United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, MARCH 1, 2011 No. 29

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 1, 2011.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, 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 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

GREAT THINGS HAPPENING IN CHATTANOOGA

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to take this moment to bring your attention to some exciting developments from my hometown of Chattanooga, Tennessee. For those of you who haven't heard, Chattanooga has undergone incredible transformation over the past several years; and, now, the story of our progress is making news across the globe.

A few decades ago, Chattanooga's economy was dwindling. Legacy companies were closing. Local manufacturers were folding in the face of global competition. We were even said to have the dirtiest air in America.

Today, Chattanooga is a place that has attracted more than $4 billion in new investment during the recent recession. It is a place that has the fastest residential Internet service in the United States, and Chattanooga is a place that one national publication called the region with ''the greatest economic growth potential'' in America.

In August, the buzz about Chattanooga brought an economic and social development think tank to our city for a firsthand look. The group—called the Intelligent Community Forum—studies 21st-century growth within the global community. It looks at cities that are leveraging 21st-century infrastructure to create jobs and foster innovation. After spending a few days in Chattanooga, the Intelligent Community Forum confirmed something we have known for a long while: big things are happening in our community.

What the Intelligent Community Forum saw during its trip to Chattanooga, and has learned about us since, recently led them to name our community as one of the seven smartest cities in the world. We are now running for the number one spot.

The awards for top designation go to cities that are using information and communications technology to move every sector of their community ahead. These cities are leaders, and to be counted among them means you are growing in ways the rest of the world is not.

The Intelligent Community Forum is saying Chattanooga is a place to watch. What they see in our community is what I want to talk to you about today.

The same Chattanooga that once lagged behind the rest of the Nation is moving ahead. We're receiving praise from all sides for generating growth in an adverse economy and for maintaining an outstanding quality of life in the process. Chattanooga now offers the fastest residential Internet service in the United States and is one of only a handful of cities in the world that runs at 1,000 megabits per second. And the Electric Power Board, our city's local electric utility, has installed a fiber-optic network that uses smart meters to process real-time information and adjust transmissions according to the needs of individual homes. All 170,000 homes in EPB's service area benefit from this technology.

But Chattanooga's strides in broadband and digital inclusion are just part of the picture. Chattanooga was one of the first cities to come out of the recession, thanks in part to a strong business community. Coordinated efforts between nonprofit organizations are driving small-company formation. The Chattanooga-area chamber of commerce runs one of America's largest business incubators, with 60 companies employing more than 500 people under one roof.

These are just a few examples of the way Chattanooga is setting itself apart from the rest of the world. Every leap we make ahead underscores the forces that are fueling our progress: vision and collaboration. These are exactly the qualities the Intelligent Community Forum looks at in a number one city.

I would like to congratulate Chattanooga for the recognition it is earning, and I hope you will join me in supporting our quest to become the Most Intelligent Community for 2011. Great things are happening in Chattanooga right now; and, Mr. Speaker, a lot more are expected to come.

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HONORING PEACE CORPS ON ITS 50TH ANNIVERSARY

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

Mr. FARR. Mr. Speaker, I rise today to honor the 50th anniversary of the Peace Corps and the nearly quarter million people who have served in the Peace Corps in the name of peace.

Fifty years ago, John F. Kennedy signed the executive order creating the Peace Corps, and the significance of this executive order reverberated around the world. At that moment in our history, America was in the throes of a Cold War, and the international community viewed our great Nation with increasing cynicism.

Amidst this global tension, the Peace Corps showed the world the enduring values of peace, commitment to national service, and an optimism that had been eclipsed in the Cold War and World War II.

Under the masterful direction of Sargent Shriver, the Peace Corps' ranks swelled to 15,000 volunteers in 44 developing countries within the first 5 years of existence.

I was one of those early recruits. Right after college, I found myself in Peace Corps training and ended up in a poor barrio in Medellin, Colombia. I saw the grinding cycles of poverty that left so many men, women, and children without hope. I committed then to work to end the culture of poverty. It is in no small part because of that experience in the Peace Corps that I am standing here today in the well of the United States Congress.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. FARR. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, I would simply like to join in congratulating my friend for his extraordinary service in the Peace Corps. He not only served at that time, but he continues to share that experience with us today; and as we focus on countries that are dealing with difficulty all around the world, the expansion of the Peace Corps is something that has been very important and recognizing the 50th anniversary is something that I am happy to join my colleague in doing.

Mr. FARR. Thank you, Mr. DREIER, and I appreciate your support as well.

Over the past 50 years, through war and conflict, the Peace Corps has shown the world the hopeful, uplifting side of America that reflects our fundamental ideas of peace, service and grass-roots development. That great legacy continues today. At this moment, 8,655 volunteers are serving in 76 developing countries around the world.

□ 1010

I am proud to say that 25 of those volunteers are from my district. Among them is Gabe LaHue, who was the valedictorian at Aptos High School. He then went on to study plant sciences at Cornell. Just 4 months after graduating summa cum laude from college, Gabe entered into the Peace Corps in Paraguay to serve in an agricultural role there. Right now, Gabe is working shoulder to shoulder with community members in eastern Paraguay on rural agricultural development. Like many Peace Corps volunteers, Gabe's service ripples out far beyond one single project. He also helped to start a composting initiative, teaches English, and is working to set a library up and get it running.

There are others, like Ashley Burke from Marina, who is teaching English at an orphanage in Rwanda; and there is James Staples from Pacific, who is working on sustainable rural tourism in Guatemala.

Gabe, Ashley, and James are powerful ambassadors who have committed 2 years of their lives to serving America's best values abroad. The American taxpayers reap a huge return on their investment in this remarkable program. To date, more than 20 countries have requested Peace Corps volunteers, and other countries want an increase in the number of volunteers allocated to them.

The Peace Corps is able to build this goodwill on a shoestring budget. Dollar for dollar, Peace Corps volunteers are one of our most effective ambassadors of international development and diplomacy. In fact, the Peace Corps amounts to, roughly, 1 percent of our total Federal budget. For the cost of sending one soldier to Afghanistan, the Peace Corps can send 13 volunteers to developing countries to serve U.S. interests in the name of peace. In the midst of our tight budget climate, the Peace Corps is one of the most low-cost, high-return tools in our foreign policy toolbox.

In honor of the 50th anniversary of the Peace Corps, I am proud to join my fellow returned Peace Corps volunteers, who are TOM PETRI, MIKE HONDA and JOHN GARAMENDI—all Members of Congress—to introduce a bipartisan bill to establish a commemorative work in the District of Columbia to recognize the founding of the Peace Corps, which will be at no expense to the U.S. taxpayer.

This bill, which passed the House by voice vote last Congress, commemorates the creation of a unique form of public service that promotes peace through people-to-people diplomacy and cross-cultural understanding, and it doesn't cost the taxpayers a single penny. I urge my congressional colleagues to honor America's commitment to peace by supporting the swift passage of this timely legislation.

So today, as we mark a significant milestone in America's history, I urge each of you to join me in honoring your constituents who have served in and who are supporting the Peace Corps funding so that we can usher in the next generation of Americans who want to serve this country in the name of peace.

SECURE ACT INTRODUCTION

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, currently, U.S. families spend about $1 billion per day on imported oil. We import about 1.6 billion barrels from politically unstable nations with a corresponding instability in prices, which influences our dollars, our economy, and sometimes our soldiers having to look at defending these areas.

We are currently losing 220,000 barrels per day in domestic production because of the administration's moratorium on Gulf of Mexico oil rigs. This also means the government is losing almost $1.4 billion in revenue that we so sorely need. Keep in mind that each one cent increase in the price of gasoline costs American families $1 billion per year. That's money that is not going into our economy. Because 60 percent of our oil comes from foreign countries, it is money that is going into other economies.

Now, while this moratorium is taking place, at least 12 rigs have already departed from the gulf, some not to return, as they move these rigs to operate in other countries, which can cost $1 million a day. Four more are considering leaving. That's 6,000 jobs in jeopardy. Currently, more than 30 drilling rigs in the Gulf of Mexico are idle; and even though the administration is now allowing just one of those rigs to move forward with exploration, all other exploration is still off limits with something of a permitorium, as they're looking at their permits all over again.

That is why yesterday I introduced the Safe Exploration Coming from Underwater Reserves of Energy Act, or the SECURE Act. This bill allows all of those Gulf of Mexico drilling permits to move safely forward, those which have already been approved by regulators. Keep in mind, all of these have been reviewed thoroughly. It takes a lot of time to do that, and they all follow strict regulations. There are no shortcuts on safety, and there is no bypassing environmental regulations. Quite frankly, I trust our environmental regulations to protect the environment more so than those of other countries.

What we have from the lost production of the domestic oil industry means we are increasingly dependent on those unstable foreign regimes to meet our needs, which puts our economy at risk should another spike in oil prices occur like the one we have now. Add to this and punctuate this with the recent unrest in Libya, Egypt, Bahrain, Yemen, and whatever country may come next, which helps point out a lot of our vulnerability: the vulnerability of what happens if the Suez Canal is closed down even for a short period of time; the vulnerability that comes if Libyan oil production declines; the vulnerability that comes with Iran and its use of oil revenue to put pressure on other nations to support their efforts to develop

nuclear weapons, their threats to Israel and their threats to dominate the Mideast.

The cost of an arms race in the Mideast and an arms race in the world with new nuclear weapons far surpasses anything we can imagine—as are the revenues we can get from oil.

So I ask my colleagues to join me in supporting this bill, the SECURE Act, so we can secure our own energy future, so we can lower gas prices, so we can create thousands of jobs right here at home: from drilling on these rigs, from developing the pipe, from building the rigs, from so many other supply chains of what we have in this Nation to do this, and above all, so we keep our domestic oil at home rather than pay for our own dollars to go to other nations.

We can drill for our oil and our own jobs, and we can boost our own economy; or we can continue to be dependent on unstable nations, rising prices and, sadly, paying for both sides of the war on terror. It is a sobering thought for Americans to think that every time they go to put gasoline in their tanks they're funding both sides of the war on terror.

That alone should be enough to make us change our approach. That alone should be enough to say let's use our oil and our resources instead of propping up the economies of other nations. That alone should be something that motivates us to make sure we are working on these issues. Hopefully, that means we can melt this moratorium on our own domestic oil production.

The choice is ours. I hope all of my colleagues will choose to support jobs of the United States of America as opposed to supporting those dollars that are just going to other countries.

EAT THE FUTURE OR LOSE THE FUTURE

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

Mr. COHEN. Mr. Speaker, by recklessly slashing more than $60 billion from the budget, the Republican majority is trying to assume the mantle of fiscal responsibility. Yes, fiscal. Sometimes we in politics have problems with pronunciations, and sometimes we have problems with concepts. There are two ''fiscals.'' There is the ''fiscal'' dealing with dollars, F-I-S-C-A-L, and there is the ''physical,'' P-H-Y-S-I-C-A-L. They are trying to assume the mantle of fiscal responsibility.

Within the $60 billion, there are certainly some cuts that should be made that would be cost effective, and there are other cuts that weren't made that should have been made from the Defense Department, farm subsidies and other places. Many of the programs that were cut or that were severely underfunded are programs that have a significant financial return. In fact, many of these underfunded or eliminated programs actually save the government far more money than they cost.

Penny wise and pound foolish.

So the Republican claims that they are saving the Federal Government more than $60 billion is simply untrue. Yes, they are eliminating $60 billion from the budget, but in reality they are increasing the deficit in other areas that do not appear in the budget—or certainly not this year.

As Paul Krugman would say: Eat the future or lose the future. They're not concerned about the future. It's about today; and if it's the future, it's the 2012 election.

The problem is that the Republicans' so-called ''budget hawks'' fail to look at this holistically. The only costs they see are numbers on a page that they want to hold up as talking points.

□ 1020

This slide shows some of the cuts. The Food and Drug Administration received funding $241 million below 2010 and $400 million below the administration's 2011 budget request. That's the Food and Drug Administration. Remember thalidomide babies? Remember Fen-Phen? Remember the problems with meat, chicken, poultry, and spinach?

Food Safety and Inspection Service: It makes cuts of $88 million below the 2010 funding levels and $107 million below the administration's 2011 budget request.

The National Institutes of Health: Cuts appropriations for the NIH by $1.6 billion below FY 2010 and $2.5 billion below the President's budget. You know the National Institutes of Health—they're trying to find cures for Alzheimer's and Parkinson's and diabetes and cancer. Oh, let's cut them by $1.6 billion.

Clean drinking water: The Republican bill slashes the Clean Water and Drinking Water State Revolving Fund by 56 percent. EPA: The bill includes an undesignated $300 million recision to EPA.

Medicare: Cuts appropriations for the Centers for Medicare and Medicaid Services by $458 million below fiscal year 2010 and $634 million below the President's budget request.

However, what they failed to consider are the benefits associated with these costs, many of which generally exceed the cost. And by failing to consider money saved, the Republicans are increasing the deficit and increasing cost.

Nowhere is this failure in fiscal policy more apparent than when it comes to the physical health of the American people. The Republican's continuing resolution will increase the deficit dramatically as a result of unseen health care costs associated with the degradation of the air we breathe, the water we drink, and the food we eat.

Now the physical impact of the Republican cuts. The FDA: $241 million. The Republican majority is working to undo this historic improvement and reduce food safety by cutting FDA's food safety programs by about $241 million. In the United States, an estimated 76 million people get sick each year with food-borne illnesses and 5,000 die, according to the U.S. Centers for Disease Control and Prevention. All of the medical costs and economic losses associated with food-borne illnesses add up to a staggering price of $152 billion, says the Pew Charitable Trusts. By slashing funding from the FDA's food safety programs, more and more people will get sick, and the $152 billion annual pricetag is going to climb even higher. That doesn't sound like a responsible physical or fiscal policy to me.

Clean water: Although more than 70 percent of the Earth is covered in water, only about 1 percent of all the water on the planet is safe to drink. H.R. 1 will reduce that 1 percent by allowing major corporations and developers to pump toxins into our water, and by failing to invest in the necessary infrastructure to maintain, treat, and deliver safe drinking water. It reduces the Drinking Water State Revolving Fund by 56 percent, a program that leverages significant private finances by providing low and no-interest loans to States to fund drinking water infrastructure improvement projects.

Leaking pipes and deteriorating mains lead to costly bacteria contamination and cause chronic health problems to thousands of Americans.

As you can see, the physical health of our Nation is being threatened, not just the fiscal health. We need to be concerned about the physical health of our children and be concerned about how the long-term effects of this will be.

A TRIBUTE TO CONGRESSMAN STEVE HORN

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

Mr. DREIER. Mr. Speaker, the week before last, just before we adjourned, we got the sad news of the passing of our good friend and former colleague Congressman Steve Horn.

Steve Horn was without a doubt one of the most intelligent and accomplished Members to ever serve in this body, and at the same time, Mr. Speaker, he was one of the kindest and most decent Members. He got his bachelor's degree from Stanford University, his master's from Harvard, and went back and got his Ph.D. at Stanford University. He served in strategic intelligence in the early 1950s in the U.S. Army Reserve, and then he got involved in public service in a big way. He served in the Eisenhower administration, and he went on to become legislative assistant to California Senator Tom Kuchel.

