherwise affects the jurisdiction of the Permanent Select Committee on Intelligence.

I respectfully request that a copy of this letter and your response acknowledging this Committee's jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Permanent Select Committee on Intelligence also asks that you support my request to include conferees on the provisions over which we have jurisdiction during any conference between the House and the Senate.

I thank you for your continued leadership.

Sincerely,

SILVESTRE REYES,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,

Washington, DC, May 21, 2010.

Hon. SILVESTRE REYES,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, The Capitol, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Permanent Select Committee on Intelligence has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Permanent Select Committee on Intelligence is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Permanent Select Committee on Intelligence.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE AND TECHNOLOGY,

Washington, DC, May 19, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SKELTON: I am writing to you concerning the jurisdictional interest of the Committee on Science and Technology in H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011.

Our committee recognizes the importance of H.R. 5136 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Science and Technology, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

The Committee on Science and Technology also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your consideration in this matter.

Sincerely,

BART GORDON,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,

Washington, DC, May 21, 2010.

Hon. BART GORDON,
Chairman, Committee on Science and Technology, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Science and Technology has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on Science and Technology is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Science and Technology.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, May 21, 2010.

Hon. IKE SKELTON,
Chairman, House Armed Services Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SKELTON: I write to you regarding H.R. 5136, the "National Defense Authorization Act for Fiscal Year 2011".

H.R. 5136 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not

seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forego a sequential referral of the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 5136.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 5136 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Committee Report on H.R. 5136 and in the Congressional Record during consideration of the measure in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR, M.C.,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,

Washington, DC, May 21, 2010.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on Transportation and Infrastructure is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Transportation and Infrastructure.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON VETERANS' AFFAIRS,

Washington, DC, May 20, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SKELTON: I am writing to you concerning H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. There are certain provisions in the legislation which fall within the jurisdiction of the Committee on Veterans' Affairs.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, the Committee on Veterans' Affairs agrees not to request a sequential referral. By waiving consideration of H.R. 5136, the Committee on Veterans' Affairs does not waive any future jurisdictional claim over any subject matter contained in the bill which falls within its jurisdiction. The Committee on Veterans' Affairs reserves its right to seek conferees on any provisions within its jurisdiction which are considered in a House-Senate conference,

and requests your support if such a request is made.

Please place this letter into the committee report on H.R. 5136 and into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked with the Committee on Veterans' Affairs regarding this matter and others between our respective committees.

Sincerely,

BOB FILNER,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2010.

Hon. BOB FILNER,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Cannon Office
Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Veterans' Affairs has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on Veterans' Affairs is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Veterans' Affairs.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 20, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, House
of Representatives, Rayburn House Office
Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Ways and Means in matters being considered in H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011.

Our Committee recognizes the importance of H.R. 5136 and the need for the legislation to move expeditiously. Therefore, while we have valid claims to jurisdiction over the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Ways and Means, and that a copy of this letter and your response acknowledging our jurisdictional interest will be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House.

I also wish to commend you for including in H.R. 5136, a requirement that the Secretary of Defense, in consultation with the U.S. Trade Representative, consider the effect that other countries' trade policies have on the ability of the United States to obtain rare earth minerals. Not only are those minerals critically important for many defense applications, they are also critical for many other high-tech applications such as wind turbine and hybrid gasoline-electric automobiles—and, as a result, to U.S. manufacturing competitiveness.

Thank you for your consideration in this matter.

Sincerely,

SANDER M. LEVIN,
Chairman.

HOUSE COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 21, 2010.

Hon. SANDER M. LEVIN,
Chairman, Committee on Ways and Means,
House of Representatives, Longworth Office
Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 5136, the National Defense Authorization Act for Fiscal Year 2011. I agree that the Committee on Ways and Means has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to schedule a mark-up of this bill in the interest of expediting consideration. I agree that by agreeing to waive consideration of certain provisions of the bill, the Committee on Ways and Means is not waiving its jurisdiction over these matters. Should this bill or similar legislation be the subject of a House-Senate conference, I will support the appointment of conferees from the Committee on Ways and Means.

This exchange of letters will be included in the committee report on the bill.

Very truly yours,

IKE SKELTON,
Chairman.

PERSONAL EXPLANATION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

MR. SHUSTER. Madam Speaker, on Thursday, June 10, I was not present in order to attend my son's high school graduation ceremony. Had I been present, I would have voted "yes" on rollcall 353, final passage of the FHA Reform Act of 2010, and "yes" on rollcall 354, passage of amendments to the Oil Pollution Act of 1990 to authorize advances from the Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

MS. ESHOO. Madam Speaker, I was not present during rollcall vote Nos. 347–354 on June 10th. I would have voted as follows: On rollcall vote No. 347 I would have voted "yes"; on rollcall vote No. 348 I would have voted "no"; on rollcall vote No. 349 I would have voted "no"; on rollcall vote No. 350 I would have voted "no"; on rollcall vote No. 351 I would have voted "yes"; on rollcall vote No. 352 I would have voted "yes"; on rollcall vote No. 353 I would have voted "yes"; on rollcall vote No. 354 I would have voted "yes."

HONORING MS. ELLA COHEN

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mrs. LOWEY. Madam Speaker, today I rise to honor Ella Cohen and Rye Neck High School for her winning the Stephen J. Wemiel Best Oralist Award 2010 in the "We The Students" National High School Moot Court Competition in March.

This competition brings high school students from around the world together to compete and showcase their oral advocacy skills. Students are tested on their understanding of cutting edge legal questions and the applicability of current legal issues to the high school setting. Crucial to this competition is the understanding of the Constitution and our complex judiciary system. Ella demonstrated sharp legal reasoning, addressing difficult questions about the first amendment.

Ella's award as "Best Respondent" in this competition is a testament to the quality education she has received at Rye Neck High school and her commitment to her studies.

Madam Speaker, I urge my colleagues to join me in congratulating Ella and recognizing the teachers, the administrators and her family who have contributed to her academic success.

HONORING THE LIFE OF WALTER HESSLING

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

MR. ISRAEL. Madam Speaker, I rise today to recognize Walter Hessling who passed away on November 27, 2009.

Walter was one of many courageous men who chose to serve his community as a firefighter. He was a Captain of the Dix Hills Volunteer Fire Department and served his community valiantly for 32 years.

To all of those who knew and loved him, his untimely death will forever be a reminder of his selflessness. His last heroic moment in the line of duty saved the lives of others who he never met. As time passes, the pain will fade, but the memory of Walter will always remain a shining example of truth and goodness to all of those whose lives he touched.

It is at this time we remember Walter Hessling for his bravery and kindness and for his dedication and service to the Dix Hills Fire Department.

IN MEMORY OF ZIA RAHMAN, BELOVED LEADER AND INTERFAITH DIALOGUE ADVOCATE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

MR. ANDREWS. Madam Speaker, I rise today to honor the life and memory of Zia Rahman of Voorhees, who passed away on June 1st, 2010 at the age of 65. He is survived by his wife of 60 years, Zahida, two

sons, and five brothers. Mr. Rahman made a lasting mark on the Voorhees community for his religious passion and understanding.

Mr. Rahman was the Managing Director of the Muslim American Community Association (MACA), but many will remember him for building a mosque in Voorhees. Six years ago, while trying to find a site for the mosque, Mr. Rahman and the MACA faced many obstacles. To overcome these challenges, Mr. Rahman brought together leaders of different backgrounds to create the Coalition for Multi-Faith Democracy. The members worked together to encourage tolerance and tear down stereotypes within the South Jersey community. Mr. Rahman inspired others with his passion to unite and build understanding between members of different faiths.

Mr. Rahman was an advocate for peace and understanding. He spoke in front of community groups, churches, and synagogues to encourage a better understanding of Islam. One of his proudest achievements was creating an agreement of cooperation and understanding between his mosque and the Diocese of Camden. Mr. Rahman educated and connected many throughout his lifetime. He united many people of different faiths while breaking down stereotypes about Islam.

Madam Speaker, Zia Rahman's commitment to Voorhees and its citizens should not go unrecognized. I express my deepest condolences to his family for their loss and pay tribute to the memory of this outstanding individual.

RECOGNIZING COLONEL DAVID J. FURNESS TAKING COMMAND OF THE 1ST MARINE REGIMENT OF THE 1ST MARINE DIVISION

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. ISSA. Madam Speaker, I rise today to honor Colonel David J. Furness on the occasion of his taking Command of the 1st Marine Regiment of the 1st Marine Division.

Colonel Furness was commissioned a Second Lieutenant on 16 May 1987 upon graduating from the Virginia Military Institute. After completing the Basic School and the Infantry Officer Course in Quantico, Virginia, he reported to the Second Marine Division where he served as a rifle platoon commander and 81mm mortar platoon commander with the 3d Battalion, 4th Marines and the 2d Battalion, 8th Marines from February 1988 to September 1991. During this period he participated in a contingency deployment to the Republic of Panama and two unit deployments to the Mediterranean Sea with the 26th and 24th Marine Expeditionary Unit (Special Operations Capable). From September 1991 to May 1995, he served on the staff of the Basic School as a Staff Platoon Commander and a Tactics Instructor for both the Basic Officer and Infantry Officer Course. In June 1995, he left the Basic School to attend the Infantry Officer Advanced Course (IOAC) at Fort Benning, Georgia.

Colonel Furness served as a Rifle Company Commander and Battalion Operations Officer with the 3d Battalion, 7th Marines in 29 Palms, California from November 1995 to November 1998.

In November 1998, he served as the Commanding Officer, Recruiting Station Sacramento, until July 2001. In August 2001, he reported to the Marine Corps Command and Staff College (CSC) where he graduated and earned a Masters of Military Science degree in June 2002. From July 2002 to January 2003 he attended the School of Advanced Warfighting (SAW).