From that point forward, he dedicated himself to public service, and he expanded that greatly. He got into education, and for nearly two decades,

from 1970 to 1988, he served as president of the California State University at Long Beach. During that period of time, he was named one of the 100 most effective college presidents in the country.

Mr. Speaker, then he joined us here as a Member of Congress, serving for five terms. He was an individual who spent a great deal of time and effort focusing on issues. In fact, one of the great stories about Steve Horn I heard from his former staff member, who I'm happy to say when he left came to work for me, Alisa Do, who was his legislative assistant, now my legislative director—she told me of how they would often be looking for Congressman Horn. There were votes taking place here in the House, and he was over in the Library of Congress, didn't have a pager with him—we didn't have BlackBerrys at the time. And yet he was over there in the library studying, trying to get more and more information and develop his knowledge.

He also was someone who never hesitated to go against the grain. He served on the Government Operations Committee—government reform was a priority for him—and Transportation. He represented the Long Beach area, and he understood that 40 percent of the goods going to and from the consumers and workers of the United States go through the ports of Long Beach and Los Angeles, and he was always dedicated to ensuring that that was a very high priority. And he had this great focus on reforming and improving the operations of the Federal Government.

Mr. Speaker, he was an institutionalist. He loved this body, understanding that the deliberative nature of service here and of our work is very important and can't be forgotten.

Steve leaves his wonderful wife, Nini—they were married for 57 years—two children, and one grandchild. And I've got to say that I miss his advice, counsel, friendship, and camaraderie.

I would now like to, in the spirit of bipartisanship, yield to my friend from Manhattan (Mrs. MALONEY), who served with him on the Government Reform Committee.

Mrs. MALONEY. I thank the gentleman.

I rise in tribute to Representative Steve Horn. He was a thoughtful, dedicated, honorable man who built his record on bipartisan cooperation and commitment to good government.

He was a legislator's legislator. He was deeply committed to doing the right thing, writing the right bill, getting it passed. And he was also a very good friend of mine. He came with his wife and visited me in my home in New York. I went to visit him in his district, the district that he loved and was totally dedicated to.

During his 10 years of service here in the House of Representatives we worked together on the Oversight and Government Reform Committee. He chaired the Subcommittee on Government Management, Information and Technology for 6 years, and I was the ranking member with him. So not only was he dedicated to running government better, saving taxpayers money, but he also legislated and passed many important bills.

He helped me pass a bill that I authored, the Nazi War Crimes Disclosure Act, which we worked on together for roughly 7 years—it took us that long to pass it. A book has been written about that process and the bill, and what it has done to help in problem-solving now as we confront delicate issues going forward.

□ 1030

The first hearing on the Debbie Smith bill, which has been called the most important anti-rape bill in the history of our country, was in his committee where Debbie Smith testified about her rape, the fact that no one was reacting to it. And this whole effort, including that hearing that he chaired, was made into a movie called ''A Life Interrupted'' and how DNA has been used to put rapists behind bars.

He was a dedicated, wonderful person. He also chaired the Arts Caucus and worked hard for its funding.

In a time when we talk about bipartisanship, Steve Horn was the real deal: a bipartisan problem-solver. He wanted to get the problems solved. He wanted to help this country, help his community. He was devoted to his wife and two children and grandchild. He was just a great guy.

Mr. DREIER. I thank my friend for her very thoughtful contribution.

Mr. Speaker, I just want to say that our thoughts and prayers are with Nini and their wonderful family.

FOOD SECURITY IS NATIONAL SECURITY

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

Mr. MCGOVERN. Mr. Speaker, at the end of January, the United Nations reported that the cost of basic food commodities—basic grains, vegetable oils, sugar—were at their highest levels since the U.N. created this index in 1990.

Two weeks ago, World Bank President Robert Zoellick announced that the Bank's food price index shows food prices are now 29 percent higher than they were a year ago. Zoellick warned the G–20 to put food first when they next meet.

The World Bank estimates that these recent food price spikes have pushed about 44 million people into extreme poverty. That's under $1.25 a day.

This is a global security crisis.

The lack of food security contributes to political instability. Food was a primary reason people first took to the streets in Tunisia. Food and poverty were right at the top of the list in the squares of Egypt right next to the call for political freedom.

In 2007 to 2008, the last global food crisis, there were major food riots in nearly 40 countries. In May 2008, my fellow cochair of the House Hunger Caucus, Congresswoman JO ANN EMERSON, and I were briefed by the GAO about the lack of coordination and continuity in U.S. food and development programs. We started calling for a comprehensive approach to address global hunger and food insecurity.

Now, thanks in large part to the efforts and leadership of Secretary of State Hillary Clinton and USAID Director Raj Shah, the U.S. Government responded to that call and, over a 2-year period of time, initiated a comprehensive, government-wide approach to reduce global hunger and increase nutrition and food security—not because it feels good, not even because it's the right and moral thing to do, but because it's in our national security and economic interest to make countries' food secure, more productive, healthier, and more stable.

This strategy is known as the Global Hunger and Food Security Initiative. It includes our bilateral programs and efforts with other governments and multilateral institutions. To be successful, everyone has to pitch in.

Feed the Future is the signature program of the U.S. strategy. It works with small farmers and governments to increase agricultural production and strengthen local and regional markets in order to reduce hunger and grow economies.

Other key elements include the McGovern-Dole Food for Education and Child Nutrition Program that brings kids to school and keeps them there by making sure that they get at least one nutritious meal each day at school. This program has proven to be especially effective in convincing families to send their daughters to school.

And finally, there is our Food for Peace Program, which provides food to millions of women, children, and men caught in life-threatening situations brought on by natural disasters, war, and internal conflict. This program provides U.S.-grown commodities and locally purchased foods that literally keep people trying to survive in the world's most dangerous situations alive.

Mr. Speaker, I have never heard anyone say that they would like to see more hunger in the world, that they would like to see children too weak from hunger to be able to learn, or young girls forced to work long hours because they no longer are being fed at school. But that's exactly what the budget cuts that passed the House 1 week ago would do.

The House cut $800 million out of the food aid budget and over 40 percent from the development assistance, which is where Feed the Future is funded. If these shortsighted and, quite frankly, callous cuts are allowed to stand, we would literally be taking the food out of the mouths of over 2 million children. We would be depriving

over 18 million people the food that keeps them alive in Haiti, Darfur, Afghanistan, Guatemala, Ethiopia, Kenya, and elsewhere. We would be turning our backs on countries where we made commitments to help boost the production of their own small farmers so they could finally free themselves of having to depend on U.S. and international food aid to feed their own people.

Enough, Mr. Speaker, enough.

This isn't a question of charity. It's an issue of national security, of what happens when desperate people can't find or afford food, and the anger that comes from people who see no future for their children except poverty and death.

I ask President Obama to stand up for his programs and fight for them. I ask the White House to hold a global summit on hunger, nutrition, and food security. I ask the media to wake up and grasp the consequences of these shortsighted cuts. And I ask my colleagues on both sides of the aisle to fund these programs so they can be successful. It really is a matter of life and death.

[From the New York Times, Feb. 24, 2011.]

THE FOOD CRISIS

Food prices are soaring to record levels, threatening many developing countries with mass hunger and political instability. Finance ministers of the Group of 20 leading economies discussed the problem at a meeting in Paris last week, but for all of their expressed concern, most are already breaking their promises to help.

After the last sharp price spike in 2008, the G–20 promised to invest $22 billion over three years to help vulnerable countries boost food production. To date, the World Bank fund that is supposed to administer this money has received less than $400 million.

Food prices are now higher than their 2008 peak, driven by rising demand in developing countries and volatile weather, including drought in Russia and Ukraine and a dry spell in North China that threatens the crop of the world's largest wheat producer. The World Bank says the spike has pushed 44 million people into extreme poverty just since June.

In 2008, 30 countries had food riots. That has not happened, at least not yet. Sub-Saharan Africa, in particular, has benefited from improved agricultural productivity. The United Nations Food and Agriculture Organization warns that Mozambique, Uganda, Mali, Niger and Somalia are extremely vulnerable to instability because of rising prices, along with Kyrgyzstan and Tajikistan in Asia, and Haiti, Guatemala, Bolivia and Honduras in Latin America.

Misguided government policies could make matters worse. Some countries are stockpiling food. When India did that last year, food ended up rotting in storages. Others are imposing agricultural export bans, which discourages investment in production. The world's wealthier nations must press them to rethink these polices and back that up with real help.

The Obama administration has proposed worthy initiatives, but even when Democrats controlled Congress it had a hard time getting the money. The administration pledged $3.5 billion to the G–20 effort. So far, it has delivered only $66.6 million to the World Bank fund.

It is now asking for $408 million for the fund—part of a $1.64 billion request for its Feed the Future initiative, which aims to bolster poor countries' food production capabilities. Congressional Republicans are determined to hack as much as they can out of foreign aid. The continuing resolution passed by the House cuts $800 million out of the food aid budget—bringing it down to about $1 billion, roughly where it was in 2001.

The White House needs to push back hard. This isn't a question of charity. It is an issue of life or death for millions of people. And the hard truth is that if the United States doesn't keep its word, no one else will.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, last week Secretary of Defense Gates spoke at West Point, and I would like to quote one comment from his speech:

''In my opinion, any future Defense Secretary who advises the President to again send a big American land army into Asia or into the Middle East or Africa should 'have his head examined,' as General MacArthur so delicately put it'' years ago.

Again, this is Secretary Gates. I have great respect for Secretary Gates. I think he is one of the true outstanding Secretaries of Defense this country has ever had.

Mr. Speaker, the reason I'm here today, I bring a photograph of a flag-draped coffin—it's called a transfer case—being escorted off a plane at Dover Air Force Base.

Mr. Speaker, it is time to bring our troops home. They have been in Afghanistan for over 10 years. I would also say it is time that this Congress met its constitutional responsibility to debate war and whether we should be there or bring our troops home.

In recent weeks, I was very concerned to hear our government and military leaders saying that it could be 2014 before we start significantly downsizing our troops in Afghanistan. Mr. Speaker, that brings to my mind trips to Walter Reed in Bethesda. So I will ask this question:

How many more young men and women must lose their legs, their lives for a corrupt government that history has proven will never be changed? Why should they be dying and losing their legs for Karzai, who doesn't even know that we're his friends? It makes no sense.

I will quote a highly decorated retired military general who has been advising me on Afghanistan for the past year:

''What is the end state we are looking to achieve? What are the measures of effectiveness? What is our exit strategy? Same old questions, no answers. What do we say to the mother and father, the wife of the last marine killed to support a corrupt government and corrupt leader in a war that can't be won?''

Mr. Speaker, these are words from a general that fought in Vietnam for this country, that reached the highest he could in the branch of service where he served.

Mr. Speaker, as you know, I represent the Third District of North Carolina, the home of Camp Lejeune Marine Base. Recently, I was with a marine who has served this Nation for years. He shares my concern about getting out of Afghanistan. So I asked this marine if he would write me a letter, and this is what he wrote:

''Congressman JONES, I am writing this letter to express my concern over the current Afghanistan war. I am a retired Marine officer with 31-plus years of active duty. I retired in 2004 due to service limitations or I am sure I would have been on my third or fourth deployment by now to a war that has gone on for too long.''

I will quote end, Mr. Speaker, of his letter to me:

''The Afghanistan war has no end state for us. I urge you to make contact with all of the current and newly elected men and women to Congress and ask them to end this war and bring our young men and women home. If any of my comments will assist in this effort, you are welcome to use them and my name.''

His name is Dennis G. Adams, Lieutenant Colonel, Retired, United States Marine Corps.

Mr. Speaker, before I close, I want to remind those on the floor of the House today that I hope, if you haven't had the chance, that you will go to Walter Reed in Bethesda to see the young men and women that will never walk again, to see the young men and women that maybe will not ever think properly again because of PTSD and TBI.

And I want to remember the young soldier, 22 years old, a private in the United States Army, who before I walked in the room, the escort, Major Mack, said to me: This soldier has no body parts below his waist. They've all been blown away.

□ 1040

So, Mr. Speaker, it's time for the Congress to meet its responsibility and demand a debate on the floor of the House about bringing our troops home from Afghanistan.

Mr. Speaker, in closing, as I always do, as I look at this beautiful photograph of a soldier who gave his life for this country and the escort team, God, please bless our men and women in uniform. God, please bless the families of our men and women in uniform. God, please hold in Your loving arms the families who have given a child dying for freedom in Afghanistan and Iraq.

God bless the House and Senate that we will do what is right in Your eyes for today's generation and tomorrow's generation. I ask God to give wisdom, strength, and courage to President Obama that he will do what is right in the eyes of God.

And three times I will ask, God, please, God, please, God, please continue to bless America.

RECENT FISCAL HISTORY

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

Mr. HOYER. Mr. Speaker, first I want to congratulate the gentleman from North Carolina for the remarks he just made. He is a Republican and I am a Democrat, but I will tell you this: We are friends, and we work together. And he is one of the most conscientious Members of this House, who follows his conscience and his moral values in making decisions. He gave a very moving and important speech on the floor today. I thank the gentleman, Mr. JONES, from North Carolina.

Mr. Speaker, when I come to the floor to speak about our country's recent fiscal history, I am often told there is no point in looking back. But Majority Leader CANTOR got it entirely right when he wrote this: ''The future will not be won by repeating the mistakes of the past.'' The future will not be won by repeating the mistakes of the past. Unfortunately, however, we are proceeding on a path that shows little inclination to live by those words.

Once again, our Republican colleagues are using the language of fiscal responsibility, but pursuing policies of fiscal irresponsibility. Our colleagues across the aisle trumpet the $100 billion in domestic discretionary spending they voted to cut from our budget. However, their actions belie those words. Their very first action in this new Congress was to approve policies, a rule package, that would provide for borrowing an additional $5 trillion, unpaid for. Their budget policy would give us the worst of both worlds.

On the one hand, they failed to take on the real fiscal challenges. And, very frankly, there is blame to share across this Chamber, Republicans and Democrats, for failing to take on those challenges. But the policies they're pursuing would even make our situation worse. On the other hand, the cuts they do make are taken out of vital investments that would grow our economy and create jobs. As I will mention later on, some 700,000 to 800,000 jobs over the next 18 months, it is projected, would be cost by the adoption of their policies. This combination is not new. It is a repeat of Republican fiscal policy in the past.

Let's look at the evidence. First of all on deficits, what this chart shows is everything below this line is a deficit. Everything above this line is a surplus. Obviously, what you want is the deficit going down into surplus. What you don't want is going from surplus into deficit. You will notice that the Reagan administration, Reagan-Bush, are noted in this first red quadrant, and the Clinton administration going from deep debt to surplus, then the Bush administration going from surplus into deep debt. And the Obama administration trying to get out of the extraordinarily tanking, receding economic status, invested in bringing us out, and now we see us coming out.

It shows how the fiscally responsible policies adopted under President Clinton took us into surplus. It unfortunately shows that when we reversed those policies in 2001, we then went back into deep deficits. We all know how those predictions that Republicans made when we adopted this economic program, for which none of the Republicans in the House or the Senate voted for, they said economic catastrophe would occur. That was their analysis. That was their economic prediction. In fact, exactly the opposite happened, and we created 22 million new jobs for Americans. This deficit chart also shows how our record surplus was squandered during the Bush administration.

The second chart I want to show you talks about government spending. We have to cut spending. We all know that. We all talk about it. But let's look at who actually did cut government spending.

Again, government spending was up and down, but at a rate higher than it was under the Clinton administration where spending, as a percentage of our gross domestic product, almost without exception, went down. So when we talk about spending, we have a record of restraining and cutting spending. In fact, that was a partnership, frankly, because Republicans agreed to make compromises with the Democratic President.

However, when they controlled the Presidency, the House, and the Senate, you will see that spending went up sharply once again. Again we see government spending as a percentage of the economy rising under President Bush, and after the emergency measures needed to respond to the recession, starting to come down after the recession was ameliorated.

Real median wages. I want to show this chart as well. Because, after all, these are nice statistics, but what does it do for people? What is the impact on them? Real median wages sort of stuck. And I will end with this and complete the rest of my statement later, Mr. Speaker. But you will see that median wages under President Clinton's administration went up, and then they were flat. And they are going up again now under President Obama. Too slowly to be sure.

Mr. Speaker, I will continue these remarks, because if we do not learn from the past, if we repeat the failed policies of yesterday, our people will not be well served.

IMPROVING THE ECONOMIC ENVIRONMENT

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

Mr. QUAYLE. Mr. Speaker, a little more than a week ago this House passed a continuing resolution with $100 billion in spending cuts. Not only was this an important step towards reining in our Nation's paralyzing deficits, it also sent a clear signal to job creators that House Republicans are determined to foster an economic environment where certainty and confidence can return to the marketplace.

When a young family looks for a new neighborhood, they examine a variety of factors. They might ask about how safe it is. They might want to know about the school system or whether their neighbors are friendly. The broader question being: What is the environment like?

Job creators take a similar approach when they decide whether it's safe to invest capital, expand their businesses, and hire new workers in America. Just as a family is not going to choose a neighborhood with overflowing sewers and a high crime rate, a business owner is not going to expand and invest in an economic environment marred by debt-fueled uncertainty that will increase the costs to run their business. After all, deficits are just deferred tax payments that eventually come due.

We must ensure that America is the most attractive and safest place to start a business, take risks, and invest capital. It is essential that we send a clear signal to American businesses that both parties are committed to removing the barriers to job growth and economic development.

□ 1050

Republicans believe—and I would argue the American public believes—that cutting spending is a crucial step in that process.

Yesterday, Mark Zandi released a study which argued that the Republican spending cut plan would cost jobs. I am sure Mr. Zandi is a nice enough person, but in recent years, he hasn't seen a spending increase he didn't like. He was the Democrats' go-to guy when they were looking for an economist to endorse the stimulus, and he even endorsed a second stimulus package after the initial $1 trillion package was signed into law. So before my Democrat colleagues start touting Mr. Zandi's report, I suggest they look at his record on the so-called stimulus.

By merely debating spending cuts for the past few weeks, this body engaged in a process that many feared was obsolete. Some have said Republicans are trying to cut too much, others, that we are not cutting enough; and, indeed, we still have a long way to go to get our deficits and debt under control.

But what no one can dispute, Mr. Speaker, is the fact that we are serious about cutting spending. In addition to the $100 billion in cuts Republicans have offered over the next year, we have also made clear that our upcoming budget will include serious, commonsense entitlement reforms.

All of these efforts have one goal in mind: producing an environment conducive to economic growth and job creation. House Republicans are doing what we were sent here to do, and that's precisely what our job creators need: clarity and decisive leadership

from their government, not mixed messages and delayed action.

MILLIONS OF ORDINARY PEOPLE RISING UP IN PUBLIC ASSEMBLIES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, across the world we witness millions of ordinary people rising up in public assemblies, many at risk to their own lives speaking out for a better life for all. From Madison to Misurata, from Cairo to Columbus, courageous people are taking a stand for justice for the many, not just the few.

Another giant rally is planned today in Columbus, Ohio, where Republican Governor John Kasich, the son of public workers, is systematically attacking the hard-earned collective bargaining rights of our State public workers, policemen, firefighters, teachers and other public sector workers. He even called an Ohio policeman an idiot and was forced to apologize. That is his priority, not job creation, not education, not economic development, but attacking workers. That is why thousands of people will converge on the State's capital again today to call him out on his extreme right-wing agenda.

The public outcry started in Wisconsin, given its long history of progressivism. Americans have begun to rise up to prevent more harm being done to our way of life, more attacks on our jobs, more threats to the standard of living of our middle class, more cuts in wages and benefits of hard-working families. The movement is spreading, just as the democracy movement is spreading across Northern Africa and the Middle East.

Just as we watch freedom rising in Egypt, Libya, Tunisia and beyond, we watched the spectacle of America's Governors trying to dictate to citizens who earn, on average, $24,000 and aren't even eligible for Social Security, but receive about $900 a month in average public employee retirement benefits, that they should sacrifice even more to balance State budgets.

No, they don't deserve to be made scapegoats for their States' budget problems, and they don't deserve to be put on the front lines of the battle to save workers' rights; but they are there, nonetheless, and they deserve our support. We are all Wisconsinites. We are all Buckeyes. We are all Hoosiers. We have to stand together united for America, for the good of many, not just the few.

If John Kasich wants to look for scapegoats, perhaps he should draw upon his experience with Lehman Brothers. Maybe he should look into his Rolodex for some of his cronies from Wall Street who helped bankroll his campaign. Because the real culprits who have caused the real deep, economic harm to our Nation are watching gleefully on the sidelines as our friends and neighbors try to protect their livelihoods.

Wall Street's greed caused the financial crisis. That greed triggered lower State and local revenues with the devaluation of housing and rampant foreclosures. Yet the Wall Street titans who stole our home equity, our annuities, our pension accounts remain scot free of any real attention or prosecution.

I have a message to our Governors: blame Wall Street, not Main Street. When six megabanks control two-thirds of the banking system of our country, when corporate profits are at record highs, yet ordinary workers are being asked to empty their pockets to balance State budgets, something is really out of kilter in America. When GE and Exxon don't pay taxes and Wall Street executives walk away with huge bonuses while home foreclosures increase, what's seriously out of balance in America is the distribution of political power in this country.

In Ohio, the brothers and sisters of the heroes of 9/11, our firefighters and police, are being asked to give away their rights as free American citizens at the bargaining table for wages and benefits. Our Governor wants to abolish middle class prevailing wages, same in Wisconsin. Any nation that loses labor rights loses democracy.

What's at stake in our Nation is more than wages. What's at stake is liberty for all and opportunity for all. Governor Walker, it wasn't the firefighters in Madison that robbed Main Street and stole our home equity. You might ask your friends, the Koch brothers, about that.

Governor Kasich, it wasn't the teachers in Ohio who financed the shipping of our jobs offshore through NAFTA. You voted for it, and your buddies on Wall Street rammed it through Congress.

And, Governor Daniels, it wasn't your public sector workers that created the biggest financial bubble in U.S. history and then jumped ship when it burst, letting everyone else go down. That was created by the policies of George W. Bush, where you served as director of the OMB while the Federal budget deficit exploded.

I salute America's workers who are fighting for the middle class and our way of life. The whole world is watching.

After the American people win their battles in Madison, in Columbus, in Indianapolis, I hope they take the fight to Wall Street and get our money back. That's who has it.

BORDER WAR CONTINUES—NO END IN SIGHT

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

Mr. POE of Texas. Mr. Speaker, the border war continues, and there is no end in sight. This week, President Calderon of Mexico is coming back to Washington D.C. He is going to meet with our President. It will be interesting to see if he continues to blame America for his problems.

You remember the last time he was here, he stood here on the House floor and dressed us down as Members of the United States House of Representatives, blaming us for his problems, blaming us for the corruption, blaming us for the drugs that are in Mexico, blaming us for the violence in Mexico, blaming the folks in Arizona for trying to protect their own border. I wonder if he will continue the blame game.

The problem is the situation is worse, not only on the border, but in Mexico. Corruption along the border with Mexican law enforcement continues, even though the Mexican military is doing a fairly good job of reining in the drug cartels.

And he blames the United States for the guns that are in Mexico. You must remember, Mr. Speaker, just some of the guns that go to Mexico are from the United States. Guns from all over the world end up in Mexico. There are a lot of reasons for that. One of those is Mexico doesn't protect its borders any better than we do.

People throughout the world know if you can get to Mexico by any means, whether you want to bring contraband, drugs, guns or people, you can eventually get into the United States. Mexico, like the United States, doesn't have operational control of the mutual border between the United States.

Even the General Accountability Office, who are the people who keep up with statistics, made this report recently, that on the United States border with Mexico, only 44 percent of the border is under the control of the United States and only 15 percent is airtight.

So who controls the other 56 percent of the U.S. border with Mexico? If it's not the United States, it's not Mexico, who controls it? We don't know. Probably the outlaws, the drug cartels. They are the ones that have operational control of both sides of the border because the situation on the border continues to get worse.

Mexico doesn't protect its border from people going into Mexico from any direction, and the United States doesn't protect its border adequately to keep drugs and violence from coming into the United States.

□ 1100

Unfortunately, this is continuing to get worse. Last year, 65 Americans were killed in Mexico, and to my knowledge, none of those cases was solved. You see, Mexico has a terrible record of solving crimes not only against Americans, but against Mexican nationals. Over 3,000 people were killed in Juarez last year. That's more people than were killed in Afghanistan last year. It is a serious, violent situation.

And will it continue to come across the border? Some say, oh, it won't come to America. Let me give you one statistic. The 16 border counties in

Texas that border Mexico, on any given day, about 35 percent to 40 percent of the people they have in their jails are foreign nationals charged with crimes in the United States. These are not immigration violations. These are crimes, some of them violent crimes—35 percent to 40 percent. So the crime is already pouring over because people can go back and forth across the U.S.-Mexican border at will because there are parts of the border that no one controls.

In fact, the situation is so bad this year that the Texas Department of Public Safety today has made a statement telling young people about spring break. And here is what they say: ''Various crime problems exist in many popular resort areas of Mexico such as Acapulco and Cancun, and crimes against U.S. citizens often go unpunished.''

''The safety message is simple: avoid traveling to Mexico during spring break and stay alive.'' So, we are even being warned not to let your kids go to Mexico during spring break because it is not safe.

So what do we do about this? Well, there was raids recently this week because of an ICE agent that was killed in Mexico. Raids were made in the United States, and 676 drug cartel members were arrested, $12 million was seized, lots of drugs and lots of guns. And it's a point that we need to understand as citizens, that the drug cartels operate in Mexico, but they operate in the United States as well. They bring those drugs to other gang members throughout the cities of America, and they sell those wares here in the United States. So the crime does occur on both sides of the border. And we need to understand that.

It is important that we deal in reality and understand that the border is a war zone. A Texas Ranger once told me, he said, ''Congressman POE, after dark on the Texas-Mexican border, it gets western.'' Those days need to end. We need to put the National Guard on the border and secure the border. It will protect the United States and Mexico. And that's just the way it is.

WE STAND WITH OHIO WORKERS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. SUTTON) for 5 minutes.

Ms. SUTTON. Mr. Speaker, today people from across Ohio are gathering at the Statehouse in Columbus. They are gathering to speak up for workers and the middle class in this country. Last Tuesday, I went to Columbus and joined our brothers and sisters in our fight to protect the right of public employees to have a voice at the negotiating table. And as we gathered to oppose Senate bill 5, that backward effort of Governor Kasich and his Republican friends in the State legislature to eliminate collective bargaining, I was struck by the weight of the moment and by the weight of this fight. But I was inspired, too—inspired to see thousands of people from across the State coming together to protest the radical measures that the Republicans were proposing.

Though we can't be there today physically, we are there with those who gather at the Statehouse, and we stand with them from our place here in our Nation's capital. Last week, we were there shoulder to shoulder, people in common purpose, standing up for working families, standing together in the fight for the promise of the middle class.

The unfair, backward-thinking attack on Ohio's firefighters, police, teachers, nurses, and other dedicated public employees must be stopped. And I'm proud to be standing with Ohioans that are fair-minded as we fight for progress, not for a return to old ways. Instead of pursuing this draconian measure attacking Ohio's working families, lawmakers at every level of government should be focused on the critical priority of getting people back to work instead of engaging in attacks on those who have chosen to teach our children, protect our communities, and keep us safe.

Everyone should be working to strengthen our economy and create jobs. That, in turn, would generate the revenue we need to fairly compensate our public employees with the wages and the benefits which they have been promised and they have earned. The focus of all officials, as I said, across all levels of government, should be on creating jobs, not taking more from our workers. It was not our workers who drove the economy off the cliff. It was not our workers in Ohio. It was not the workers in Wisconsin. But it seems that the Republicans just can't stop themselves. Similar efforts to disempower working families and the middle class are occurring right here in Washington.

It is not just collective bargaining for public employees that they're after. Two weeks ago, Republicans tried to pass a measure in Congress to prohibit the paying of prevailing wages and to stop local project labor agreements, which would put a hard hit on our trades people. They even tried to eliminate the National Labor Relations Board, the very board that exists as a referee to make sure that our workers get a fair shake.

Yet they have not offered any job creation bills. And at the same time they are not creating jobs, they are defunding programs that have real benefits: their refusal to expand the trade adjustment assistance that helped workers who were displaced because of the trade policies that they pursued; the refusal of some to extend unemployment benefits to those who are out of a job through no fault of their own. At the same time they are working to not create jobs, they are also giving no assistance to those who are left without a job. It's issues like these that make it so important that we keep our heads up in Ohio.

And to all of those who are out there in Ohio and across the country fighting this fight, it's an important fight, and what you do matters. It's important that we speak up and be heard so that the issues that matter to us so very deeply are well sounded. We have to stand together and work together and fight forward.

Using the deficit as an excuse, there are those who are trying to convince the American people that a more fair economy would result in a much less efficient economy. But fairness and efficiency are not mutually exclusive. Using the deficit as an excuse to give a disproportionate hit to workers or unions is not the way to go.

I would hope that the Republicans, both at the State level as well as here in Congress, would join with us to focus on what we really need to do, and that is to create jobs. And I would hope that they would stop the misguided attack on workers and the middle class.

THE IMPERIAL PRESIDENT

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

Mr. LANKFORD. Mr. Speaker, I rise to challenge this body, and I hope that my message is well received. This Nation was founded on the rules of the Constitution, not the opinions of Republicans and Democrats. Our decisions are judged in the light of the traditions of the past and the precedent that it sets for the future and the future generation.

Mr. Speaker, according to our Constitution, a President cannot pick and choose which parts of the law he prefers. The executive branch does not write the law nor choose the law. It enforces the law. The basic function of every President is to enforce the law. Every executive branch agency has its foundation in a short and clear statement from the Constitution stating this: He—that means the President—shall take care that the law be faithfully executed.

A President can petition for laws to be changed. He can complain about a law. He can encourage passage of new law. But he cannot just ignore the law or write new law. Only the courts can throw out a law, and only Congress can write a law. The President and the Department of Justice cannot unilaterally decide not to enforce the Defense of Marriage Act.

For decades, the Congress has been donating their constitutional powers to the executive branch by giving increased rulemaking authority to the different agencies. Our agencies now write rules that look more like legislation than regulation. We have allowed people to serve in ''Cabinet lite'' level positions without Senate approval. We have exponentially increased the budget for White House staff. And now the President wants to set a new precedent that he alone can determine which

laws he likes and he does not like. With this action, the President has invented a retroactive veto on all previous Presidents and all previous congressional acts.