While a student at SAW, he was ordered TAD to augment the G-3 section of the First Marine Division and participated in Operation Iraqi Freedom as the Assistant Plans Officer. During April 2003, he returned to SAW, graduated, and in June 2003 reported to the First Marine Division and returned to Iraq where he served as the Operations Officer of the First Marine Division. In October 2003 he was reassigned as the Deputy G3. In January 2004, he returned to Iraq as part of the Division's advance party to prepare for the relief-in-place with the 82d Airborne Division in support of OIF II. He returned to Camp Pendleton in April 2004 and assumed command of the 1st Battalion, 1st Marines.

From December 2004 to June 2005, he deployed to the CENTCOM AOR as the Commanding Officer of Battalion Landing Team 1/1, the Ground Combat Element of the 15th MEU (SOC) and participated in Operation Unified Assistance and OIF III in South Baghdad, Iraq. From 20 January to 18 August 2006 he deployed as Commanding Officer Task Force 1/1, RCT-5 in support of OIF 05-07.1 operating principally in the cities of Karmah and Western Baghdad, Iraq. In October 2006 he relinquished command and assumed the duties of Executive Officer, First Marine Regiment.

During July 2007, He reported to the National War College as a student and was promoted to his current rank. After graduating from the National War College in June 2008 he reported to Headquarters Marine Corps, Office of Legislative Affairs to serve as the Director, Marine Corps Legislative Liaison Office, U.S. House of Representatives.

He is married to the former Lynda Taylor of Richmond, Virginia. They have four children David Jacob (17), Elizabeth (12), Benjamin (8), and Zachary (6).

Madam Speaker, I ask that my colleagues please join me in recognizing the distinguished career of Colonel David J. Furness serving the United States Marine Corps and the People of the United States.

RECOGNITION OF MADISON TOWNSHIP ON ITS BICENTENNIAL

HON. MARY JO KILROY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Ms. KILROY. Madam Speaker, I rise today to honor the 200th anniversary of Madison Township. At this significant milestone in the township's history, we reflect on the region's roots and acknowledge the hardworking families who call Madison Township home.

Madison Township, established as a part of the Northwest Ordinance of 1787, predates the state of Ohio by 16 years. However, it was not until March 4, 1810, that the township was officially organized as its population reached 500. From humble roots, the township has swelled to a population of more than 22,000.

Named for the United State's fourth president, James Madison, the township includes all or part of Canal Winchester, Columbus, Groveport, Obetz, Pickerington and surrounding unincorporated areas. Madison Township consists of 24 square miles of land in the southeast corner of Franklin County and rests quietly at the confluence of Blacklick Creek, Big Walnut Creek, and Alum Creek. The proud home of Robert M. Brobst Park and the Madison Township Community Center, Madison Township is the home of regular community gatherings and festivities.

For two hundred years, Madison Township and its residents have played a crucial role in the growth of central Ohio and particularly of Ohio's 15th Congressional District. I am proud to represent the residents of Madison Township and recognize them as they celebrate their rich two hundred year history.

IN HONOR OF MARION EMILY FORD'S 95TH BIRTHDAY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. ANDREWS. Madam Speaker, I rise today to honor Marion Emily Ford for her 95th birthday. Mrs. Ford is a devoted mother, grandmother, and great grandmother, and for this she deserves great praise.

Mrs. Ford was born in Philadelphia, Pennsylvania, on February 12, 1915. During the Great Depression, she left school at age sixteen to help her parents who were raising eleven children. Her first job was as a saleswoman for Wanamaker's Department Store. While working at Wanamaker's, she was approached to be an understudy for Vivian Leigh, the famous star of *Gone with the Wind*. Mrs. Ford turned down the flattering offer. She moved to New Jersey in 1948, and settled in the Fairview section of Camden until 1975 when she moved into her daughter's home in Brooklawn.

Mrs. Ford has a deep appreciation for her heritage. She is a proud great-granddaughter of Pecan Wolf, a Native American from the Ottawa/Chippewa tribe. Mrs. Ford also has a passion for reading that continued even though her sight was taken by macular degeneration.

Madam Speaker, Marion Emily Ford's commitment to her family and community should not go unrecognized. I wish her a happy 95th birthday and all the best.

RECOGNIZING THE 150TH ANNIVERSARY OF THE NEVADA CITY FIRE DEPARTMENT

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. McCLINTOCK. Madam Speaker, I rise today to recognize the Nevada City Fire Department (NCFD) on its 150th anniversary.

In the early history of Nevada City, the town was plagued by wide-reaching fires, which burned the central business district to the ground five times between 1851 and 1863.

The need for a firefighting force was clearly evident, and in June of 1860 the Nevada Hose Company, No. 1, the Eureka Hose Company, No. 2, and the Protection Hook & Ladder Company, No. 1 were formed. These companies were constituted entirely of volunteers and over the months that followed all three were consolidated into the Nevada City Fire Department.

Today, in partnership with the Nevada County Consolidated Fire Department, the NCFD maintains a fully-staffed professional fire station that provides much-needed fire protection and emergency services in Nevada County. As our community gathers to celebrate this auspicious occasion, I am proud to recognize NCFD's 150 years of service and excellence.

IN RECOGNITION OF STUART ROSSMAN, OUTGOING PRESIDENT OF THE JEWISH COMMUNITY RELATIONS COUNCIL OF GREATER BOSTON

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. LYNCH. Madam Speaker, I rise today to recognize Stuart Rossman who stepped down on June 9, 2010 as President of the Jewish Community Relations Council of Greater Boston.

An honors graduate of the University of Michigan and Harvard Law School, Mr. Rossman has dedicated himself to working for social justice, ensuring the well-being of the State of Israel and building a strong Jewish community in the greater Boston area. As an adjunct faculty member at both the Northeastern University School of Law and at the Suffolk University Law School, he trains and educates the next generation of lawyers and legal scholars.

Throughout his legal career, during which he served in the Massachusetts Attorney General's office and in his current post with the National Consumer Law Center, a national advocacy organization for low-income consumer justice, he has stood up for those whose voices are seldom heard. Mr. Rossman has brought together partners across ethnic and religious lines to speak out for what is right.

Mr. Rossman has also been a strong supporter of Israel and of the Jewish community. During his term as Chairman of the United Jewish Appeal Young Leadership Cabinet from 1991 to 1992, he led a solidarity mission to Israel during the Persian Gulf War and led the 8th Annual UJA Young Leadership Conference in Washington, attended by the late Prime Minister Yitzhak Rabin and over 3,000 participants. In addition to his work with the Jewish Community Relations Council of Greater Boston, he has been actively involved in the Combined Jewish Philanthropies, where he has served on its Executive Committee and Board. He also served as President of the Bureau of Jewish Education, President of the Massachusetts Association of Jewish Federations and Chair of the Boston-Haifa Connection, a partnership that seeks to build economic and social bridges.

He is also is a member of the Advisory Committees for the South Area Solomon

Schechter Day School and the American Society for the University of Haifa New England Region.

Madam Speaker, Stuart Rossman has spent a lifetime working for the betterment of his community and of Israel and the relationship between our two countries. It is my pleasure to join with Stuart's family, his wife Shelley and daughters Rina and Jessie, JCRC Executive Director Nancy K. Kaufman and their colleagues to recognize his achievements and to congratulate him as he concludes his tenure as President of the Jewish Community Relations Council of Greater Boston.

AMERICA COMPETES
REAUTHORIZATION ACT OF 2010

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 28, 2010

Mr. HOLT. Mr. Speaker, I rise today in strong support of the America COMPETES Reauthorization Act of 2010 (H.R. 5116). Our investments in scientific research and education underwrite our national prosperity and success. Economists attribute over half of the growth in our gross domestic product (GDP) since World War II to progress in science and technology. Yet for decades, we have underinvested in our nation's tools for advancing innovation and competitiveness. In 2005, the National Academies issued a call for action in the Rising Above the Gathering Storm report. In 2007, Congress responded by implementing many of the report's recommendations in the America COMPETES Act, and this reauthorization would build on the progress we have made over the last three years.

Basic research is a powerful source of new and unexpected discoveries that can transform our economy. This legislation maintains the doubling path for authorized funding at our nation's basic research agencies—the National Science Foundation (NSF), the National Institute of Standards and Technology (NIST), and the Department of Energy's Office of Science. These funds support fundamental research in every discipline, maintain our national laboratories, and provide vital training for the next generation of scientists and engineers. Under this legislation, research grants will be awarded on the basis of scientific merit alone and not for any other considerations. The dividends from our investments in research and development are the breakthroughs that yield new industries, drive job growth, and sustain our future economic and technological competitiveness.

The America COMPETES Reauthorization Act includes a number of new programs and initiatives to foster innovation. Regional Innovation Clusters would leverage collaboration between businesses, academic institutions, and other participants to facilitate the transfer of technologies from the laboratory to the commercial sector. The Office of Innovation and Entrepreneurship at the Department of Commerce would accelerate the commercialization of research and development by identifying ways to overcome existing barriers and providing access to relevant data and technical assistance. Agencies involved in the Networking and Information Technology Re-

search and Development program would be required to develop a strategic plan to address long-term challenges related to information technology, encourage the transfer of research and development into new technologies and applications, and strengthen education in networking and information technology.

Additional assistance for manufacturers and other businesses would promote the adoption of new technologies and improve productivity. The legislation requires NSF to support research in transformative advances in manufacturing. It increases the federal government cost share of the Manufacturing Extension Partnership (MEP) program to 50 percent through 2015, and MEP Centers would be required to inform regional community colleges of the skill sets needed by local manufacturers. A newly established Innovative Services Initiative would assist small- and medium-sized manufacturers in implementing energy and waste reduction technologies, including renewable energy systems. A loan guarantee program would allow manufacturers to access capital for the installation of innovative technologies and processes that will help increase their efficiency and maintain their competitiveness.