It is ultimately ironic that the executive branch states that several lower courts have rejected the Defense of Marriage Act as unconstitutional, so they are accepting the lower court rulings over a higher court. In the past year, the health care law was ruled unconstitutional, but the Federal Government is pressing forward. The administration was instructed by the courts to lift the drilling moratorium in the gulf, but they stalled.

□ 1110

It is apparent that this administration is bent on placing its political preferences ahead of the courts, ahead of the legislative branch, and the majority of the American people.

Both parties need to understand the precedent that's being set by the President's choosing to not enforce the Defense of Marriage Act. My Democrat friends should imagine for a moment, what if when a Republican President takes the oath and he instructs HHS and all other agencies not to enforce ObamaCare, though it's the law of the land, because some lower court rejected it? They would be outraged, rightfully so, because currently it is the law of the land. A President cannot just unilaterally throw it aside.

Before this conversation is spun as a partisan issue, let me remind everyone, though, that the Defense of Marriage Act passed the House and the Senate by a wide bipartisan majority and was signed into law by a Democrat President. This is not only a slap in the face to our constitutional system; it is a slap to Republicans and Democrats who expressed the will of their districts and States on an issue that has been settled in law.

The people spoke through Congress, and one person, even a President, cannot undermine the will of the people. At least not in the America that I grew up in.

I do not think we will fully understand the implications of this action if we allow it to stand. We must not act partisan now and regret it later. This is not the way to deal with the gay marriage debate, for the President to just sweep it aside and say, ''I will not enforce the law.''

Many in this Chamber are well aware of my traditional view of marriage and my Biblical world view. I am unashamed of my personal faith in Jesus Christ. I believe that words have meaning, though, and that the meaning of marriage is the union of a man and a woman. The Defense of Marriage Act codified that definition in law, representing the belief of a majority of Americans.

This issue is well beyond faith, though, or a social issue or even a political issue. Marriage is now not only the center of a national debate, it's now the center of a constitutional debate.

Weeks ago some members of the press suggested that Republicans would ignore the budget and focus on social issues. I find it ironic now that the President has submitted a budget that will raise the national debt to $26 trillion, by his own numbers, and he has decided to change the national debate from fiscal issues to social issues and gay marriage.

As a Congress, we cannot demand of the executive branch, which is a coequal branch of government. But I believe we must require the executive branch to fulfill its oath of office and constitutional requirement to faithfully execute the laws of the United States.

COLLECTIVE BARGAINING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. FUDGE) for 5 minutes.

Ms. FUDGE. Mr. Speaker, I rise today to express my strong opposition to attempts by the Republican Governor of Ohio to undermine collective bargaining for Ohio's public employees.

Ohio Senate bill 5 is a measure currently under consideration by the Ohio General Assembly that would strip State workers of collective bargaining rights. I firmly support the right of public employees to collectively negotiate. Who are we as a Nation when we tell our firefighters and our police officers and other public protectors that they should have no say in their working conditions? Does a teacher's experience or education have no economic value? Ohio's proposed legislation is less about fiscal responsibility than an overt political attack on public workers who speak with a collective voice.

As labor battles erupt in State capitals around the Nation, a majority of Americans say they oppose efforts to weaken the collective bargaining rights of public employee unions. According to the latest New York Times/CBS News poll, Americans are against cutting the pay or benefits of public workers to reduce State budget deficits.

We shouldn't forget, Mr. Speaker, the benefits that collective bargaining offers. For almost 28 years, collective bargaining has reduced labor strife, it has reduced the likelihood of strikes, improved training and productivity among public employees, created a sense of job security, and it is fair. It is fair to all working people.

The repeal of collective bargaining will do nothing to balance the budget. Nine percent of the State's budget is for State employees. So just as an example, if we fired every State employee in Ohio, it would save us only $2 billion, leaving the State without vital services, and there would still be a $6 billion deficit. Since this does not address the budget deficit, it is clear that anti-worker forces are using this to harm middle-income workers and to kill jobs.

I would like to share a observation with you that was from a former President of the United States, and I quote:

''Republicans stand foursquare for the American home—but not for housing. They are strong for labor—but they are stronger for restricting labor's rights. They favor minimum wage—the smaller the minimum wage, the better. They endorse educational opportunity for all—but they won't spend money for teachers or for schools. They think modern medical care and hospitals are fine—for people who can afford them. That is the philosophy of the masters of the Republican Party.''

These are the words of President Harry Truman, and they were spoken in 1948. These words ring as true today as they did in 1948. We have made too many advances over the past generations, and Americans should not be forced to choose between a job and their rights.

We cannot and should not return to the days when public workers had limited rights to bargain. The middle class was created and has been sustained by collective bargaining and other labor protections. The public sector is about working families. Rolling back these rights will hurt the middle-income wage earners of this country and will hurt America.

Ohio needs jobs, not a partisan victory. I urge members of the Ohio General Assembly to deliberate with care and avoid rushing to adopt a measure that weakens our middle class, weakens our State, and costs us jobs.

HIGH-SPEED RAIL FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. BROWN) for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker and Members of the House, I rise today as the ranking member on the Transportation Subcommittee on Railroads. I have been on this committee for over 19 years. I serve on Transportation because it's one of the most bipartisan committees in the House.

I have got to tell you I am very, very disappointed with Florida Governor Rick Scott. Last week, the Governor told Secretary of Transportation Ray LaHood that the State of Florida can do without the $2.5 billion for Federal highway rail funding. That's $2.5 billion, and 90 percent of the project is funded with Federal tax dollars. That's money that Floridians sent to Washington that we are sending back to Florida, gasoline tax money, not money from any foreign source, by the way.

In addition, it didn't just happen. We worked on it, bipartisan, for years. In fact, in 1980 Bob Graham appointed me to a committee to work on high-speed rail in Florida. Over 30 years we worked on it. And let me just tell you 90 percent of the funding would put over 60,000 Floridians to work. It's 90 percent of the funding. Is the other 10 percent there? Absolutely. The private

sector has indicated that they would put the 10 percent there.

□ 1120

I have model trains in front of me today. We have over eight companies committed to high-speed rail. In fact, we started the rail system in Florida in this country, the Florida Flagler. In this country, we started the rail system, and now we are the caboose; and they don't use cabooses anymore.

But all of our partners, the Chinese, the French, eight different countries want to be our partners. They have indicated that they would put up the 10 percent because they want to have the first right of refusal to go from Orlando to Miami. And everybody knows that's the money maker. Well, why is the first portion that the State of Florida applied for and the legislature in Florida came to the Congress and asked us to be partners, why was that first leg the first leg? Because all of the environmental issues have been resolved. In other words, we could put rail in Florida tomorrow if this contract went out.

Florida has 12 percent unemployment—12 percent—and in my area 15 percent. The Governor says that he's not a politician—and I agree with him—but he says he's a businessman. What businessman would walk away from 90 percent funding? So, 90 percent funding, and you're a businessman? Well, he's concerned about Florida being left with the 10 percent. Well, if you're a businessman, then you know attorneys. They can write it any way you want to make sure that we can protect the people of Florida. So that's not the issue. Money is not the issue. Liability is not the issue.

This is the worst kind of politics I've seen since I've been elected. It's a sad state of affairs. The Governor says let's get to work. I agree with you, Mr. Governor, but you have to be working on something. You have to have some projects. Infrastructure is what put America to work.

What projects do you have, Mr. Governor, in your budget? You say: Well, I want this money. I think it would be better used for ports. What's in your budget? Ports. Florida has 14 ports. We compete with other States. So what is in your budget that is going to put Floridians to work? You come and say: I want another lane on I–4. Well, anybody who lives in Orlando or visits Orlando knows another lane will not help us. We have eight lanes.

I just returned Monday from Salt Lake City, Utah, where we lost the money. A few years ago, money for Orlando went to Salt Lake City, Utah, and they run trains every day, move 40,000 people a day by rail. That's Salt Lake City, Utah. And so the money that we have appropriated this Friday will go to some other State. It will go to New York or California or Salt Lake City, Utah, or some other place. We are going to have rail in this country.

What happens when failure is not an option? We must make sure that we work together to put Floridians to work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

RESPECTING THE AMERICAN WORKER

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

Mr. RYAN of Ohio. Mr. Speaker, a few years back towards the end of my grandfather's life—he was a steelworker for about 40 years—and towards the end of his life, he couldn't drive anymore. I had the pleasure one day of taking him shopping. In Ohio, and where I come from in Niles, shopping is an art form; so we had to go to a certain place for the meat and a certain place for the cheese and a certain place for something that was on sale somewhere else. So I got to spend the day with my grandpa. We had to go and get something, and he said we should go to a certain store.

I said: Well, Grandpa, Giant Eagle is right here. We can just go right here.

He said: We can't go there.

I said: Why not? It's right here.

He said: The meat cutters are on strike and we can't cross the picket line.

He didn't go to Giant Eagle out of respect for the worker, out of respect for the situation that those workers were in at that grocery store.

And the issue that we are talking about in Ohio and in Wisconsin is an issue of respect for the average worker in the United States of America. And for us to somehow try to obscure the issue and blame workers, firefighters who go into burning buildings while we are all running out of them, police officers who we call up when we are in trouble, or teachers who we ask in many instances to spend more time with our kids than we do, somehow push the blame of the major financial meltdown that happened because of Wall Street recklessness, blame the teachers for that and ask them to go out and get rid of their right to stick together and determine what size of classroom, how many kids are in their classroom is ridiculous.

And at the same time, in Ohio, we have the top person who works for the current administration get a $40,000 pay increase from what the last Governor was paying, and the secretaries and the people in the mail room get a cut. And the firefighters and the police and the teachers get a cut.

While all of this is going on in Ohio, they want to cut the estate tax for the wealthiest people who live in the State of Ohio and ask the teacher to make the sacrifice. This is disrespectful and unfair to the workers in the State of Ohio.

If we want to have a 21st century America where we compete with the globe, where we compete as 300 million people, compete with 1.3 billion people in China, over a billion people in India, and we are going to tell our teachers that they can't be treated with respect, how are we going to get good teachers to come into the teaching profession when they are going to be the foil for all of the problems we have in our country?

When we ask them to take our kids who have lice, who haven't eaten today, who are hungry, who have a domestic violence issue in their family—these children all go before our teachers—and we are going to say that they don't have a right to bargain, a right to come together to say what size their class is? We are going to pull their pensions from them? This is not right. This is not right, and we need to get back to where we were when my grandfather was around.

We realize the world is different and we have to compete globally, but the issue is: Are we going to respect work in the United States of America? Are we going to respect the workers in the United States of America? While all these fat cats have gotten off scot free, we turn around and tell the workers in Ohio and Wisconsin and Indiana and the Big 10 Conference: You've got to take the hit.

It is unfair and it is disrespectful and it is not an American value.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

RECESS

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

Accordingly (at 11 o'clock and 28 minutes a.m.), the House stood in recess until noon.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Pastor Alisa Lasater Wailoo, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Ever-Present God, we know You by many names, but most striking, You know us and each person we represent by name and with love. Thank You.

God who heals, we pray for the full restoration of Representative GIFFORDS

and for the personal struggles of each person here. Remind us that You have the power and desire to heal each wound we carry into this Chamber.

Uniting God, give us the wisdom to understand how to work together for the plight of Your people in need. Save us from ourselves and surprise us with shared solutions for the problems Your children face.

God of all, we represent not only those who have our ear, but those who have no voice. So let us not raise our hands to vote without bowing our hearts to Your will. Through Your love that changes the world, we pray.

Amen.

THE JOURNAL

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

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

Mr. DUNCAN of Tennessee. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Tennessee (Mr. DUNCAN) come forward and lead the House in the Pledge of Allegiance.

Mr. DUNCAN of Tennessee 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.

THANKING PAT KELLY FOR HER 54 YEARS OF SERVICE TO THE HOUSE

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

Mr. BOEHNER. What helps make the People's House so special is its people. Every day, the staff members here give their time and energy not just doing the job, but fulfilling the mission of keeping this body closest to the American people.

Members come and go, but some dedicated public servants connect the House's history to its future. Pat Kelly is a shining example of this.

Like many Americans, Pat joined the family business right out of college. She went to work for her mother, Congresswoman Edna Kelly, who was the first woman to represent Brooklyn. Pat went on to serve as a legislative assistant for other members of the New York delegation and the Rules Committee.

For more than 30 years now, Pat has had a bird's-eye view of the House as editor of the Daily Digest of the CONGRESSIONAL RECORD. The Digest serves as the ''table of contents'' for each day's proceedings on the House floor and in all of the committees. And Pat's job is a daily feat of precision—and patience—that requires pulling together information from dozens of offices. And I know all of Pat's colleagues admire her thoughtfulness and attention to detail.

Today she is retiring after 54 years of service to this institution. And it's clear that Pat has not merely recorded the House's history—she's been a rich part of it, too.

When the House paid tribute to Edna Kelly in 1998, Pat was quoted as saying of her mother that she was a great person to emulate. Well, let the same be said of Pat, and may all current and future public servants be inspired by her example.

Pat, we're sorry to see you go. On behalf of all the Members of the House and staff, thank you for the dedication to this institution, and thank you for your service.

HONORING PAT KELLY

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

Ms. PELOSI. Mr. Speaker, I am pleased to join the Speaker of the House to honor a committed public servant, a woman of this House, a key thread in the fabric of the congressional staff, who retires today after 54 years of service: Pat Kelly. Fifty-four years of service.

Since arriving as a committee staffer in 1957, Pat Kelly has worked behind the scenes on behalf of the American people—never asking for recognition, never looking for the limelight.

The daughter of Congresswoman Edna Kelly, Pat said she came to Washington because, in her words, ''I just felt the urge to do something.'' And for more than half a century, she did far more than her fair share.

Pat Kelly has served in many roles on Capitol Hill. In all, she helped Members to do their jobs and worked tirelessly on issues important to her and critical to our country's future.

Few issues played a larger role for her than the fight for women's rights. In 1962, she helped her mother pass the first equal pay bill and watched with pride as President John F. Kennedy signed it into law.

As a legislative aide to former Congresswoman Martha Griffiths, Pat fought for the Equal Rights Amendment—continuing the march for equality, advancing the cause of justice for all women. Thank you, Pat. We're all in your debt.

Through it all, whether the legislation succeeded or failed, she stood by a simple mantra: ''It's important for women to be involved.''

For the past 22 years she has served as editor of the House Daily Digest, tracking committee activities and getting the word out on what's happening on Capitol Hill. In that role she has noted, ''I've been through the turnover to Republicans and back to Democrats, and tried to help each and every one of them do their jobs.''

Helping others do their jobs, working in a bipartisan way—this was the essence of Pat Kelly's career and service.

Pat Kelly's 54 years serving the House of Representatives is a reflection of her own dedication to Congress and the country, and represents the commitment, devotion to duty, and passion for service of all of our congressional staffers.

Thank you, Pat, for giving so much to the House, for all of your work, and for fulfilling your promise to ''do something'' for all Americans.

Yes, I join the Speaker in saying you will be missed. We are sorry that you are leaving. We wish you much success and, with deep gratitude, send you our love and best wishes.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 78

In the Senate of the United States, February 28, 2011.

Whereas James A. McClure served in the United States Navy during World War II;

Whereas James A. McClure served the state of Idaho as a prosecuting attorney, a city attorney, a member of the Idaho state Senate, and as a member of the United States House of Representatives;

Whereas James A. McClure served the people of Idaho with distinction for 18 years in the United States Senate;

Whereas James A. McClure served the Senate as Chairman of the Committee on Energy and Natural Resources in the Ninety-seventh through Ninety-ninth Congresses and Chairman of the Senate Republican Conference in the Ninety-seventh and Ninety-eighth Congresses;

Whereas James A. McClure served his caucus as a founding member and Chairman of the Senate Steering Committee in the Ninety-fourth through Ninety-sixth and Ninety-ninth through One Hundredth Congresses: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable James Albertus McClure, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable James Albertus McClure.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which

the concurrence of the House is requested:

S. Con. Res. 8. Concurrent resolution recognizing women serving in the United States Armed Forces.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1210

REPEAL 1099 RULE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, one of the many egregious and punitive parts of ObamaCare is the burdensome 1099 rule, a paperwork regulation that forces millions of businesses to file a 1099 tax form each time they spend over $600 per vendor. The National Association for the Self-Employed reports that those companies with 10 or fewer employees, their paperwork burden is going to jump from an average of two per year to roughly 27 per year, a whopping 1,250 percent paperwork increase.

Main Street mom-and-pop shops don't need the added costs of more regulatory requirements at a time when their efforts are rightly focused on just staying in business. It's jobs we are protecting. It's time to repeal the 1099 rule right now.

THE TIME TO GOVERN IS NOW

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

Mr. CONNOLLY of Virginia. Mr. Speaker, the time to govern is now. The reckless continuing resolution that Republicans passed 2 weeks ago is an abject failure of leadership. In the race for ever-increasing and arbitrary cuts, they demonstrated on a party-line vote that they know the cost of everything and the value of nothing.

Moody's Analytics said their approach would cost 700,000 jobs. The Economic Policy Institute said it would cost 800,000 jobs. Goldman Sachs said it would lower economic growth by 2 percent and increase unemployment by 1 percent. Even the conservative Club for Growth called it a mistake, stating, ''Cutting spending is important, but economic growth is even more important.''

Mr. Speaker, I ask that all of us, Republicans and Democrats, negotiate in good faith, in a bipartisan manner to pass a fiscally responsible CR that reduces deficits without sacrificing economic growth, that prioritizes investments in our economy that support American competitiveness without costing jobs. Let's pass a continuing resolution that strengthens the economy and creates jobs for all Americans.

INCREASE DOMESTIC OIL PRODUCTION

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

Mr. DUNCAN of Tennessee. Mr. Speaker, last Tuesday the top front-page story in USA Today said gas will soon hit $5 a gallon. If it does, it will really slow our recovery, and some think it could lead to another recession. It will really hurt the already hurting small towns and rural areas because their people on average have to drive farther distances to go to work.

Environmentalists want gas to go much higher so people will drive less; but if gas goes to $5 a gallon or even higher, it will hurt a lot of poor and lower-income and working people. I know most environmentalists come from very wealthy or upper-income families, and I know they will say we don't have enough oil to drill our way out of this problem; but if we would at least start producing a little more oil, it would be harder for other countries to keep raising their prices.

President Clinton vetoed drilling in ANWR in the mid-nineties, stopping a million more barrels a day from being produced here. When environmental radicals stop more domestic oil production, it helps foreign energy producers, but it really hurts middle- and lower-income Americans.

THE REPUBLICAN BUDGET

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

Mr. BACA. Mr. Speaker, Congress should be focusing on creating jobs, helping middle class families, and lowering the deficit with intelligent spending cuts—and I say with ''intelligent'' spending cuts. But instead, we're headed towards a devastating government shutdown.

Policy experts from across the political spectrum all agree the Republican budget will result in more job losses, I state more job losses, and more suffering of our families. Senator MCCAIN's chief economic adviser estimates that the Republican budget will lead to 700,000 jobs being lost. Even Wall Street firms like Goldman Sachs say the budget plan will cause our economy to shrink by 2 percent.

In my district, teachers, police officers, firefighters who are set to lose their jobs deserve better. I say they deserve better. The time to play politics with our budget is over. I urge my Republican friends to break free from the extremists in their party. Let's work together. Let's work together on a real plan to create jobs and strengthen our economy.

HONORING FRANK BUCKLES

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

Mrs. CAPITO. Mr. Speaker, I rise today to honor the life and legacy of Mr. Frank Buckles, the sole surviving U.S. World War I veteran who passed away on Sunday at the age of 110 in his hometown of Charles Town, West Virginia. Inspired by his love of his country and a desire to serve, Frank entered the Army at the age of 16. He served in England and France during the war, first as a car and ambulance driver, and later as an escort for returning German POWs.

During World War II, he was held as a prisoner of war in the Philippines for 39 months. He has been recognized as a true American patriot and awarded numerous medals. I have met Frank on several occasions. He was a constituent of my district, and I was always inspired by his sense of humility and hope.

He represents the very best of this country: service, determination, and patriotism. He has lived through some of the most historic events in our American history, from the Great Depression to two world wars, to the invention of the Internet, reminding us of the immense progress, yet change, that we have seen in this Nation.

For years, Frank had dedicated his life to ensuring his fellow doughboys received proper national recognition. I hope this Congress will honor the legacy of Frank Buckles and the legacy of all those who fought in the War to End All Wars by paying tribute to them with a national memorial. Let Frank's legacy remind us of the service and sacrifice all veterans make in the name of protecting America and all for which she stands.

Our thoughts and prayers go to the Buckles family.

GOP SPENDING PLAN

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

Ms. CHU. So be it. That's what Republicans are saying to 700,000 American workers who will be needless casualties of their gutting and slashing funding bill.

So be it. That's the Republican attitude to a government shutdown if they don't force more cuts, destroying more jobs.

So be it. That's the Republican message to one out of every eleven Americans struggling to find work.

The GOP continuing resolution does nothing to create jobs. In fact, it takes a step backward, weakening our economic recovery. Of course, I shouldn't be surprised. Over the last 8 weeks since the Republicans took over control of the House, they haven't created a single job. What's worse, they haven't even put a single jobs bill on the House floor.

So while Republicans say so be it, I say stop the war on working families and show me the jobs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind all Members not to wear communicative badges while under recognition.

JOBS, JOBS, JOBS

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

Ms. LORETTA SANCHEZ of California. Jobs, jobs, jobs. That's what people back home want—jobs. Everybody I know wants a job. People stand in line, they want a job. And so now we are at this crucial deadline, and the Republicans want to shut down the government because their strategy for this year is just to gut everything, everything, anything, 700,000 jobs, 800,000 jobs, depends who you are talking to. If you are talking to the Moody's person, it's 700,000. If you're talking to the Economic Institute, it's 800,000.

So while they concentrate on eliminating jobs, I believe most of us here, Democrats, are working hard to understand what's an investment, how do we help people to get their next job? Where do they get their education? Where do they get their training? How about building the high-speed rail, for example, in California, to create jobs? I think Republicans need to get back to work.

□ 1220

MAKE IT IN AMERICA

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

Mr. CLARKE of Michigan. Mr. Speaker, while today we are debating how we can address public needs with fewer and fewer public dollars, I am here to bring good news on how this Congress, this past Congress, invested our tax dollars to help save jobs.

The new General Motors, which I proudly represent, recently announced a new financial milestone: four consecutive quarters of profitability. That's not only good for GM and its shareholders but also for its employees, the majority of whom will receive profit sharing of over $4,000 each.

What that shows is that when this Congress works with our President to invest in U.S. manufacturing, that helps all of us to ''make it in America.''

GETTING BACK TO BUSINESS

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

Mr. CICILLINE. Mr. Speaker, I rise today with serious concerns about the lack of a true jobs plan from the Republican majority as we seek to tackle our spending challenges.

And as the race continues to find the next deepest cut, just who are the real losers? It seems to be the hardest hit. It's middle class families, our children, our seniors, our students, and women. This war on working families must end. Our people are our greatest asset.

In order to move our country out of this recession, we must invest in their success. My colleagues on the other side of the aisle are moving forward with yet another dangerous spending bill, one that continues to give rewards to the most successful among us and literally guts the initiatives most meaningful to middle class families.

The work of reducing our deficit and controlling spending is, no doubt, hard. The fact of the matter is that we have to cut spending, but we have to do it responsibly.

As we seek to make a compromise this week, let's remember that we cannot cut what makes us competitive and what helps us innovate, succeed in the global economy and, ultimately, create jobs.

AN ECONOMY THAT WORKS FOR EVERYBODY

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

Mr. YARMUTH. Mr. Speaker, the richest 1 percent of Americans now control one-third of our Nation's income, 120 percent more than they did 30 years ago.

CEOs now earn hundreds of times what the average worker does. Wall Street profits are up 720 percent since 2007, and corporate taxes are at their lowest point since the fifties. All things considered, the wealthiest Americans are doing pretty well, much better than the rest of the country, in fact.

So you would think that after all these gains, the super rich—a handful of Americans who control fully a third of our economy—would understandably be asked to help as we try to bring our fiscal house back into order. But the Republican spending plan does none of this. It puts the burden of cuts solely on the shoulders of working families, those already struggling to make ends meet and provide for their families. The Republican plan spares the richest Americans from even the slightest inconvenience.

They have proposed to slash the budgets for programs that help seniors heat their homes, help low-income women find a doctor, and help millions of American students access job training or affordable college or health care. This is a reckless plan. We need to reject it and instead work to create an economy that works for everybody, and not just a wealthy few.

PLANNED PARENTHOOD

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

Mr. HIMES. Mr. Speaker, there are smart cuts and there are dumb cuts. The majority's continuing resolution, the reception it has received, suggests that it's full of dumb cuts. It has been rejected by pretty much everybody. Outright rejection to concerned hilarity is how it's been greeted by investment banks, by economists, by people who think about this stuff.

But there is something worse than a dumb cut, and that's a counterproductive cut. In a misguided effort to reduce the number of abortions in this country, the Republican majority zeroed out title X funding for Planned Parenthood.

I have a Planned Parenthood office down the hall from my congressional office in Bridgeport. I see women coming through there mainly to learn about birth control, to be responsible about their reproductive lives, to be tested for STDs.

Remember, 3 percent of Planned Parenthood's activities is abortion. There are estimates that zeroing out title X, which the majority has done, will cause 400,000 more abortions in this country. That's counterproductive, it's wrong, and I would urge this House to reject a very bad idea.

A TIME FOR HOPE, NOT FEAR

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

Mr. POLIS. Mr. Speaker, I rise today in solidarity with the people of various Arab countries that have risen up to throw off the yoke of tyranny that has oppressed them for too long. Mr. Speaker, now is the time for us to let our idealism trump our cynicism; a time for hope, not fear.

I understand that there are people who are worried about the realpolitik of how developments might lead to changes in the world, but most Americans, Mr. Speaker, have deep and abiding sympathy for any who have democratic aspirations across the world.

We support, as a country, the aspirations of all people to be heard in their government. The only just government is one that governs by the consent of the governed. For too long, Mr. Speaker, too many Arabs and too many people across the world have suffered under unresponsive and tyrannical leaders; and now is a time for hope, to change that and create a new Middle East that better supports democratic values.

BRINGING JOBS BACK

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

Ms. SPEIER. Mr. Speaker, I recently surveyed my constituents and asked them what they thought I should spend my time on in 2011. No surprise, they said jobs; create jobs.

Fifteen million Americans without work today, and what does the Republican continuing resolution do? It is going to add another 700,000 jobs lost in America, by Mark Zandi, the fine economist who was the adviser to JOHN MCCAIN when he was running for President, 700,000 jobs.

So why would they do this? You've got to scratch your head. The reason why they want to do this is because they only win if the economy is down, if there are more jobs lost. So their whole approach is not to be Americans but to be Republicans.

I say: Republicans, join us in being Americans first. Let's create a job-seeking engine. Let's create jobs in this country, not take them away.

HONORING PAT KELLY

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

Mr. WEINER. Mr. Speaker, a democracy is not beautiful edifices or beautiful buildings or even words written on paper. A democracy's foundation is the people. Today we pay tribute to the retirement of Pat Kelly, someone who has really helped our democracy thrive.

For 54 years, she has been one of the people that, anonymously and without much fanfare, has made sure that this democracy, whose very foundation is the longest continually maintained journal in the world, kept running. She did it as a proud daughter of Brooklyn, and she comes from a truly patriotic family.

Her mother was a Member of Congress, as the Speaker and minority leader have pointed out. Her grandfather, William Kelly, was the Postmaster General of Brooklyn. I was proud to kind of make quasi-association with Pat when I was in the city council and I got some funds to fix up Kelly Playground, where so many of us enjoyed Brooklyn.

You know, it really is true that many of us as Members of Congress blithely come through here. We cast our votes. We give our speeches. And it's easy for us to forget that this democracy is not about us. It's about the participation of citizenry and, of course, the hard work of so many people that make this institution so grand.

Pat Kelly is such a person. She is an institution unto herself. She will be missed around here, but I can tell you she will not be forgotten. We will remember her for her charm, her smile, her grace, and the way with which she did her job.

So to her family, the entire Kelly family, from all of the people from her home borough of Brooklyn, I want to say to her, congratulations on her retirement. She will be missed.

WILL WE CONTINUE TO GROW OUR ECONOMY?

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

Mr. DEUTCH. Mr. Speaker, a 2-week extension to fund the government may prevent a shutdown, but it will not change the fact that a serious choice lies before this Congress.

Will 2011 be a year in which we continue to grow our economy, a year that builds on the over 1 million private sector jobs created in 2010, or will it be remembered as the year extremists ignored the warnings of world-class economists at Moody's Analytics and Goldman Sachs and allowed our economy to shrink by over 700,000 jobs?

Will 2011 be a year in which we prepare America's children to compete in a global economy, or will it be the year that right-wing extremists and Congress defied common sense, cutting Pell Grants, blaming teachers for the deficit, and punishing struggling school districts across America for a financial crisis they did not cause?

In 2 weeks, these choices will once again come before this Congress. I implore the Republican leadership to seize this opportunity, not for partisan gain but for America's gain. Let's reduce the deficit in a way that does not jeopardize our recovery and make 2011 a year we move forward instead of backwards.

□ 1230

DOMESTIC ENERGY PRODUCTION

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

Mr. HULTGREN. Mr. Speaker, when I returned to Illinois last week, I talked to my constituents, and the refrain I heard over and over was their frustration and concern about the pain they're feeling at the gas pump. And it's not just hurting them. It is threatening to damage our economy. It's already a weak economy, and it is damaging it even worse.

At this moment, the average cost of a gallon of gas in my home State of Illinois is over $3.50—more than 10 cents higher than the national average. These prices are unseasonably high, hitting Illinoisans and Americans hard in their already-thinned pocketbooks and threatening our economy's tenuous recovery.

It's clear that Congress must act to protect our constituents from even higher gas prices by expanding our Nation's domestic energy production. More energy production here at home would not only reduce the cost of gas, putting money back in the wallets of every American; it would also create the kind of good-paying jobs that so many people need and will help get our economy running again.