To preserve our leadership in scientific and technical fields and strengthen our competitiveness in the 21st century economy, the U.S. must continue to produce the world's best scientists, and we must ensure that every student is exposed to the fundamentals of science, technology, engineering, and math (STEM). The America COMPETES Reauthorization Act would establish an interagency committee to coordinate federal STEM education programs and a separate advisory committee on STEM to present recommendations on how to better align federal programs with the needs of states and school districts. Updates to the NSF's Robert Noyce Scholarship program would allow more schools to participate and more qualified STEM educators to reach high-need schools. Support for graduate students would be strengthened, and academic institutions would be awarded grants to reform graduate education to emphasize preparation for diverse STEM careers. New grant and fellowship programs would encourage research in STEM education, help transform undergraduate education in STEM fields, and expand educational opportunities in energy systems science and engineering.

Women and minorities remain underrepresented in STEM fields, and this legislation would provide grants for institutions of higher education to increase recruitment and retention of underrepresented groups. Federal science agencies would be required to carry out a series of workshops to minimize gender bias in academia, and a uniform policy would be developed to assist federally funded researchers with care giving responsibilities in maintaining their research programs. It also would ensure that smaller, minority-serving institutions will be more fully integrated into research partnerships with major universities and prioritize the inclusion of these institutions in grants to establish regional university-industry partnerships for research and innovation.

In the energy field, the America COMPETES Reauthorization Act includes a first-time authorization for the Department of Energy's Office of Science, which is the nation's largest supporter of physical sciences research. Reauthorization of the Advanced Research Projects agency for Energy (ARPA-E),

which is modeled on the successful Defense Advanced Research Projects Agency (DARPA), would help us pursue high-risk, high-reward energy technology develop that might not receive support otherwise. The newly established Energy Innovation Hubs would provide for multidisciplinary collaborations on research, development, demonstration, and commercial application of advanced technologies designed to tackle technological barriers to our national energy goals.

Finally, I am pleased that this legislation incorporates two amendments that I offered. The first expresses the sense of Congress that the importance of peer-review and the role of scientific publishers in the peer-review process should be taken into account by the new National Science and Technology Council working group on the dissemination and long-term stewardship of unclassified federally funded research. The second amendment would help stitch together the diverse initiatives in the COMPETES Act by requiring the White House Office of Science and Technology Policy to prepare a comprehensive national competitiveness and innovation strategy. I look forward to receiving that plan for evaluating and strengthening the U.S. position in the global economy.

The America COMPETES Reauthorization Act makes long overdue investments in the foundations of our national innovation system. It would create jobs in both the short- and long-term, support manufacturers and businesses in commercializing new technologies, help us pursue a clean energy economy, improve STEM education, and strengthen our international competitiveness. I commend Chairman Gordon and the Science and Technology Committee for their hard work on this important piece of legislation.

ON THE OCCASION OF CELEBRATING THE 100TH BIRTHDAY OF MRS. ESTELL ROUNTREE

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. BUTTERFIELD. Madam Speaker, on Saturday, June 19, 2010, friends and family will gather to celebrate the 100th birthday of Mrs. Estell Rountree. Mrs. Rountree is a strong and caring woman who believes that families should be bound by love, and that the families that pray together, stay together.

The proud grandmother of two, great-grandmother of four, and great great-grandmother to five, Mrs. Rountree is the oldest member of her community. Born in Nash County, North Carolina on June 15, 1910, she was the sixth of eight children born to William and Isabelle Ricks.

Mrs. Rountree attended Robin School in Nash County, and married Eddie Rountree from Pitt County, North Carolina. The couple had four children—Ernestine Rountree Porter, Gloria Rountree Williams, Barbara Rountree Petty and Deloris Rountree.

After the death of her husband in 1948, Mrs. Rountree took on the full responsibility of supporting the family as a full-time seamstress. She made clothes for herself, her children and people in the community. She also made uniforms for ushers of various churches, and con-

tinues to sew today. She also enjoys working in her flower garden whenever she gets the chance.

Mrs. Rountree is a dedicated member of the Little Hope Baptist Church. She served as an usher for over seventy years, and she has served on the Hospitality Committee and as janitor of the church. She also served as a Deaconess of the Church and later became one of the Mothers of the Church.

Madam Speaker, I ask that my colleagues join me in recognizing Mrs. Estell Rountree. She is a truly remarkable person deserving of our deepest good wishes as she and her loved ones celebrate her 100th birthday.

IN HONOR OF LANCE CORPORAL
RYAN M. WELCH

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor LCpl Ryan M. Welch of Medford, New Jersey and to welcome him home from his recent tour of duty in Afghanistan.

After graduating from Shawnee High School in 2008, Ryan enlisted in the United States Marine Corp. He completed his basic training at Paris Island in South Carolina and went to Infantry Training at Camp Geiger, North Carolina. In 2009 he was assigned to MCB Hawaii Kaneohe Bay Oahu, Hawaii where he was meritoriously promoted to Lance Corporal. Lance Corporal Welch also received a Meritorious Mast during training exercises at Pohakuloa Training Area in July 2009 for demonstrating outstanding performance of duty during Exercise Lava Viper.

Lance Corporal Welch completed his first deployment to Afghanistan in support of Operation Enduring Freedom. During his deployment he served bravely in combat action during Operation Moshtarak in Marjah Afghanistan. He served as an Infantry Rifleman in Jump Platoon, Headquarter and Service Company, 1st Battalion 3rd Regiment from Marine Corp Base Hawaii and as security for visiting dignitaries and performed general patrols and security for Nawa District, Hellmand Province in Afghanistan.

Madam Speaker, please join me and a grateful nation in welcoming home Lance Corporal Welch. We are eternally thankful to him for his service to our great country.

HONORING THE LIFE AND
ACHIEVEMENTS OF WILL KOCH

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. HILL. Madam Speaker, on June 13, 2010, the CEO of Koch Development Corporation, Will Koch, sadly passed away at the age of forty eight. As co-owner of Holiday World and Splashin' Safari Water Park, Koch initiated programs that led to the expansion and growth of the park, and worked diligently to provide families with the most enjoyable experience during his twenty-year tenure. Koch's

dedication and passion for the park inspired everyone around him on a daily basis.

Born and raised in Santa Claus, Indiana, Will Koch graduated as valedictorian from Heritage Hills High School in 1979. From there, he went on to the University of Notre Dame, where he graduated in 1984 with honors and received a Bachelor's of Science degree in Electrical Engineering. He also received a Master's of Science in Computer Science degree from the University of Southern California in 1986.

Under Koch, Holiday World and Splashin' Safari received many international awards and had attendance figures topping one million per year. In 2004, Will Koch received the international Applause Award from the amusement industry for his "foresight and originality, as well as sound business development and profitability".

Koch was also an active member of his community, serving as the president of the Lincoln Boyhood Drama Association, which successfully reopened the Lincoln Amphitheatre in 2009. He also served on the Administrative Council of the Santa Claus United Methodist Church, where he and his family were active members.

Holiday World and Splashin' Safari is the cornerstone of the Spencer County community, and its success is in large part due to Will Koch's dedication and hard work. Survived by his wife, Lori, and three children, Will's legacy will continue to live on. We are grateful for his contributions to southern Indiana and our condolences go out to the Koch family.

THE FEDERAL SUPERVISOR
TRAINING ACT OF 2010

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. MORAN of Virginia. Madam Speaker, I rise today to introduce the Federal Supervisor Training Act of 2010. This bill would establish a minimum training program for supervisors within federal government agencies.

Every year Congress passes laws that either create or modify programs that serve the American people. Yet, it is up to the men and women of the federal civil service to efficiently and effectively implement the programs this body approves. Competent managers are essential for a functioning civil service that can carry out the federal government's mission.

This bill will require each federal agency to develop and implement a training program that, among other things, teaches supervisors to develop and discuss employee goals and objectives, to foster an appropriate work environment, and to improve employee performance and productivity. The bill requires supervisors to receive initial training within one year of promotion, and once every three years thereafter.

In addition to supervisor training, the bill also requires agencies to establish mentoring programs so that new supervisors can learn from the experiences of more seasoned federal managers.

I believe that providing our federal supervisors adequate training will improve the delivery of government services, reduce costs associated with mitigating employee grievances

and improve morale throughout the entire civil service.

During today's tough budget climate I fear that federal agencies will cut supervisor training in order to reduce costs. I believe that would be a mistake. This bill would ensure that even through difficult economic times supervisors receive the training they need so that they can best serve our constituents.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor the legislative week of Monday, May 24, 2010.

For Monday, May 24, 2010, had I been present I would have voted "aye" on rollcall vote No. 291 (on motion to suspend the rules and agree to H. Con. Res. 278), "aye" on rollcall vote No. 292 (on motion to suspend the rules and agree to H.R. 1017), "aye" on rollcall vote No. 293 (on motion to suspend the rules and agree to H.R. 1330).

For Tuesday, May 25, 2010, had I been present I would have voted "aye" on rollcall vote No. 294 (on motion to suspend the rules and agree to H.R. 5145), "aye" on rollcall vote No. 295 (on motion to suspend the rules and agree to H. Res. 1258), "aye" on rollcall vote No. 296 (on motion to suspend the rules and agree to H. Res. 1382), "aye" on rollcall vote No. 297 (on motion to suspend the rules and agree to H. Res. 584), "aye" on rollcall vote No. 298 (on motion to suspend the rules and agree to H.R. 3885), "aye" on rollcall vote No. 299 (on motion to suspend the rules and concur in the Senate amendments to H.R. 2711), "aye" on rollcall vote No. 300 (on motion to suspend the rules and agree to H. Res. 1189), "aye" on rollcall vote No. 301 (on motion to suspend the rules and agree to H. Res. 1172).

For Wednesday, May 26, 2010, had I been present I would have voted "aye" on rollcall vote No. 302 (on motion to suspend the rules and agree to H. Res. 1347), "aye" on rollcall vote No. 303 (on motion to suspend the rules and agree to H. Res. 1385), "aye" on rollcall vote No. 304 (on motion to suspend the rules and agree to H. Res. 1316), "aye" on rollcall vote No. 305 (on motion to suspend the rules and agree to H. Res. 1169).

For Thursday, May 27, 2010, had I been present I would have voted "no" on rollcall vote No. 306 (on agreeing to H. Con. Res. 282, providing for an adjournment or recess of the two Houses), "no" on rollcall vote No. 307 (on agreeing to H. Res. 1404, providing for consideration of H.R. 5136), "aye" on rollcall vote No. 308 (on motion to suspend the rules and agree to H. Res. 1161), "aye" on rollcall vote No. 309 (on motion to suspend the rules and agree to H. Res. 1372).

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is \$13,046,148,615,770.79.

On January 6th, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$2,402,782,774,403.30 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

CONGRATULATING CATHERINE ROBERTS ON HER RETIREMENT AFTER 60 YEARS OF NURSING

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Ms. ROS-LEHTINEN. I would like to recognize an outstanding constituent from South Florida:

Catherine Roberts has been a practicing nurse for over 60 years. This month Catherine will be retiring from the Lower Keys Medical Center. Catherine has devoted her life to ensuring the health and comfort of others. For over 30 years, Catherine has been a nurse at the Lower Keys Medical Center where she has had a positive impact on countless individuals.

Due to her generosity and commitment, the Lower Keys Medical Center has been able to continue to serve the people of the Lower Keys. Catherine, I would like to commend you for your service and support to our community. Thank you for your dedication and commitment to improving the lives of South Floridians and enjoy your well deserved retirement.

HONORING THE CENTENNIAL OF THE SECOND SAINT SILOAM MISSIONARY BAPTIST CHURCH, BREWTON, ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. BONNER. Madam Speaker, I rise to honor the congregation of the Second Saint Siloam Missionary Baptist Church of Brewton, Alabama which celebrated its centennial on June 13, 2010.

I the same year that the citizens of Brewton mark the 125th anniversary of the founding of their town, the worshipers of Second Saint Siloam Missionary Baptist Church point to their historic sanctuary which has provided inspiration and spiritual direction for many in that community for a century.

Founded on June 10, 1910 by its first congregation of approximately 150 people, the membership of Second Saint Siloam Mis-

sonary Baptist Church has grown to over 550 today.

The impressive brick structure, which is based on a two-story, cross design with a three-sided colonial balcony, is listed in the Alabama Registry of Historic Places.

On Sunday, the church centennial celebration included the dedication of a historic marker in commemoration of the event.

The church's first pastor, the Reverend William Franklin, led his new congregation into their beautiful house of worship where succeeding generations have reflected under the guiding hand of God.

I wish to extend my personal congratulations to Reverend Willie J. Blue and the congregation of Second Saint Siloam Missionary Baptist on this most special and historic occasion. May they continue to serve their community as they honor our Lord Jesus Christ.

SALUTING OUR WARRIORS OF TOMORROW

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise today to salute our warriors of tomorrow, the service academy-bound students of the Third District of Texas. This area is home to some of the best and brightest young people, and I always consider it an honor to recommend such fine students to our Nation's service academies.

Over the next four years, these men will study hard and excel in training. Upon graduation, each will join the premier military in the world, fighting to defend and uphold our Nation's belief in liberty. I am proud of each student's accomplishments and preserve this tremendous achievement for antiquity in the CONGRESSIONAL RECORD.

Texas' Third Congressional District's 13 appointees, their hometowns and schools are as follows:

UNITED STATES MILITARY ACADEMY

Michael Carr—Plano, Texas—Plano West Senior High School

Jarvis Coburn—Dallas, Texas—Plano West Senior High School

Steven Grim—McKinney, Texas—McKinney Boyd High School

Michael Janowski—Murphy, Texas—Plano East Senior High School

UNITED STATES NAVAL ACADEMY

Aaron Dougherty—Garland, Texas—Garland High School

Lyndon Moorehead—Murphy, Texas—Naval Academy Preparatory School

UNITED STATES AIR FORCE ACADEMY

Hunter Birdsong—Sachse, Texas—Sachse High School

Austin Hayes—Garland, Texas—Sachse High School

Brandon Ostert—Plano, Texas—Plano Senior High School

Daniel Simpson—Plano, Texas—Liberty High School

UNITED STATES MERCHANT MARINE ACADEMY

Trevor Ball—Plano, Texas—Plano East Senior High School

Matthew Craft—Murphy, Texas—Plano East Senior High School

Nathan Ley—Plano, Texas—Plano Senior High School

Congratulations are in order for these 13 appointees. God bless you, God bless America, and I salute you.

THE ISRAELI BLOCKADE AND THE
FLOTILLA

SPEECH OF

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Ms. BERKLEY. Mr. Speaker, I rise today in solidarity with the State of Israel and all peace-loving nations who seek to defend their citizens and put an end to terrorism. Unfortunately, we live in an age when those simple goals are under threat and we face enemies who will use any means at their disposal to indiscriminately kill men, women and children who stand in their way.

As the world knows, on May 31, the Israeli navy stopped a flotilla of six ships headed toward the Gaza Strip. These ships were flying under Turkish flags and claimed to be carrying tons of humanitarian aid for the people of Gaza. However, the real goal of these so-called “peace activists” was—in their own words—to break the Israeli blockade of Gaza and allow Hamas to import whatever they want to Gaza, including weapons. But these activists should remember that Hamas can end the blockade at any moment by recognizing Israel’s right to exist, ending the violence and releasing Israeli soldier Gilad Shalit, who has been held by Hamas without access to the Red Cross for four years.

When the Israeli navy attempted to commandeer the boats and bring them to Israeli ports for inspection, most of the passengers aboard the boats cooperated and used only non-violent, passive resistance to impede the Israeli efforts. However, one of the boats was filled with members of an Islamist group with connections to Hamas and Hezbollah, called IHH (Insani Yardim Vakfi). These “peace activists” immediately attacked the Israeli soldiers with knives, metal bars, wrenches, clubs and rocks. The soldiers’ lives were clearly at risk and they fired back to quell the fighting, killing nine.

It is important to point out that these IHH members were not serving a humanitarian mission. If that were the case, they would have cooperated with the Israelis and the Egyptians in order to expedite the arrival of their cargo. Prior to the incident, Israel offered to have the aid delivered to an Israeli port for inspection and delivery to Gaza. There was even a similar Egyptian offer, but the activists rejected both of those offers. As the organizers themselves said, this operation was about more than just delivering aid, but rather about ending the Israeli blockade of Gaza.

I also reject the entire premise that there is any need for humanitarian supplies in Gaza. In 2009, more than 738,000 tons of food and supplies entered Gaza. The total amount of aid transferred from Israel to Gaza in 2009 increased by 180 percent, compared to the amount transferred in 2008. From January 1, 2010 through May 8, 2010, 230,690 tons of humanitarian aid was transferred from Israel into Gaza through the Israel-Gaza goods

crossings. This included medical supplies, milk powder and baby food, meat, chicken, fish, grains, legumes, oil, flour, salt, sugar, fresh vegetables and dairy products as well as animal feed, hygiene products and clothes. That does not sound like a humanitarian crisis to me.

Hamas and its allies are simply using Israel’s legal blockade of Gaza as a propaganda tool to undermine international support for the State of Israel. But if it weren’t for this blockade, Hamas could import unlimited amounts of weaponry and rockets, which they would turn against Israeli civilians, as they have done in the past. If the naval blockade were broken, as the activists seek, every man, woman and child in Israel would be at risk from Iranian and Syrian missiles.

Unfortunately, efforts are now underway to unfairly paint Israel as the aggressor in this incident, when they were simply acting to defend their citizens. Calls are mounting for an international investigation like the biased and deeply-flawed Goldstone Report, which accused Israel of war crimes in its self-defensive Operation Cast Lead. I join Israel in rejecting these calls. Israel, a strong democracy and America’s close ally, is perfectly capable of conducting a fair, credible investigation that meets international standards.

I find it even more galling that such calls are now being made, given the silence following North Korea’s horrific attack on a South Korean ship that killed 46 sailors. It is time the world focused on such real threats to peace, while recognizing Israel’s right to defend its civilian population against persistent terrorist threats.

I am also deeply disturbed by Turkey’s recent actions and statements regarding Israel and the Palestinians. Their irresponsible support for this so-called “aid” flotilla actually sought to bolster the Hamas terrorists in Gaza who have pledged to destroy Israel at any cost. By seeking an end to the blockade, Turkey is trying to legitimize a terrorist group that targets civilians and harms any chance for peace. As I’ve said, Turkey—and the world—should remember that Hamas can end the blockade at any moment by recognizing Israel’s right to exist, ending the violence and releasing Israeli soldier Gilad Shalit, who has been held by Hamas without access to the Red Cross for 4 years.

Meanwhile, Turkey’s actions have undermined the moderate Palestinians who have been building institutions, ending corruption and cracking down on violent extremists. If there is a chance for peace in the region, it does not come from the extremist elements Turkey is supporting.

And Turkey is hardly in a position to criticize Israel. The world community should remember that Turkey has been illegally occupying the northern part of Cyprus—a sovereign nation—for over three decades, despite international calls to remove its troops. They have also steadfastly refused to recognize the Armenian Genocide and have systematically denied basic religious rights to the Greek Orthodox Patriarch in Istanbul. With their recent actions, Turkey is once again showing its true colors, as a supporter of terrorists, and not a champion of peacemaking.

Mr. Speaker, I am deeply disturbed by the recent events and fear that the world is once again blaming the victim. Israel must be allowed to defend itself—for its own sake, for

ours, and for the sake of all people around the world who are under threat of terror. We must not be duped into believing that these Hamas-sympathizers are somehow acting in the name of peace. Nothing could be further from the truth. We must take a united stand for democracy, for the rule of law, and for peace.