Creating jobs, saving our constituents money, and helping the economy should be bipartisan goals, and we can achieve them by expanding American energy production. I hope we come together to accomplish these goals in the weeks and months ahead.

FURTHER CONTINUING APPROPRIATIONS AMENDMENTS, 2011

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 115 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 115

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 44) making further continuing appropriations for fiscal year 2011, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which time I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 115 provides a closed rule for consideration of H.J. Res. 44. This bill would fund the government through March 18 and reduce federal spending by $4 billion over the remainder of the fiscal year. The measure cuts $2.7 billion in earmarks from Energy and Water, Labor-HHS, Transportation-HUD, Homeland Security, and Legislative Branch appropriations, but most importantly, this measure averts a government shutdown and allows the Senate time to continue to consider H.R. 1, the bill that we successfully passed in this Chamber just 1 week ago.

Mr. Speaker, on that bill, we had roughly 50 hours of debate from both sides of the aisle, debate that ran late into the night that allowed the House to work its will for the first time in a long time. And the end result was that continuing resolution, H.R. 1, that now sits idly in the Senate.

This resolution today, this rule today, which I urge Members to strongly support, will allow for the 2-week extension of Federal funding to allow the

Senate time to seriously consider this bill, again, H.R. 1, the first bill in a long time on which the House has had a chance to work its will.

I reserve the balance of my time.

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

Mr. Speaker, in 4 days, the Federal Government will run out of money. We must ask ourselves, how did we get into this dire situation where we are 4 days away from critical Federal services being closed and our Federal Government being unable to meet its obligations.

Today we are racing the clock to avoid this shutdown in large part because we have squandered the past 2 weeks debating H.R. 1, a ridiculous spending bill that contained some cuts so extreme it had no realistic chance of ever being passed into law and left other areas of the budget that both sides have generally agreed need to be cut untouched. H.R. 1 also had every bit of social legislation from the Republican majority, including gutting the ability of EPA to protect our air and our water and defunding Planned Parenthood and family planning, so that it had a threat of a Presidential veto and faces no realistic prospects of passage in the Senate.

So rather than working with Democrats in the House and Senate to craft a real long-term CR that would preserve the gains of our economy and invest in our future, Republicans have squandered the past few weeks to pass their out-of-touch and unrealistic spending bill that would prove devastating to our economy, our safety, our health, and, yes, our values.

Their draconian spending bill would destroy 700,000 jobs, according to Mark Zandi, chief economist at Moody's and former adviser to Senator JOHN MCCAIN. And as Goldman Sachs said, their long-term CR would ''stall the economic recovery and reduce U.S. economic growth.'' In fact, just this morning more than 300 economists from across the country warned against the massive GOP spending bill, stating that, ''as economists, we believe it is shortsighted to make budget cuts that eliminate necessary investments in our human capital, our infrastructure, and the next generation of scientific and technological advances. These cuts threaten our economy's long-term economic competitiveness.''

Mr. Speaker, today's continuing resolution meets our shared goal of preventing a Federal Government shutdown, but at what cost? And for how long? We are committed to reducing the deficit beginning with an aggressive attack on waste, fraud, and abuse. Every Member in this body owes it to our constituents to responsibly cut spending and balance the budget without sacrificing jobs or weakening our economy.

Time and time again, the Republican leadership has told us that they want to proceed in an open and transparent fashion, and yet here we are again, facing another closed rule, shutting down amendments from both sides and stifling the legislative process and good cost-cutting ideas from both sides of the aisle. In fact, yesterday in the Rules Committee, my colleagues took a party-line vote to block an amendment from the top ranking member on the Appropriations Committee, Mr. DICKS. Mr. DICKS' amendment would have cut more funds than the Republican bill and, at the same time, restored funds for education programs.

In the spirit of the urgent need for cost-cutting and balancing the deficit, I think this body should consider ideas from both sides of the table and allow a rule that allows for discussion of the Dicks amendment and other ideas to cut costs even further than this CR allows.

This CR may succeed in keeping the government open from March 5 through March 18, which I think we all agree is necessary. But we also all know that 2 weeks is not nearly enough time to negotiate a long-term solution to the enormous spending challenges we face, especially when the Constitution guarantees the President 10 of those days to decide whether to sign or veto the bill.

The other side had discussed, at the end of last session, the need to have stability with regard to what kind of taxes people and businesses can expect over time. And at the end of last session, we passed a bill that set predictability for 2 years so people and businesses know what their taxes will be. Well, the other side of that coin is we need predictability and stability around appropriations and the general activities of government. It is stifling to the economy and stifling to job creation for people to be uncertain as to whether the largest enterprise in our country, the Federal Government, will or won't be solvent in 4 days' time.

This is my third year in Congress and already the fourth time I've managed a rule on a short-term CR. The shortened timeline set out by this CR sets the stage for a devastating shutdown crisis every 2 weeks that will bring legislating to a standstill, impede hopes of long-term economic growth, and create enormous overhang on the markets because of this great uncertainty that is of our own creation.

□ 1240

We are also undermining, through this CR, Mr. Speaker, investments in our own future. Take the cuts to literacy programs, for example.

Building an excellent public education system that ensures that each and every child has an opportunity to succeed is the most important investment we can make in our Nation's future and developing our human capital which helps keep America competitive. This is an investment that I have spent much of my life to support and achieve—on the State Board of Education, as a founder of a charter school, and now here in Congress.

What we see now, however, from the proposed short-term CR is the elimination of the Striving Readers Fund, which supports literacy for students from preschool through 12th grade. With American students' reading scores stagnating for the past 30 years, this proposal makes no sense.

Striving Readers is the only targeted Federal literacy funding for preschool through 12th grade. And particularly at a time of State and local budgets cuts, these resources are more important than ever.

Now, we can agree that Striving Readers should be improved. In fact, I am working, along with Congressman YARMUTH, to provide the LEARN Act, which would ensure that teachers and students have innovative strategies and data-backed tools to improve reading and writing. The administration's proposal would build on the progress of the Striving Readers program.

President Obama said in his State of the Union address: It's not just about how we cut, but what we cut. Republicans have mistakenly claimed that the administration also wants to eliminate Striving Readers, but they neglect to mention that the administration's 2012 budget proposes instead to revise, improve Striving Readers. The goal is not to reduce and eliminate Federal support for literacy; it is to consolidate and make more efficient Federal support for literacy, to strengthen literacy performance expectations, scale up innovative methods of teaching reading, writing, and language arts.

In fact, nearly all States, 44, have applied for the first $10 million in the Striving Readers allocation that was available and have developed State literacy plans as a result. My home State of Colorado has been awarded $150,000 for these important projects.

Literacy is the foundation of learning. It is the gateway to other content areas that are increasingly important in the global society, like science and math. Destroying the foundation of literacy is cutting off our Nation's own legs. Education is an investment in our future. By pulling the rug out from under our schools and children, Republicans seem willing to sacrifice our future prospects as a Nation. Education is how America can reclaim our edge in job creation, bring jobs back to our shores, become better business leaders, and provide a livable wage for working families.

We all agree that cuts must be made. But as the Romans said, caveat emptor, may the buyer beware. By agreeing to cuts in repeated short-term CRs, we run the risk of opening the door to a spending agenda that arbitrarily kills jobs, hurts our communities, completely undermines education reform, and we do nothing to promote the stability of the Federal Government that markets require to allow businesses to thrive and grow.

I reserve the balance of my time.

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

say to my friend, I could not agree with him more. We must ask ourselves: How did we get here? How did we get here? I have been on the job for 60 days, but the fiscal year began back on October 1 of 2010. How did we get here?

We got here because the work of the people's House didn't get done last year, and I regret that. Candidly, I'm not sure how. I hear so many folks talk about the partisanship in the Congress and the partisanship in Washington, DC, and people can't get things done because of the partisanship. But, of course, last year Democrats controlled the House, the Senate, and the Presidency. And yet we still sit here today without a budget, without the appropriations that the speaker knows we need for the government to continue its operations.

How did we get here? I don't know. But I know this: Nobody elected me in November to come up here and point the finger of blame. They elected me to work with my friend to clean up this mess. Irrespective of how we got here, we have to move forward.

I have to say, because I was at home for the past week with my constituents working through these very same issues we are talking about today, the question I got over and over and over again is: Rob, that is a great start, but let's do more. That's a great start, but let's do more.

You know, getting started is what is hard. It is hard to get started. Over and over again we have heard our friends on both sides of the aisle say: You know, this program, it can be fixed. It can be fixed.

I wonder if we will have a day here where we can start from a blank sheet, just a blank sheet, and say: What is it that is worth borrowing from our children for? What is it that is worth increasing our children's credit card balance for? What is it that is worth mortgaging our children's future for?

Let me just say to my friend, because I know he has a great passion for education, and it is a passion I very much respect, I have the great fortune of coming from the part of the world called Gwinnett County, Georgia. And Gwinnett County was the recipient of the Broad Prize for the single best urban education school district in America. We made it as a finalist 2 years ago, but last year we won. And we won in spite of Federal Government intervention—not because of it, in spite of it. We won because, as a community, we got together back in 1996 and said there is a better way. What can we do to enable our children to succeed better?

We were doing standardized testing in Gwinnett County before standardized testing was in vogue because we knew we had to have a way to measure. We knew we had to have a way to sort out what works and what doesn't. Well, folks, we need some of that standardized testing here on Capitol Hill: What works and what doesn't?

And there are a lot of things that aren't working. Not only do we need to get the bad out of the budget, we've got to decide that we're going to choose between good and good, between good and good because every school group I spoke to over our district workweek is a school group from whose future we are borrowing, whose future we are mortgaging over and over and over again.

It has to be said that the House worked its will in an unprecedented fashion, an unprecedented fashion. Mr. Speaker, I don't say that lightly. I mean never, never before in modern times has the House worked its will on a continuing appropriations bill the way it did last week. Again, I don't care whose fault it is. I don't care why we couldn't get it done last October. I don't care why we couldn't get it done in November. I don't care why we couldn't get it done in December. What I care about is we have an opportunity to get it done, and we did that last week.

The House worked its will, and we had some winners and we had some losers. I voted for a number of amendments that failed. I didn't get everything that I wanted in that bill. I know my friend from Colorado didn't get everything he wanted in that bill, but the House worked its will, Mr. Speaker, with unprecedented openness, and H.R. 1 was the result.

Well, I asked my staff to call over to the Senate before I came down here. I wanted to find out exactly how much debate the Senate had been putting in on H.R. 1. Of course, we debated it for almost 50 hours. We went through the night on a couple of nights. We wanted to make sure that the entire House had an opportunity to be involved. My staff tells me, Mr. Speaker, not a moment. Not a moment.

I hear the sense of urgency from my friend from Colorado that we have to take action; this is no way to run a government. I think he is right. I think cleaning up this mess means passing a single continuing resolution that gets us through to the end of the fiscal year. For Pete's sake, the Appropriations Committee is already taking testimony to try to get us into the 2012 budget cycle. This is leftover work that simply didn't get done last Congress. Not one second has been spent on the Senate side, Mr. Speaker, from what my staff tells me. Not one second has been spent considering a bill on which the entire United States House of Representatives worked its will; a bill that was the only open process that this House has seen on a continuing resolution; a bill that allowed Members from both sides of the aisle to come down here to the House floor and represent their constituents back home by doing exactly what my friend from Colorado is suggesting—trying to make good cuts, trying to make those things, present those things on the House floor that make the most sense to folks back home.

Well, Mr. Speaker, we are where we are. No one wants the Senate to act expeditiously on the work of the people's House more than I do. But given that not one moment has been dedicated to that, we have to come down here and fund the government one more time. It is the responsible thing to do. It is the responsible thing to do.

The better thing to do would be to act on H.R. 1, which the House passed last week with the support of Members in this body. But now, we have to come down here and extend for 2 weeks to give us time to finish those negotiations with the Senate side. And if that is not enough time, I suspect we will be back down here again. My friend from Colorado and I will be back down here in this well doing this same thing.

But it is no way to run the government, Mr. Speaker. It is no way to run the government. This is just what we have to do while we wait on the Senate to take up that bill on which the House worked its will last week.

I reserve the balance of my time.

Mr. POLIS. I yield myself 30 seconds.

The gentleman from Georgia said let us do more to save money, and yet this rule shuts down the process and doesn't allow amendments from the minority, including one by Mr. DICKS that saved over $1 billion and would have reduced the deficit by over $500 million. And yet again, through this closed rule, we are unable to do more, thanks to this restrictive rule by the Republican majority.

I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I rise in opposition to the rule and the underlying bill, House Joint Resolution 44.

This bill is just another part of the reckless Republican no-jobs agenda. Instead of focusing on creating jobs, Republicans are trying to cut nearly 1 million jobs across the country. Republicans have been in control of the House for now more than 2 months. They have been in control of the House for now more than 2 months, and they have failed to bring up a single bill to create a single job.

□ 1250

I mean, they haven't done just a poor job. They haven't done anything. This bill is just a mini-version of a larger Republican drive that America soundly rejected a week ago. I am absolutely against starting down a series of short-term cuts, of short-term CRs, that result in a bleed of the American middle class. This is death by 1,000 cuts—a slow bleed.

As Speaker BOEHNER stated earlier this week before the National Religious Broadcasters convention, ''If they won't eat the whole loaf at one time,'' he said of the Democrats, ''we'll make them eat it one slice at a time.''

This is what this short-term CR is all about, one slice at a time, with the goal of shoving a whole loaf down the throats of the American people. The American people don't want the Republican layoffs. They want jobs.

Let's be clear. The bill before us today is just one more fight in this battle to keep American jobs. It's the

same job cuts that Republicans passed a week ago. This is just a 2-week version of it. The Republicans' reckless ''so be it'' attitude on spending destroys jobs that threaten America's economy. You don't have to take my word for it. All you have to do is read the report released by the chief economist at Moody's, Mark Zandi, if you want to know about the Republicans' ''no jobs agenda'' CR, which would cut 700,000 jobs by year's end if they make us eat one slice at a time and which would reduce economic growth.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. ELLISON. Let me quote economist Mark Zandi directly: ''While long-term government spending restraint is vital and laying out a credible path toward that restraint very desirable, too much cutting too soon would be counterproductive.''

The economy is adding about 100,000 to 150,000 jobs a month; but until that number reaches about 200,000 on a monthly basis, ''imposing additional government spending cuts before this has happened would be taking an unnecessary chance with the recovery.''

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

Mr. Speaker, to put these cuts in perspective, because, again, we have to get started somewhere, there is not going to be a speaker who stands up here today who doesn't speak out in favor of fiscal restraint. The questions are: When do we start? How much do we do?

Compare the bill that's before us today, which is the continuing resolution to fund the government for 2 weeks and is adding about $4 billion in cuts, to the bill we passed last week, which had $100 billion of cuts in it. Now put that $100 billion of cuts in perspective.

Let's take the average American family who has to go out and buy groceries. That family has a 31-day grocery bill. Knowing that you've got to go out and buy 31 days' worth of groceries, what we're asking of the American people is to cut 1 day out. We're going to tell you now that we're going to cut 1 day out, and we need you to stretch your 30-days' worth of groceries into 31.

Mr. Speaker, that doesn't seem that draconian. In fact, it doesn't seem draconian at all. It seems like what American families are doing over and over and over again in the recession that we've been battling.