PERSONAL EXPLANATION

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. POSEY. Madam Speaker, on rollcall 354 my vote in support of S. 3474—To amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund—was not recorded by the House voting system. I fully supported this bill and should have been recorded as “yea.”

IN RECOGNITION OF EDWARD
GEFFNER, PRESIDENT AND CEO
OF PROJECT RENEWAL, ON THE
OCCASION OF HIS RETIREMENT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mrs. MALONEY. Madam Speaker, I rise to acknowledge the achievements of Mr. Edward Geffner on the occasion of his retirement as the President and Chief Executive Officer of Project Renewal, a not-for-profit organization dedicated to serving the needs of homeless persons in New York City.

Edward Geffner began his work with Project Renewal in 1976. For the past third of a century, he has served the organization as its Executive Director, leading it with extraordinary compassion and commitment. Under his able management, Project Renewal has reached out to countless homeless men and women in need of support.

Under Mr. Geffner’s leadership, Project Renewal has taken a comprehensive approach in providing critical assistance to its clients. The organization reaches out to homeless men and women on the streets of our nation’s greatest city through mobile medical and psychiatric teams. Project Renewal helps provides essential services to those who are also coping with mental illness or drug addiction by linking residents to treatment programs that help them combat addiction or learn to manage their mental illness. Edward Geffner and the Project Renewal staff recognize that a good job is critical to independent living, and they have created a wide range of employment initiatives, including a culinary arts program that has successfully placed 85 percent of its graduates in jobs. I have seen the effectiveness of the programs that Project Renewal operates in the district that I represent.

Supported largely by private philanthropy and corporate sponsors, Edward Geffner and Project Renewal have worked in collaboration with numerous public, private, and not-for-profit organizations and social service providers to help homeless and formerly homeless individuals and families find employment and housing. Trained social workers and staff members, many of whom were formerly homeless,

visit and coordinate services for those in need of assistance in managing and in accessing benefits and medical and social services to which they are entitled. Project Renewal provides information, referral and ongoing monitoring and care management as well as providing some special services that are not offered by other service providers. The agency also collaborates with organizations at all levels to develop and improve coordination of services for the homeless and formerly homeless persons who need individualized community-based preventive protective services if they are to live safely in their own homes. Thanks in no small part to Edward Geffner's expert leadership, Project Renewal now provides dedicated and compassionate assistance to more than 10,000 New Yorkers every year.

Madam Speaker, in recognition of a lifetime of service to others, I request that my distinguished colleagues join me in paying tribute to Edward Geffner, a great New Yorker and a great American. Throughout a career of professional and voluntary activity, he has fought for and secured immeasurable improvements to the quality of life of his fellow New Yorkers. Edward Geffner's selfless and enduring dedication to public and community serves as an inspiration to us all.

HONORING MR. CARL VILARDO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 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. Carl Vilardo. Mr. Vilardo served his constituency faithfully and justly during his tenure as a member of the Westfield Town Council.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Vilardo 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. Vilardo is one of those people and that is why, Madam Speaker, I rise in tribute to him today.

HONORING THE LIFE OF JOHN WOODEN

SPEECH OF

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. BERMAN. Madam Speaker, I rise to pay tribute to Coach John Wooden. As a student of the University of California, Los Angeles during Coach Wooden's tenure, I recall with nostalgia the spirit of honor and humility that he embodied. For a man with a larger-than-life reputation and unparalleled winning record, John Wooden was surprisingly modest—a trait that many would say is particularly uncommon

in Los Angeles. His playing career at the high school, college, and professional levels was marked by numerous record-breaking and award-winning performances, and his coaching career was no different. He led the UCLA Bruins to an unmatched 10 National Championships in NCAA Men's Basketball and four perfect seasons, one of which was while I was a law student at UCLA. It was an incredible time to be a Bruin. Coach Wooden was the first person to be inducted to the basketball Hall of Fame as both a player and a coach, and remains one of only a handful of people to earn the dual honors.

I can't talk about John without mentioning Nell, his wife of over 50 years. Like Coach Wooden, Nellie Wooden was until her death in 1985 an integral part of the fabric of UCLA and a fixture in the crowd at the court that now bears her and her husband's names. She always wore a smile, and a game rarely started without it.

John Wooden's spirit will continue to roam the hills of Westwood by the blue Pacific shore. My colleagues and I can all take a page out of Coach Wooden's playbook when it comes to teamwork and diligence. May his memory be a blessing and his life an example to us all.

CONGRESSIONAL RECOGNITION
FOR ORA MAE HARN, THE FIRST
LADY OF MARANA

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Ms. GIFFORDS. Madam Speaker, I rise today to recognize Ora Mae Harn, the First Lady of Marana, Arizona, who on June 10th will be honored at the Marana Council Chambers for her work to establish the Marana Heritage Conservancy.

Ora Mae Harn is the former mayor and current town historian of Marana, a fast-growing community in the northwestern corner of Arizona's 8th Congressional District. Those two titles, however, do not even come close to describing the extraordinary impact that Ora Mae has had on her hometown.

Ora Mae is one of the most prominent voices and faces of Marana. She is well-known as a tireless champion for the citizens of Marana and their interests. If any one person can embody the community spirit that defines Marana, it is Ora Mae Harn.

The residents of Marana acknowledge the contributions of Ora Mae every time they play a ball game, use a grill or go for a stroll at Ora Mae Harn Park. Having a park named after her is one way that her grateful community expresses appreciation for all she has done to implement the vision that has made Marana such a wonderful place to live, work and raise a family.

Ora Mae was a member of the Marana Town Council and served as mayor for eight years. As a public servant, her commitment and dedication to the betterment of Marana always were obvious. Under her wise leadership, the town grew from an agricultural community to the family-friendly town it is today.

When Ora Mae moved to Marana in 1961, she immediately became involved in civic life. Early on she worked for the Marana Unified

School District driving a school bus and cooked in the school cafeteria. She helped found and worked at the Marana Health Center and she still helps the center with fundraising to this day. She also has served as the president of the Arizona Women in Municipal Government and as a representative to the Pima Association of Governments.

Ora Mae's activism went beyond the corridors of government. She applied her well-honed organizational skills to Marana's Founder's Day Committee, the Sister Cities Program, Yoem Pueblo Rehabilitation Project and the Lot Beautification Program. She also was instrumental in the formation of the Marana Food Bank.

Today, in addition to serving as the town historian, Ora Mae heads the Marana Heritage Conservancy, which aims to preserve and enhance the town's past. Given her longstanding association with and deep love for Marana, there is no better person for that important job.

Recently the Marana Town Council entered into an Intergovernmental Agreement with the Marana Heritage Conservancy. This unanimous decision affirmed the credibility of the Conservancy and Ora Mae's efforts to develop an organization that will ensure that the history of Marana is preserved and shared with current and future residents of the Town.

Town Manager Gilbert Davidson summed up how much this decision by the Town Council is attributable to Ora Mae's leadership. He wrote: "Former Mayor Ora Mae Harn played a crucial role in getting the Conservancy to this point. She has been a Marana champion for many years, and it was her hard work that helped create the Conservancy. Ora Mae is one of a kind and a true inspiration. Her dedication to the Town's progress helped put Marana on the map and made us the outstanding community we are today."

On behalf of the citizens of Marana and myself, I commend Ora Mae Harn and thank her for the more than four decades she has devoted to the Town of Marana. There is no doubt that her legacy will endure, as her town continues to grow and prosper in the decades to come. Because of her work, Marana will always remember its rich history. She is truly Marana's Heritage Ambassador.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mrs. McCARTHY of New York. Madam Speaker, on Thursday, I missed 1 vote. Had I been present, I would have voted as follows.

Rollcall No. 351, on Agreeing to the Edwards Amendment No. 12, I would have voted "yea."

WORLD DAY AGAINST CHILD
LABOR

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. HARE. Madam Speaker, I rise today in strong support and recognition of World Day

Against Child Labor. I join with all of my colleagues in the House, and on both sides of the aisle, in condemning the horrendous practice of child labor. While great strides have been made in eradicating child labor in the United States, this Congress and our Nation must do more to end the practice across the world. Throughout the world, children are exploited and forced to work in often horrendous conditions. As a moral and just society, we can not continue to turn a blind eye.

According to the Child Rights Information Network, from 1997 to 2007, more than 35 percent of African children were subject to illegal child labor. Statistics from other regions are just as alarming. In the Caribbean, Latin America, East Asia and the Pacific, 11 percent of children are laborers, and in South Africa, 13 percent of children are in the workforce. It is clear that we, as leaders in the global economy, must do more to work with the governments in these regions to rid our world of the practice of child labor. However, as we tackle the challenges posed by child labor, we must realize that the primary culprit in the continuation of this practice is global poverty. Unfortunately, many families are left with no other alternative than to send their children into the workforce to help support their family. In our capacity as a world leader, we have a responsibility to raise global standards in order to improve the global standard of living and thus eradicate the demand for child labor.

Madam Speaker, although the problem of child labor in the United States is less evident when compared to the labor issues of many other nations, there is still and always will be progress that can be made. The U.S. Department of Labor calculates that 4 percent of all 14-year-olds and 8 percent of 15-year-olds are working at "high intensity" in the United States. High intensity is defined as a child that works 15 or more hours per week, and more than half of all school year weeks. This may not seem like a difficult burden to carry, but in a Nation with a population of 17 million citizens between the ages of 14 and 17, these numbers are far too high. Like their international counterparts, many American families can not afford to have an able bodied member of the family sit out of the workforce regardless of their age. We all know that poverty in the United States is a major problem and I call on my colleagues to remember the indirect problems caused by it, such as child labor.

The recent Hague Global Conference Against Child Labour set a goal of completely eliminating the Worst Forms of Child Labor by 2016. Madam Speaker, I believe that the United States should display the same dedicated and unwavering leadership that was displayed at the 1999 ILO Conference Against Child Labor. If we are successful in eliminating child labor and unfair labor practices around the world, we will ensure that children, regardless of where they are born, are able to be just that, children.

TRIBUTE TO U.S. NAVY
COMMANDER PETER J. CARTY

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual

whose service to his country and family are exceptional. On December 17, 2009, U.S. Navy Commander Peter J. Carty passed away after a two-month battle with cancer. He will be deeply missed.

Commander Carty was born in September 29, 1965 in Portland, Oregon, to parents William and Janet Carty. He grew up in Williamsport, Pennsylvania with his siblings David, Jeanmarie, Robert, Timothy and Elizabeth. He graduated from high school in 1983 and attended the Virginia Military Institute. He graduated in 1987 with a Bachelor of Science degree in Mechanical Engineering. Following graduation, Peter was commissioned into the United States Navy as an officer and was assigned to the USS *Jarrett* (FFG-33) stationed at Naval Station Long Beach. Peter continued his career in the Reserves, eventually earning the rank of Commander.

In 1994, Peter received a Master of Business Administration from the University of Southern California and went on to work as the Western Regional Manager for Parker Hannifin Corporation. Peter is survived by his wife, Carmina; his son, Andrew; stepdaughter, Lauren; parents, and siblings. Peter joins his older brother David who passed away in 2008 after a battle with cancer.

As we look at the incredibly rich military history of our country we realize that this history is comprised of men like Commander Carty who bravely fought for the ideals of freedom and democracy. Each story is unique and humbling for those of us who, far from the dangers they have faced, live our lives in relative comfort and ease. Commander Carty was a true patriot who will be sorely missed by his family and friends, but his legacy and service to our great nation will always be remembered.

On behalf of all those who knew him, it is my honor to offer these remarks on June 14th, Flag Day, as a tribute to the life and legacy of Commander Peter Carty.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. PUTNAM. Madam Speaker, on Thursday, June 10, 2010, I was not present for eight recorded votes. Had I been present, I would have voted the following way:

Roll No. 347—yea; roll No. 348—yea; roll No. 349—nay; roll No. 350—yea; roll No. 351—yea; roll No. 352—yea; roll No. 353—yea; roll No. 354—yea.

MCKEE FOODS/LITTLE DEBBIE—
STUARTS DRAFT 20TH ANNIVERSARY

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. GOODLATTE. Madam Speaker, it was two decades ago that the largest privately-held, family-owned bakery in the United States decided to make its newest home in Virginia's Shenandoah Valley, just miles from the Blue

Ridge Mountains. I am delighted today to help mark the 20th anniversary of the arrival of McKee Foods in Stuarts Draft, Virginia. Based in Collegedale, Tennessee the company best known in all 50 states and in Canada and Mexico for its "Little Debbie" brand snacks has settled into its location in the Commonwealth over the last 20 years and become an integral part of the business community in Augusta County. The bakery is considered one of the industry's most cutting-edge facilities, and more than 1,000 folks are employed in the production of what I believe are among the country's best snack goods—they are standards in the cupboards of my home and countless others. There's nothing like their Snack Cakes, Fudge Rounds, Swiss Cake Rolls, Oatmeal Creme Pies—and more than 70 other Little Debbie products made from the highest quality ingredients. The enjoyment that accompanies eating these goodies is endless.

In addition to marking the company's 20 years in Stuarts Draft, we're also noting a half-century of the Little Debbie brand. It was 50 years ago that the company's founders—O.D. and Ruth McKee—decided to use a likeness of their young granddaughter Debbie to mark the brand. All these years later, "Little Debbie" is the unmistakable trademark of a company that has been profitable every year since. That's quite a tribute to a company whose commitment to "total quality" is a daily endeavor. Having met hundreds of McKee employees over the years, I can attest that they constantly strive for integrity and to be innovative in their business.

McKee Foods is now one of the foundations of a region of my Congressional district that's long been known for its strong work ethic. The McKee family clearly recognized that attribute when it chose Stuarts Draft for its newest operation 20 years ago. I commend President and CEO Mike McKee and Vice President of Stuarts Draft Operations Randy Smith for making the Stuarts Draft facility a great place to continue the company's guiding values. It's been a true recipe for success since 1990 in Virginia. The Sixth District looks forward to much continued success for McKee Foods and "Little Debbie" for many decades to come.

CAPTAIN BOB O'BRIEN

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. McMAHON. Madam Speaker, I rise today to honor Captain Robert O'Brien on his retirement from the United States Coast Guard. Captain O'Brien has dedicated his time, energy, and resources to maintaining and defending our country's maritime borders.

Captain O'Brien was born in Savannah, Georgia, and raised in Ridgeland, South Carolina. He enlisted in the Coast Guard on April 6, 1970, and served his country for 40 years. He will officially retire on October 1, 2010. He started his career as a seaman, and he rose through the ranks to become commanding officer of the New York Coast Guard Sector.

Captain O'Brien had a diverse and honorable history in the Coast Guard. In 1976, he was assigned Officer-in-Charge of the USCGC Blackberry in North Carolina. He was then

promoted to Chief Boatswain's Mate in 1979, and was promoted in June 1980 to the rank of Chief Warrant Officer.

He received his commission as a Lieutenant in 1983. He served in many different states, ranging from Texas to Virginia. In 2003, he was promoted to Captain and assumed command of MSO Hampton Roads. Captain O'Brien then assumed command of the USCG Sector New York on June 15, 2006.

Captain O'Brien served his country with great distinction during this 40 year period. He was given the difficult task of keeping New York's waterways safe and secure, and performed this task admirably. He has also received numerous awards from the Coast Guard, including the Meritorious Service Medal, the Coast Guard Commendation Medal, and three Coast Guard Good Conduct Medals.

Ferries and oil liners share the harbor, and both are crucial to the economic value of the tristate area, and Captain O'Brien's efforts throughout his career have ensured a safe and sound commute for Staten Islanders, as well as many New Yorkers, who traverse the waters frequently.

Madam Speaker, I ask that my colleagues join me in commending Captain Robert O'Brien on his dedication to the citizens of New York.

RECOGNIZING DR. LYNN WOLAVER

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. AUSTRIA. Madam Speaker, on behalf of the people of Ohio's Seventh Congressional District, I am honored to recognize Dr. Lynn Wolaver, who was inducted into the Ohio Senior Citizens Hall of Fame on May 24, 2010.

Dr. Wolaver's contributions to his country and the community are invaluable. A former member of the U.S. Army Air Corp and a World War II veteran, he flew in C-47 aircraft in the European Theater of Operations with the IX Troop Carrier Command Pathfinder Group. Following his military service, Lynn devoted himself to public service, holding positions as a member of the Fairborn City Planning Board, City Council, Deputy Mayor and Mayor of Fairborn. He has been an active member of the Fairborn Chamber of Commerce, Fairborn Rotary Club and the American Legion. He currently serves on numerous local boards and committees, applying his knowledge and expertise for the betterment of the region.

Along with his service to his country and civic engagement, Dr. Wolaver has an exten-

sive academic background. He studied at the University of Illinois, The Ohio State University Extension at Wright Field and at the University of Michigan, where he received his doctoral degree. Dr. Wolaver spent nearly 40 years as an employee at Wright-Patterson Air Force Base in Fairborn, Ohio, holding various positions, including Dean for Research Emeritus at the Air Force Institute of Technology at Wright Patterson Air Force Base. During his time at Wright-Patterson, Dr. Wolaver conducted research in the areas of navigation, astrodynamics, bioengineering and systems analysis, and he has authored over 60 technical papers on these topics. His academic achievements have earned him induction into prestigious honorary societies, and various honors and awards, including the Fairborn Chamber of Commerce's Ed Duncan Distinguished Citizen Award, Fairborn Chamber of Commerce President's Award and University of Illinois Distinguished Alumnus Award.

Finally, as a husband, father of two and grandfather, Dr. Wolaver has demonstrated the importance of balancing various obligations and activities with the needs of family.

Thus, with great pride, I congratulate Dr. Lynn Wolaver for his lifetime of remarkable achievements and his unparalleled contribution to our community.

HONORING DR. GEORGE TILLER

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today in remembrance of Dr. George Tiller, a brave and prominent physician who dedicated his life to providing women the ability to choose. Dr. Tiller was shot and killed while serving as an usher at his church in Wichita, Kansas, a year ago this past May. His story is tragic but he is not the only one who has been targeted by intimidation tactics and acts of violence.

Since 1993, eight clinic workers have been murdered in the United States and seventeen attempted murders have occurred since 1991. Opponents of the women's right to choose have directed more than 6,100 reported acts of violence against physicians since 1977, which does not include the 156,000 reported bomb threats and harassing phone calls.

Whether you are on the right or left side of the issue on this issue, I believe we can all come together and agree that violence as a solution is unacceptable and will not be tolerated. We should be able to work in unison to find common ground on the issue of female reproductive rights without putting anyone's life in danger.

The Freedom of Access to Clinic Entrances Act was enacted in 1994 to provide federal protection against the unlawful and often violent tactics used by opponents of abortion rights. While violence has declined since then, violence at reproductive-health centers and abortion clinics is far from being eradicated.

Dr. Tiller was respecting the women's right to choose and for that, his life was taken. We must all work to ensure that no more lives are destroyed and acts of harassment are stopped. If there is one thing we can all agree on, it is that violence is not the answer and I look forward to the day that all doctors and clinical workers can go to work, free from fear of violence.