When we talk about these jobs numbers, these are the same jobs numbers about which folks said, If only you'll put your children in debt to the tune of another $1.5 trillion, we'll get unemployment down under 8 percent. It's the same economist who said, Well, it didn't work the first year, but what if we do it the second year? If we put you in debt to the tune of $1.6 trillion, in addition to the 1.5, in addition to the 1.3 the year before, then we're going to get unemployment back down under 8 percent.

Those jobs didn't materialize because the Federal Government can't create jobs. We can destroy jobs—we can and we do—but we can't create jobs. Our young entrepreneurs create those jobs. The business owners in our communities create those jobs. We destroy jobs, but we cannot create jobs. That is what this continuing resolution is a recognition of, Mr. Speaker: that the government can absolutely get out of the way. We're not going to hear today about the numbers of jobs that will be lost if the EPA continues to classify carbon dioxide as a pollutant and hamstrings the American economy in a way that no other economy on this planet is hamstrung. We're not going to hear those jobs numbers. H.R. 1 would solve that, and we have to get started somewhere.

Mr. Speaker, I take no pride of authorship. I'm just a participant in H.R. 1 as it passed the House, as the House worked its will, as Democratic amendments passed and as Republican amendments passed. I wish we'd been governing the right way and that this had been done back on October 1. We passed that continuing resolution, and it's unclear to me why there was no open process there. We passed the second one in December and then the third one in December.

Again, the openness that this House has seen in this 112th Congress is absolutely unprecedented.

Now, I know my friend from Colorado is a strong supporter of CBO and of the work that CBO does. I couldn't agree with him more. Then when Mr. DICKS came before the committee last night with an amendment that would cut even more, as someone who believes we need to cut more, I was incredibly enthusiastic about that. My understanding was that CBO hadn't had a chance to score that amendment, that there was no scoring to be had, and so we couldn't tell whether or not this was going to cut or whether or not this was going to add or how the spend rates were going to sort themselves out, because it came at the very last minute.

Yet what didn't come at the last minute was the opportunity for the minority to offer a substitute. The Speaker reached out to the minority to say if you were interested in offering the same continuing resolution that you had offered before, which was going to freeze funding—and we've heard that a lot. Let's just freeze things. We don't want to cut anything, and we don't want to be draconian—the majority would have absolutely made that in order.

Again, the House could work its will, but my understanding is that that offer was turned down and that folks were not interested in offering that substitute. I would have been a proud ''no'' vote on that substitute, but I still believe, as the gentleman from Colorado said, openness in the process yields a better result.

This brings me full circle, Mr. Speaker, to H.R. 1, which is the single continuing resolution that has had more openness in the process than any other continuing resolution this House has ever considered. It led to the best process, and it led to the best outcome. This is the bill that sits in the United States Senate today, that could be acted on today, that would fund the government and provide the certainty that we need today through the end of the fiscal year, which is on September 30.

So when we're talking about certainty, and I absolutely believe that our economy needs certainty, it is the government that's creating the uncertainty. We are creating the uncertainty. We have historically created the uncertainty. We have an opportunity with H.R. 1 to eliminate that uncertainty for the rest of the fiscal year and to get back to doing what this House always should have been doing, which is considering appropriations bills under regular order.

Candidly, I hope my friends on the Democratic side of the aisle are throwing down that gauntlet today. I hope they're saying, You know, ROB, it's not easy to lead. It's not easy to move bills through regular order.

I want that opportunity to try. I want an opportunity to do it the right way. If we can move H.R. 1 through the Senate and onto the President's desk, we can then come together with the same kind of open process that we began 2 weeks ago to consider all of the appropriations bills and to make the priorities that this House chooses to make priorities, not the last Congress, not two Congresses ago, not President Obama in his first year, not President Bush in his last term—but this House today, together. What are our priorities?

As soon as we move this continuing resolution behind us, Mr. Speaker, we can begin to focus on those priorities, which is where the true work of the House is intended to be.

With that, I reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. I like the gentleman from Georgia. He's a nice guy. But I have to say that his story about what actually happened here is not exactly accurate.

Mr. Speaker, the fact of the matter is when the Democrats were in charge in the last Congress, we did have an omnibus appropriations bill, but it was the Senate Republicans who refused to provide the votes, because, as you know, you need a supermajority in the Senate.

Then he talked about how he was glad to be home last week. I was glad to be home last week too, and I got a lot of input, but we should have been working here and not moving up so perilously close to these deadlines where the government could actually

shut down. My fear is that we're just going to be kicking the can down the road every 2 weeks, every 2 weeks, facing another possible government shutdown. As the gentleman from Colorado said, that creates economic uncertainty and is not good for the economy.

□ 1300

Now, I just wanted to comment on the gentleman from Georgia. I was glad that I finally heard him use the word ''jobs'' and talk about jobs because that's the problem here. This H.R. 1 that he talks about we know is going to destroy jobs—various accounts, 700,000, 800,000 jobs that will be destroyed or will be eliminated, not just because the government isn't paying for the jobs, but because it doesn't invest in the future.

If you listened to what President Obama said in his State of the Union address, he said that the government has a role. The gentleman from Georgia says the government should get out of the way. Well, I don't agree with that. We need to make wise investments in our future, in our education programs—which this cuts—in our research and development for the future, in infrastructure so that we can have roads and highways and mass transit so that commerce can continue and we can grow the economy.

That is what's wrong with H.R. 1 and this larger bill that the Republicans have put forward. And, of course, the Senate can't take up the bill the way it is because they know it will destroy jobs and cripple the economy.

So what I ask of my Republican colleagues is go out there, sit down with the Senate Democrats, sit down with the House Democrats. Don't just say take it or leave this bill that we know has such draconian cuts and doesn't do anything to invest in America's future. We can't continue down this road. We've got to work together.

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

I associate myself with the gentleman from New Jersey's comments. We absolutely have to work together. It's a great source of pride for me that I've only been on the job 60 days and we've already seen more working together than this House has allowed in the past 4 years combined. Understand that. Understand that as we're working on this appropriations bill, as we're working through this appropriations process, that 2 weeks ago you saw more openness and working together in this Chamber—right here, right here in the people's House—more working together than you had seen in the previous 4 years combined.

Can we do more? I say to the gentleman from New Jersey, I think we can, and I look forward to being a partner and making that happen. But to say that what is sitting on the desk in the Senate is the product of take-it-or-leave-it legislating could not be further from the truth. It's the furthest from take-it-or-leave-it legislating that the House has seen in 4 years. Arguably, it's the furthest thing from take-it-or-leave-it legislating that the House has seen on continuing appropriations bills in modern time.

So when we talk about where we are and where we're going, we have to ask that question of, why are we characterizing this as a process that's broken? Why are we characterizing H.R. 1 as something that doesn't work? Why isn't H.R. 1 the very best, the very best, given the makeup of this House, given our collective intellect and wisdom? Why isn't H.R. 1 the very best that we can do? Because when the process is open and everyone gets to participate, it ought to bring out our very best.

And I'll say to the gentleman from New Jersey, he has some of the lowest gas prices in the country. I enjoy traveling through his great State. Every time I go through, not only do I get full-service gasoline, I get it for the best prices in the country.

Gas prices are up 25 cents a gallon in Gwinnett County, where I come from; 25 cents a gallon in the past 10 days. We have economic crises in this country; we have economic challenges in this country; but spending more government resources is not the answer. We have about a $15 trillion economy. Even with a $3.5 trillion Federal budget, the Federal player is small, small—8.5 cents of every dollar in education in Georgia comes from the Federal Government. The rest comes from exactly where you expect it to come from, local communities and State governments. We have to get the government out of the way.

And if you're worried about uncertainty, as I am, if you share our concern about uncertainty, then let's pass H.R. 1. Let's be done. Let's be done with this 2 weeks, 4 weeks, 6 weeks, 12 weeks. Let's get us through the end of the year. Let's finish the job that we should have gotten done last year. Let's put it behind us, and let's start that new open process again. And it's one that I look forward to joining my colleagues in.

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

Mr. POLIS. Mr. Speaker, I yield myself 30 seconds to respond.

H.R. 1 cannot be looked at as a serious budget document. Now, it's not about the cuts—$61 billion, $70 billion, we can come to a number that we can agree. And by the way, you can't come to a serious number without making sure that defense is also on the table. But what we have with H.R. 1 is a bill that loads up every piece of the far-right social agenda in one bill, from restricting a woman's right to choose, to preventing government from protecting the air we breathe and the water we drink. So if we want to have a discussion about a serious budget document and serious cuts, that's one thing. If we want to have a far-right dream list, that's another.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. DICKS), the ranking member of the Appropriations Committee.

Mr. DICKS. Mr. Speaker, the CR disproportionately cuts education, especially literacy efforts. David Brooks, not known as a left-wing journalist, writes in the New York Times column today: ''If you look across the country, you see education financing getting sliced often in the most thoughtless and destructive ways. In Washington, the Republicans who designed the cuts for this fiscal year seem to have done no serious policy evaluation.''

Last night, I asked the Rules Committee to make in order an amendment restoring education cuts. The amendment cut $1 billion from the Census in money that wasn't needed, applying most of that to offset education spending, and the remainder went to further reducing the deficit below the levels in the CR before us. The Rules Committee chose not to make that amendment in order, and therefore I oppose the rule.

But to talk to the gentleman, I spent 8 years on the staff of the other body, and this is my 35th year in the House of Representatives. Nobody ever gets everything they want: This is a process where the House passes a bill, it goes to the Senate, and then we have a conference committee or the Senate sends the bill back to us. Both sides meet and work out their differences. There is give and take, there is compromise, and that is the way this process works.

And I also want to say to the gentleman, and to your side, remember it was the Democratic Congress and the House Senate and Mr. Obama signing the $41 billion cut from the Obama FY11 budget. It was the Democrats that did it. We had one Republican vote. And I just want to remind you, that was done in December in a lame duck session, which turned out to be a very effective lame duck session; and in that bill we made cuts across the board in all these areas.

So I want to make it clear we are also for deficit reduction, but what I am concerned about—and I know the gentleman is very sincere, I can tell that, I know you believe in every word that you are saying—but the biggest problem with that is what the effect will be on our economy. Mark Zandi of Moody's says, it will cost us 400,000 jobs in 2011, 700,000 jobs in 2012. Goldman Sachs, who I don't normally quote, they say that this could cut 1.5 to 2 percent of gross domestic product. That could mean the loss of 2.4 million jobs over the next 2 years. That's not what you want to do.

You're trying to reduce the deficit, and the way you reduce the deficit is put people back to work. You get them back to work, and they pay their taxes in and the deficit comes down, the unemployment rate comes down. If you do the wrong thing and make draconian cuts at the same time that the States are cutting $125 billion from their budgets, the impact of those two things—$61 billion and the $125 billion—could have a very devastating effect on the economy and hurt a lot of

programs needlessly because it's going to be counterproductive. I just hope that you think about that.

There isn't any economic theory that I've ever heard of called ''cut and grow.''

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. DICKS. So, again, it was the Democratic Congress that cut the $41 billion. And every reputable economist says what you did in H.R. 1 is going to have a negative effect on the economy. And so I hope you all think carefully about what you're about to do.

Again, it takes compromise. You've got to work with the other body to come up with a reasonable solution here, or we're going to have problems with a government shutdown. And you can say whatever you want, but we don't need the government shutting down when we're in two wars, a war in Afghanistan and a war in Iraq, and a global war on terror. We don't need to shut the government down.

□ 1310

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds only to say that's why we're here today, as the gentleman knows, so that there is no government shutdown. And I could not be more proud that we're here taking that responsibility exactly as seriously as it is.

It's very difficult to have a conversation about jobs when we have carbon regs coming down the pipe that will destroy jobs and we have financial regulations coming down the pipe that will destroy jobs and we have health care regs coming down the pipe that will destroy jobs over and over again. My folks are saying ''enough.''

With that, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee, the gentleman that I give credit to for giving us the most open process on a continuing resolution that we've seen in modern times.

Mr. DICKS. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Washington.

Mr. DICKS. That was a good process. I appreciate what you all did in having an open rule. I applaud Chairman ROGERS and Chairman DREIER. That is the right thing to do. It was appreciated on both sides of the aisle.

Mr. WOODALL. And we could not have done it without your support.

Mr. DICKS. I did my best to help.

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

Mr. DREIER. Mr. Speaker, let me just say, I was going to begin by saying that both my colleagues, Mr. ROGERS and Mr. DICKS, did an absolutely phenomenal job at taking on the responsibility that is thrust on them when we have an open amendment process.

The people who go through the greatest challenge are those who have to defend the bill and be here for hours and hours and hours. And as we all know, we had 162 amendments considered on the House floor during those days that led up to before adjournment week before last. And we worked into the morning on every occasion. That means after midnight. I mean, I guess we adjourned at 2 or 3 on some of those days. I was sound asleep then, I have to admit. But you guys were working very, very hard, Mr. Speaker. And I want to thank them.

And I was pleased that those in the minority did recognize that doing what we did was unprecedented. Never before has a continuing resolution been considered under the process that we've had. At best, it's been a structured rule, which is what we had two decades ago, and both political parties had had usually a closed rule for the consideration of continuing resolutions up to that point. So I do believe that we have come together with, as Mr. WOODALL has said, a package that included amendments from both sides of the aisle as we proceed with this.

Now, I was tickled also to hear my friend talk about the fact that $41 billion in cuts were made under Democratic leadership. The fact that both sides of the aisle are now talking about and bragging about ways to cut spending is, I think, a very encouraging sign, because that is the message. That's the message that Mr. WOODALL was just offering. The constant expansion of government is, in fact, counterproductive in our quest to create jobs and get the economy moving.

Now, we had this exchange last night in the Rules Committee—yesterday afternoon in the Rules Committee, Mr. Speaker, in which we were talking about Mark Zandi and the Goldman Sachs projections as far as bringing about spending reductions.

And I brought to the fore one of the most brilliant economists I know, John Taylor, who is at the Hoover Institution of Stanford University, former undersecretary of the Treasury for International Affairs, a very good personal friend of mine. His son used to work in our office. He's serving in the United States Marine Corps. And I've got to say, Mr. Speaker, that John Taylor, in responding to the Zandi quote, made it very clear that the notion of not bringing about spending reductions would in fact exacerbate the economic challenges that we have. And the bottom line is: The best way for us to get our economy growing is to ensure that people can keep more of their hard-earned money and to restrict the kind of control that the Federal Government has continued to thrust on individuals.

I'd be happy to yield to my friend if he would like to share one of those quotes.

Mr. DICKS. Let me just make a brief comment.

And I do applaud the gentleman from California as chairman of the Rules Committee for giving, for working out that modified open rule.

Just let me, on the point about Mr. Taylor at Stanford, Stanford's a very good school. My son graduated from it, and I'm quite proud of that.

A letter signed by 300 of America's leading economists makes the argument that cutting investments this quickly will undermine growth. Among the original signers from Stanford alone: Kenneth Arrow, Martin Carnoy, Paul David, Mordecai Kurz, Roger Noll, and Gavin Wright.

Mr. DREIER. Mr. Speaker, if I could reclaim my time, I would say to my friend I think what we've just shown is that the proverbial economists say on one hand, on the other hand.