CONGRATULATING QUINCY NOTRE DAME HIGH SCHOOL STATE CHAMPIONSHIP

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. HARE. Madam Speaker, I rise today to proudly recognize the Quincy Notre Dame High School girls' soccer team, the Lady Raiders, for winning the Class 1A state championship. On May 29, 2010, the Lady Raiders soundly defeated the Manteno High School Panthers 2-0 at North Central College's Benedetti-Wehrli Stadium in Naperville to win the state championship, capping their record at an impressive 24 wins and only 2 losses.

I extend my congratulations to all of these amazing athletes: goalkeepers Quentessa Keating, Mackenzie Little, and Megan Rabe; defenders Alex Reis, Jamie Pyatt, Alyssa Klene, Leah Waterkotte, Hannah Witte, Kayla Struck, Claire Obert, and Paula Holm; midfielders McKenna Murphy, Lexi Dreyer, Kate Genenbacher, Katie Hancox, Brooke Dreyer, Brooke Burgess, Hilary Hoffman, and Lexi Niemann; and forwards Abby Grawe, Shannon Foley, Jordan Frericks, Samantha Hall, and Leigh McLaughlin. I would also like to commend their coaching team led by Mark Longo and assistant coaches Randy Struck, George McDonnell, Jason Keller, Anthony Longo, and Jay Zanger, and the rest of the Quincy community who provided tremendous support in their historic victory. I am honored to represent Quincy Notre Dame High School and pleased to be able to share their victory with my colleagues in the U.S. House of Representatives, and I wish the Lady Raiders the best of luck in their future academic careers and athletic ambitions.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 15, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED
JUNE 16

9:30 a.m.
Foreign Relations
To continue hearings to examine Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc. 111-05), focusing on views from the Pentagon.
SD-419

Veterans' Affairs
To hold hearings to examine Veterans' Affairs health care in rural areas.
SR-418

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of John S. Pistole, of Virginia, to be Assistant Secretary of Homeland Security.
SD-342

Commission on Security and Cooperation in Europe
To hold hearings to examine global threats, European security and parliamentary cooperation, focusing on what parliamentarians can do to work together on some of the most significant challenges facing the world.
SVC-202/203

10:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Defense.
SD-192

11 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD-366

2 p.m.
Aging
To hold hearings to examine the retirement challenge, focusing on making savings last a lifetime.
SD-562

2:30 p.m.
Appropriations
Financial Services and General Government Subcommittee
To hold an oversight hearing to examine Federal payment of interchange fees,

focusing on how to save taxpayer dollars.

SD-192

Energy and Natural Resources
Public Lands and Forests Subcommittee

To hold hearings to examine S. 3294, to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, S. 3310, to designate certain wilderness areas in the National Forest System in the State of South Dakota, and S. 3313, to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.
SD-366

3 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine the Gulf of Mexico oil spill, focusing on ensuring a financially responsible recovery.
SD-342

JUNE 17

9:30 a.m.

Armed Services

To hold hearings to examine the New Strategic Arms Reduction Treaty (START) and the implications for national security programs.
SD-106

Agriculture, Nutrition, and Forestry
Energy, Science and Technology Subcommittee

To hold hearings to examine S. 3102, 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.
SR-328A

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the financial state of the airline industry and the implications of consolidation.
SR-253

Health, Education, Labor, and Pensions

To hold hearings to examine protecting workers and businesses affected by misclassification.
SD-430

Judiciary

Business meeting to consider H.R. 1933, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, S. 3466, to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, H.R. 908, to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program, S. 258, to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors, and the nominations of John J.

McConnell, Jr., to be United States District Judge for the District of Rhode Island, and Pamela Cothran Marsh, to be United States Attorney for the Northern District of Florida, Peter J. Smith, to be United States Attorney for the Middle District of Pennsylvania, and Kevin Anthony Carr, to be United States Marshal for the Eastern District of Wisconsin, all of the Department of Justice.

SD-226

Small Business and Entrepreneurship

To hold hearings to examine harnessing small business innovation, focusing on navigating the evaluation process for Gulf Coast oil cleanup proposals.
SD-G50

2:15 p.m.

Indian Affairs

To hold an oversight hearing to examine Indian education, focusing on the No Child Left Behind Act.
SD-628

2:30 p.m.

Intelligence

To hold closed hearings to consider certain intelligence matters.
SH-219

3:30 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 closing the language gap, focusing on improving the Federal government's foreign language capabilities.
SD-342

JUNE 23

10 a.m.

Judiciary

To hold an oversight hearing to examine the Office of the Intellectual Property Enforcement Coordinator.
SD-226

JUNE 24

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 3452, to designate the Valles Caldera National Preserve as a unit of the National Park System.
SD-366

JUNE 30

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine farm bill reauthorization, focusing on maintaining our domestic food supply through a strong United States farm policy.
SR-328A

JULY 1

9:30 a.m.

Veterans' Affairs

To hold hearings to examine veterans' claims processing, focusing on if current efforts are working.
SR-418

JULY 21

9:30 a.m.

Veterans' Affairs

To hold hearings to examine improvements to the post-9/11 Government Issue (GI) Bill.
SR-418

POSTPONEMENTS

JUNE 17

10 a.m.

Energy and Natural Resources
National Parks Subcommittee

To hold hearings to examine the future
of the National Park System and to

consider the recommendations of the
National Parks Second Century Com-
mission in its report "Advancing the
National Park Idea".

SD-366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4869–4894

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 3483–3484, and S. Res. 551. **Page S4885**

Measures Reported:

S. 2852, to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy. (S. Rept. No. 111–206)

H.R. 3951, to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the “Roy Rondenno, Sr. Post Office Building”. **Pages S4884–85**

Measures Passed:

Formaldehyde Standards for Composite Wood Products Act: Senate passed S. 1660, to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, after agreeing to the committee amendment in the nature of a substitute, and after taking action on the following amendment proposed thereto:

Pages S4891–92

Adopted:

Reid (for Klobuchar) Amendment No. 4347, in the nature of a substitute. **Page S4892**

National Men’s Health Week: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 547, supporting National Men’s Health Week, and the resolution was then agreed to. **Pages S4892–93**

One Year Anniversary of the Presidential Election in Iran: Senate agreed to S. Res. 551, marking the one year anniversary of the June 12, 2009, presidential election in Iran, and condemning ongoing human rights abuses in Iran. **Pages S4893–94**

Measures Considered:

American Jobs and Closing Tax Loopholes Act: Senate resumed consideration of the amendment of the House of Representatives to the amendment of

the Senate to H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, taking action on the following amendments proposed thereto: **Pages S4876–80**

Pending:

Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus Amendment No. 4301 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute. **Page S4877**

Franken Amendment No. 4311 (to Amendment No. 4301), to establish the Office of the Homeowner Advocate for purposes of addressing problems with the Home Affordable Modification Program.

Page S4877

Sanders Amendment No. 4318 (to Amendment No. 4301), to amend the Internal Revenue Code of 1986 to eliminate big oil and gas company tax loopholes, and to use the resulting increase in revenues to reduce the deficit and to invest in energy efficiency and conservation. **Page S4877**

Vitter Amendment No. 4312 (to Amendment No. 4301), to ensure that any new revenues to the Oil Spill Liability Trust Fund will be used for the purposes of the fund and not used as a budget gimmick to offset deficit spending. **Page S4877**

Reid Amendment No. 4344 (to Amendment No. 4301), to amend the Internal Revenue Code of 1986 to extend the time for closing on a principal residence eligible for the first-time homebuyer credit.

Pages S4877–78

Thune/McConnell Amendment No. 4333 (to Amendment No. 4301), of a perfecting nature.

Pages S4878–80

A motion was entered to close further debate on the motion to concur in the House amendment to the Senate amendment on the bill, with Baucus Amendment No. 4301 (listed above), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, June 16, 2010. **Page S4878**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13466 of June 26, 2008, with respect to the current existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM-62) **Page S4883**

Nominations Received: Senate received the following nominations:

Anne M. Harrington, of Virginia, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2015.

Laurence D. Wohlers, of Washington, to be Ambassador to the Central African Republic. **Page S4894**

Messages from the House: **Page S4883**

Enrolled Bills Presented: **Page S4883**

Executive Communications: **Pages S4883-84**

Additional Cosponsors: **Pages S4885-86**

Statements on Introduced Bills/Resolutions: **Pages S4886-87**

Additional Statements: **Page S4883**

Amendments Submitted: **Pages S4887-91**

Notices of Hearings/Meetings: **Page S4891**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:27 p.m., until 10 a.m. on Tuesday, June 15, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4894.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 4 public bills, H.R. 5519-5522; and 8 resolutions, H. Con. Res. 286-288; and H. Res. 1435, 1437-1440 were introduced. **Page H4424**

Additional Cosponsors: **Page H4425**

Reports Filed: Reports were filed today as follows:

H.R. 2142, to require the review of Government programs at least once every 5 years for purposes of assessing their performance and improving their operations, and to establish the Performance Improvement Council, with amendments (H. Rept. 111-504);

H.R. 4451, to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects, with an amendment (H. Rept. 111-505); and

H. Res. 1436, providing for consideration of the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and providing for consideration of the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to

increase the availability of credit for small businesses, and for other purposes (H. Rept. 111-506).

Pages H4423-24

Speaker: Read a letter from the Speaker wherein she appointed Representative Hinojosa to act as Speaker pro tempore for today. **Page H4389**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H4389**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals of National Dairy Month: H. Res. 1368, to support the goals of National Dairy Month, by a $\frac{2}{3}$ yeas-and-nays vote of 359 yeas with none voting "nay", Roll No. 355;

Pages H4390-91, H4395

Expressing support for designation of June 20, 2010, as "American Eagle Day": H. Res. 1409, to express support for designation of June 20, 2010, as "American Eagle Day", and to celebrate the recovery and restoration of the bald eagle, the national symbol of the United States, by a $\frac{2}{3}$ yeas-and-nays vote of 360 yeas with none voting "nay", Roll No. 356; and

Pages H4392-93, H4396-97

Amending the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009: H.R. 5502, to

amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009, by a 2/3 yea-and-nay vote of 357 yeas with none voting “nay”, Roll No. 357.

Pages H4393–95, H4397–98

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Honoring Dr. Larry Case on his retirement as National FFA Advisor: H. Res. 1383, to honor Dr. Larry Case on his retirement as National FFA Advisor.

Pages H4391–92

Recess: The House recessed at 2:36 p.m. and reconvened at 6:30 p.m.

Page H4395

Oath of Office—Ninth Congressional District of Georgia: Representative-elect Tom Graves presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a facsimile copy of a letter from Mr. Wesley B. Taylor, Director of Elections, Office of the Secretary of State, State of Georgia, indicating that, according to the unofficial returns of the Special Election held June 8, 2010, the Honorable Tom Graves was elected Representative to Congress for the Ninth Congressional District, State of Georgia.

Page H4396

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentleman from Georgia, Mr. Graves, the whole number of the House is adjusted to 433.

Page H4396

Moment of Silence: The House observed a moment of silence in memory of the victims of the flash flood that struck Albert Pike Recreation Area on Friday, June 11, 2010.

Page H4397

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to North Korea is to continue in effect beyond June 26, 2010—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–121).

Page H4399

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H4389.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H4395, H4397, H4398. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:50 p.m.

Committee Meetings

PROVIDING FOR CONSIDERATION OF H.R. 5486, SMALL BUSINESS JOBS TAX RELIEF, AND H.R. 5297, SMALL BUSINESS LENDING FUND ACT OF 2010

Committee on Rules: Granted, by a non-record vote, a closed rule. The rule provides one hour of general debate on H.R. 5486, the “Small Business Jobs Tax Relief Act of 2010,” equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against the bill. The rule provides one motion to recommit H.R. 5486 with or without instructions.

The rule also provides for consideration of H.R. 5297, the Small Business Lending Fund Act of 2010, under a structured rule. The rule provides one hour of general debate with 30 minutes equally divided and controlled by the Chair and Ranking Minority Member of the Committee on Financial Services and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services, the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules, modified by the amendment printed in part B of the report, shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute. The rule makes in order only those amendments printed in part C of the report. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part C of the report except for clauses 9 and 10 of rule XXI. The resolution provides one motion to recommit H.R. 5297 with or without instructions. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Financial Services or his designee and provides that

the Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The rule provides that in the engrossment of H.R. 5297, the Clerk is authorized to make technical and conforming changes to amendatory instructions. It also provides that in the engrossment of H.R. 5297, the Clerk shall add the text of H.R. 5486, as passed by the House, at the end of H.R. 5297 and that H.R. 5486 shall be laid on the table.

The rule waives clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House with respect to any resolution reported through the legislative day of June 18, 2010, providing for consideration or disposition of any Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The rule provides that measures may be considered under suspensions of the rules at any time through the legislative day of June 18, 2010. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

Testimony was heard by Chairman Frank (MA), Chairwoman Velázquez, Chairman Levin, and Representatives Al Green (TX), Bean, Jackson Lee (TX), Hall (NY), Chu and Neugebauer.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D650)

H.R. 2711, to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties. Signed on June 9, 2010. (Public Law 111-178)

H.R. 3250, to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building". Signed on June 9, 2010. (Public Law 111-179)

H.R. 3634, to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office". Signed on June 9, 2010. (Public Law 111-180)

H.R. 3892, to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office". Signed on June 9, 2010. (Public Law 111-181)

H.R. 4017, to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office". Signed on June 9, 2010. (Public Law 111-182)

H.R. 4095, to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building". Signed on June 9, 2010. (Public Law 111-183)

H.R. 4139, to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office". Signed on June 9, 2010. (Public Law 111-184)

H.R. 4214, to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office". Signed on June 9, 2010. (Public Law 111-185)

H.R. 4238, to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building". Signed on June 9, 2010. (Public Law 111-186)

H.R. 4425, to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office". Signed on June 9, 2010. (Public Law 111-187)

H.R. 4547, 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". Signed on June 9, 2010. (Public Law 111-188)

H.R. 4628, to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building". Signed on June 9, 2010. (Public Law 111-189)

H.R. 5330, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act. Signed on June 9, 2010. (Public Law 111-190)

COMMITTEE MEETINGS FOR TUESDAY, JUNE 15, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the situation in Afghanistan; with the possibility of a closed session in SVC-217 following the open session, 9:30 a.m., SD-G50.

Committee on Energy and Natural Resources: Subcommittee on Energy, to hold hearings to examine S. 3460, to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, S. 3396, to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources, S. 3251, to improve energy efficiency and the use of renewable energy by Federal agencies, S. 679, to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, S. 3233, to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and S. 2900, to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems, 2:30 p.m., SD-366.

Committee on Foreign Relations: to resume hearings to examine Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc. 111-05), focusing on the negotiations, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the health impacts of the Gulf of Mexico oil spill, 2:30 p.m., SD-430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine protecting cyberspace as a national asset, focusing on comprehensive legislation for the 21st century, 3 p.m., SD-342.

Committee on the Judiciary: to hold hearings to examine the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General, 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 Energy and Commerce, Subcommittee on Energy and Environment, hearing entitled “Drilling Down on America’s Energy Future: Safety, Security and Clean Energy,” 9:30 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled “NIH in the 21st Century: The Director’s Perspective,” 1 p.m., 2322 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled: “Caring for Special Needs during Disasters: What’s Being Done for Vulnerable Populations?” 10 a.m., 311 Cannon.

Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing on H.R. 5498, WMD Prevention and Preparedness Act of 2010, 1 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on H.R. 4175, End Discriminatory State Taxes for Automobile Renters Act of 2009, 11 a.m., 2141 Rayburn.

Subcommittee on Courts and Competition Policy, hearing on Is There Life After Trinko and Credit Suisse?: The Role of Antitrust in Regulated Industries, 10:15 a.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, to continue oversight hearings on the Deepwater oil spill in the Gulf of Mexico, with emphasis on Ocean Science and Data Limits in a Time of Crisis: Do NOAA and the Fish and Wildlife Service Have the Resources to Respond? 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing entitled “Lead Exposure in D.C.: Prevention, Protection, and Potential Prescriptions,” 2 p.m., 2154 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on the State of the Veterans Benefits Administration, 2 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Health and the Subcommittee on Oversight, joint hearing on reducing fraud, waste, and abuse in Medicare, 10 a.m., 1100 Longworth.

Subcommittee on Select Revenue Measures, hearing on tax simplification proposals impacting regulated investment companies, with emphasis on H.R. 4337, Regulated Investment Company Modernization Act of 2009, 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on National Counterterrorism Center Global, 10:30 a.m., 304-HVC.

Next Meeting of the SENATE

10 a.m., Tuesday, June 15

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will begin consideration of the nominations of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana, Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana, and Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana, and after a period of debate, vote on confirmation thereon at approximately 11:50 a.m.; following the recess, Senate will continue consideration of the House Message to accompany H.R. 4213, American Jobs and Closing Tax Loopholes Act.

(Following disposition of the nominations, Senate will recess until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 15

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 4451—Collinsville Renewable Energy Promotion Act; (2) H.R. 4855—Work-Life Balance Award Act; (3) H. Res. 1389—Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; (4) H. Res. 1414—Congratulating Urban Prep Charter Academy for Young Men-Englewood Campus for achieving a 100 percent college acceptance rate for all 107 members of its first graduating class of 2010; (5) H. Res. 1322—Celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program and recognizing the significant contributions of Albert Einstein Fellows; (6) H. Con. Res. 242—Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 101st anniversary; (7) H. Res. 1422—Honoring the Department of Justice on the occasion of its 140th anniversary; (8) H.R. 2142—Government Efficiency, Effectiveness, and Performance Improvement Act; (9) H. Res. 879—Supporting the goals and ideals of American Education Week; and (10) H. Res. 1357—Commending and congratulating the Hollywood Walk of Fame on the occasion of its 50th anniversary.

Extensions of Remarks, as inserted in this issue

HOUSE

Adler, John H., N.J., E1089
 Andrews, Robert E., N.J., E1086, E1087
 Austria, Steve, Ohio, E1094
 Barrett, J. Gresham, S.C., E1090
 Berkley, Shelley, Nev., E1091
 Berman, Howard L., Calif., E1092
 Bonner, Jo, Ala., E1090
 Butterfield, G.K., N.C., E1089
 Calvert, Ken, Calif., E1093
 Coffman, Mike, Colo., E1090
 Eshoo, Anna G., Calif., E1086

Giffords, Gabrielle, Ariz., E1092
 Goodlatte, Bob, Va., E1093
 Halvorson, Deborah L., Ill., E1083
 Hare, Phil, Ill., E1092, E1094
 Higgins, Brian, N.Y., E1092
 Hill, Baron P., Ind., E1089
 Holt, Rush D., N.J., E1088
 Israel, Steve, N.Y., E1084, E1086
 Issa, Darrell E., Calif., E1087
 Johnson, Sam, Tex., E1090
 Kilroy, Mary Jo, Ohio, E1087
 Lowey, Nita M., N.Y., E1086
 Lynch, Stephen F., Mass., E1088

McCarthy, Carolyn, N.Y., E1092
 McClintock, Tom, Calif., E1087
 McMahon, Michael E., N.Y., E1093
 Maloney, Carolyn B., N.Y., E1091
 Moran, James P., Va., E1089
 Posey, Bill, Fla., E1091
 Putnam, Adam H., Fla., E1093
 Ros-Lehtinen, Ileana, Fla., E1090
 Shuster, Bill, Pa., E1086
 Skelton, Ike, Mo., E1084
 Towns, Edolphus, N.Y., E1083
 Wasserman Schultz, Debbie, Fla., E1094
 Whitfield, Ed, Ky., E1083



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