The fact is not every economist agrees on this notion, but a statement has been made. And, in fact, my friend made it upstairs, and that is, he said when he was quoting Mark Zandi, that everyone, basically every economist—and that is what I inferred from the statement—came to this conclusion. And my point in actually referencing Professor Taylor is that there is disagreement on it.

I happen to come down on the side, personally, of Mr. Taylor. I think it's important for us, just because we want to all encourage individual initiative and responsibility, to do everything that we can to reduce the size and scope and reach of government—and that's what the goal of H.R. 1 is—so that we can get the economy growing. And I believe that more incentives by reducing that tax and regulatory burden will create jobs, because we do share that goal. I mean, I'm convinced that everyone wants to do that.

But this notion, I mean I've heard commentators saying that somehow that Republicans in saying that we might see a reduction in the number of Federal Government jobs, that we're not for job creation. We want people to have good, long-term jobs in the private sector, and that's our goal here.

This rule is a standard rule. I should say at the outset that we wanted to have this not a closed rule but a modified closed rule. And I know my friend was concerned that his amendment that he testified on behalf of in the Rules Committee wasn't made in order. But I will tell you that we did, from the very beginning, say to the minority leader, Ms. PELOSI, that she, when having introduced on February 18 her substitute proposal that basically kept spending at 2010 levels, that we would have made that in order and it would have made it a modified closed rule that we had offered, so we did do that.

We are where we are. Ensuring that we don't go through a government shutdown is something that Chairman ROGERS and I know Mr. DICKS and all of us in leadership positions, rank-and-file Members alike, want to avoid, and that's why we've got this 2-week package that's before us. I hope the Senate will act so that we can do that, and then do what we all want to make sure

happens, and that is have a negotiated agreement that will get to where we need to be.

So I thank my friend for his management of this rule just as he managed the last open rule.

Mr. DICKS. Will the gentleman yield?

Mr. DREIER. And before I yield back, I guess I should yield to the ranking member.

Mr. DICKS. I just want to say one brief word.

I applaud these modified open rules. And on the regular bills on appropriations, we hope—Mr. ROGERS and I have been in contact, we're going to get these bills done in a timely way. And we want open rules, and we want to be able to have these unanimous consent agreements after the bills have been on the floor for a while in order to narrow the amendments and then to get these things done in a timely fashion. And I think that it's going to take the cooperation of all of the Members to be able to do that.

Mr. DREIER. If I could reclaim my time, I will say the gentleman is absolutely right, Mr. Speaker. We want to have something that we haven't had in the last couple of years, and that is an open amendment process when it comes to the regular appropriations bills. And Mr. ROGERS and I have been discussing that at length and will continue to.

And I believe that the best way to deal with this is for not leadership but for the floor managers to come together and work out an agreement on that.

Mr. POLIS. I yield myself 30 seconds to respond.

I join the gentleman from Washington in praising the gentleman from California, the chair of the Rules Committee, with regard to the modified open process that this body was able to undertake.

But again, with regard to this particular bill before us, what the gentleman from California said is that the Democrats would be allowed to offer an amendment that would spend more but not allowed to offer a substitute amendment that would spend less. The Democrats, in fact, don't have a desire to offer forward a substitute amendment that spends more. We do have a desire to offer a substitute amendment that Mr. DICKS came forward that does spend less. The rule doesn't allow for that.

With that, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker and ladies and gentlemen of the House, let's take the next 2 weeks to try to work together to do the right thing for the American people.

□ 1320

I believe that the right thing for the American people is to come up with a budget plan that sensibly reduces spending but does not put American jobs at risk. What do I mean by this? What do we mean by this? Let me give you an example.

I think that a policy that says that oil companies, which made $77 billion in profit last year alone, can drill on federally owned property that's offshore and not pay anything in royalties to the American taxpayer is wasteful, and we should stop it. I think provisions that say that there are tax loopholes for companies that outsource jobs out of our country are wasteful, and we should stop them. Let's get rid of those things from our budget.

But let's not follow the reckless plan of the majority that says in education, let's cut funding for 10,000 reading tutors and math coaches. In education, let's cut funding for 7,000 teachers of autistic children, children with a learning disability. In border security, let's cut funding that's used to pay the people who board ships and inspect containers that come into this country to make sure they don't have dirty bombs in them. In public safety, let's not cut funding that will lay off police officers and firefighters in towns around our country. In health care, let's not cancel hundreds, if not thousands of research grants, where our best researchers are working on cures for cancer, or dementia, or diabetes. These are reckless cuts.

The problem with the Republican plan is not just that it disrupts the United States Government; the problem with the Republican plan is it disrupts the United States economy. And this is why the leading economist for JOHN MCCAIN's Presidential campaign of 2 years ago says this plan the Republicans are offering will cost 700,000 jobs. That's why the largest investment bank in the country, in a nonpolitical way, says that this Republican plan will cut in half the economic growth the country is counting on for this year.

Let's not disrupt jobs in this country. Let's cut wasteful spending. Let's go after corporate welfare, not special education. Let's go after oil company giveaways, not Head Start. Let's get back to the business of debating job creation in the private sector in our country, not defunding Planned Parenthood.

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

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. There are 15 million unemployed Americans as we meet here this afternoon. Let us resolve in the next 2 weeks to put their interests first, to sensibly reduce spending where we can, to invest in education and health care where we must, and get on with the people's business.

Mr. WOODALL. Mr. Speaker, I yield myself 10 seconds just to invite my friend from New Jersey to join me on H.R. 25, the Fair Tax Act. Not only will it create jobs in this country, it's the only bill in Congress that will eliminate every single corporate piece of welfare, loophole, tax exception, credit, so on and so on, because none of them need a nickel of it.

I reserve the balance of my time.

Mr. POLIS. I yield 20 seconds to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I would ask the gentleman what the sales tax rate would be on his fair tax proposal on American families for buying something?

Mr. WOODALL. Given that it eliminates the payroll tax, which is the largest tax 80 percent of American families pay——

Mr. ANDREWS. What is the sales tax rate?

Mr. WOODALL. Twenty-three percent.

Mr. ANDREWS. Twenty-three percent on every purchase.

Mr. WOODALL. Less than what you're paying now.

Mr. POLIS. I yield 2 minutes to the gentlewoman from California (Ms. RICHARDSON).

(Ms. RICHARDSON asked and was given permission to revise and extend her remarks.)

Ms. RICHARDSON. Mr. Speaker, I rise today in strong opposition to the rule on this continuing resolution that the Republicans have brought forward. Why? Number one, it's for 14 days. Can you imagine one of the most powerful economies in this country and we are talking about doing kind of in a pause mode for 14 days? That's not very responsible.

But let's get to the specifics of why I am opposed to this. This CR would slash $340 million for construction jobs for projects of the Army Corps. Now, I just heard the previous speaker talk about private jobs. Are we prepared to say that this government, we don't think there should be any Federal Government jobs? So are you to tell me that in my district, where I have two ports, the largest ports in the Nation, that we don't need to do dredging, that we can just have ships run afoul? I mean, how are we going to continue our economy?

I support cuts. If you check my record, you will see that I have supported many of the initiatives that have been brought forward. But they need to be thoughtful, and they need to make sense. A few others that concern me greatly: A slash of $20 million to the Department of Homeland Security. What are we thinking here? Haven't we learned anything from Hurricane Katrina or 9/11? That we would suggest a cut, $103 million of FEMA State and local programs that would provide grants to avoid disasters and how we prepare for them. Cut $129 million from higher education.

I would ask, what is this 14 days about? We have talked about that we are prepared, everyone's going to come here and make these cuts. Well, let's have a real civil discussion, and let's build upon last week, but let's not do it

on the backs of the American people. There is waste that can be addressed. And I look forward to supporting those initiatives. But this 14-day pause button is the wrong way, and I am opposed to it.

Mr. WOODALL. I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in opposition to this rule and to this bill. This CR is further proof that the majority does not care about the unemployment crisis. This really is a question of our morality as a Nation.

Are we going to eat a loaf of bread that is spotted with the mold of conservatism and so-called fiscal responsibility, or are we going to bring to our children a loaf of bread that is healthy, whole wheat, and good for America? This bill represents a loaf of bread. And I might point out the Speaker yesterday or a few days ago said something about, well, if they don't want to eat the whole loaf of bread at one time, then I am going to make them eat it one slice at a time. Well, every slice is speckled with mold of this old-fashioned, old way of thinking that got us into this problem that we are in now.

What we have done is given the keys to the car that they drove into the ditch back to them, and now we are forced to eat bread in that car, moldy bread in that car that is going nowhere but down.

Mark Zandi said 700,000 jobs would be lost if we do it the way that these Republicans who cannot drive, if we allow them to do that. And I am simply looking ahead for my children and for my grandchildren and my great-grandchildren. I cannot in good faith go along with this.

Mr. WOODALL. I continue to reserve the balance of my time.

Mr. POLIS. I would like to inquire if the other side has any remaining speakers.

Mr. WOODALL. I am the final speaker.

Mr. POLIS. I yield myself as much time as remains.

Mr. Speaker, we all share the goal of reducing the deficit. But if we are serious about deficit reduction, we need to look at defense as one of the line items. I am a member of the Spending Cuts and Deficit Reduction Working Group, and I have worked with my colleagues to identify more than $70 billion in savings that could be used for deficit reduction.

If Republicans truly claim to be committed to deficit reduction, then why, as they cut millions from programs like Even Start and LEAP, do they spare defense spending? The short term CR carries forward the 2010 defense budget, but the policies, priorities, and levels proposed for 2010 no longer apply. Our current military expenditures support bloated troop levels and bases across Europe that quite frankly, Mr. Speaker, are relics of a bygone era. Rather than fighting the demons of the past, we need to focus on the very real threats of the present and future.

□ 1330

Who are we fighting? The Nazis, the Soviets, the French? It's time for us to rethink our defense spending. It's clear that the current strategy is one that we cannot afford.

The expenditures in Afghanistan are $100 billion. It's been estimated that there is only, at most, 100 al Qaeda operatives in Afghanistan. That's a spending level of $1 billion per al Qaeda operative in Afghanistan. Most of al Qaeda's operations have moved across the border to Pakistan, and they have also gained a foothold in Yemen. Meanwhile, we are bogged down in a costly war with no clear end game.

Let's get serious about balancing the budget. Let's find savings in every agency, including the Department of Defense. Until we get serious about controlling defense spending, the largest component of the discretionary budget, we will never achieve our goals of reducing the deficit.

This CR claims to only cut earmarks, but in reality we are playing a shell game. This continuing resolution states that earmarks have no legal effect, which means that agencies have not been funding these programs. It means the Department of Homeland Security, for example, will have $264 million less to prepare and respond to threats and disasters and protect our ports.

Two weeks ago, Mr. Speaker, Members from both sides of the aisle proposed amendments to enact even more cuts. My friend from New York (Mr. NADLER) proposed cutting funding to Afghanistan so that we could have a responsible withdrawal, saving $90 billion. My friend from Arizona (Mr. FLAKE) proposed a very reasonable cut to the Department of Defense's operation and maintenance budget so that we could get rid of funding for unneeded boards and commissions.

I have also heard from many of my Republican friends that we want to go back to 2008 levels. Well, my colleagues from California, Mr. STARK and Ms. LEE, proposed to do just that with the defense budget. Let's get real on deficit reduction and lead the way with real cuts that actually balance the budget.

The President is proposing real change for public education through funding for the Investing in Innovation and Early Learning Challenge funds. We see none of these solutions in the proposed CR. As we look to agree on a budget for the rest of the fiscal year, it's critical that we have meaningful resources for our public schools, particularly at a time when they are under increasing budget pressure from districts and State cutbacks. Education of our children in their youngest years is a research-proven return on investment.

We have no second or third chance with kids. They are only young once. By ending literacy support for our children and restricting proven school improvements in repeated short-term CRs, we run the risk of opening the door to a spending agenda that eliminates jobs.

Mr. Speaker, it is critical that we give the markets and businesses the predictability that they need with regard to the ongoing operations of government. A 2-week continuing resolution simply fails to do that. We will be back before this body, again, to do it again regardless of the outcome today. But I hope, Mr. Speaker, that we can work across the aisle to put together a real long-term solution to keep the Federal Government open.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Georgia has 3¾ minutes remaining.

Mr. WOODALL. Mr. Speaker, we are here today for one reason and one reason only, and that's to provide ample time for the Senate to consider H.R. 1, to keep the doors of the Federal Government open, to keep important services being dispensed, to keep the government of America on track for 2 more weeks while the Senate takes time.

I will associate myself with the gentleman from Colorado when he says we can't always get what we want. I sadly haven't gotten what I wanted so far, and I am prepared to get even less of what I want going forward. But I don't mind telling you I don't know how we are going to get to what any of us want if folks don't even start considering the bill.

This was our very best shot. It was our very best work product. Whether you love it or whether you hate it, it was the most openly produced work product in continuing resolution history. And there it sits, and there it sits, almost 10 days now with no advancement whatsoever.

Mr. Speaker, I hope these 2 weeks are enough. I recognize the caution that my friend from Colorado suggests that we may be back here one more time doing this again. I hope this is the last time that we will be here.

But I know this: I know we can't continue to mortgage our children's future while we wait. I know we can't fiddle while Rome burns. So we have passed, we have presented this continuing resolution with cuts there to prevent our children's future from continuing to be mortgaged.

As I spoke with school groups across the district last week—and I share my friend from Colorado's passion for education—I asked them to turn on C–SPAN this week, because I said it doesn't matter who stands up, whether they stand up on the left or the right, or whether they speak from the well or from the leadership table, they will tell you that the reason they are there

today is for you, is for you, the children. It's for your future that they are there on the floor of that House.

I believe that. I believe that in everyone's heart they are here to make sure that tomorrow's generation does better than today's generation. I would just say, Mr. Speaker, that if there are schoolchildren out there watching today, perhaps they will pick up the phone and they will give us a call and let us know exactly which one of us is on the right track, because I know it's all about them that we do what we do.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 179, not voting 12, as follows:

[Roll No. 151]

YEAS—241

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—179

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—12

Bonner
Castor (FL)
DeGette
Diaz-Balart
Fattah
Giffords
Hanna
Hinojosa
Huelskamp
Lewis (GA)
Marchant
Young (FL)

□ 1359

Messrs. BRADY of Pennsylvania, THOMPSON of Mississippi, RAHALL, DAVIS of Illinois, and PASCRELL changed their vote from ''yea'' to ''nay.''

Mr. KINZINGER of Illinois changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 251, nays 170, not voting 11, as follows:

[Roll No. 152]

YEAS—251

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
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Herrera Beutler
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Huelskamp
Huizenga (MI)
Hultgren
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Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
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Olson
Palazzo
Paul
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Poe (TX)
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Price (GA)
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Rogers (AL)
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Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
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Ryan (WI)
Scalise
Schilling
Schmidt
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Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
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Sullivan
Terry
Thompson (PA)
Thornberry
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Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—170

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
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Clarke (MI)
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Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinchey
Hirono
Holden
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Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meeks
Miller (NC)
Miller, George
Moore
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Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—11

Bonner
Castor (FL)
Connolly (VA)
DeGette
Fattah
Giffords
Hanna
Hinojosa
Lewis (GA)
Marchant
Young (FL)

□ 1405

Ms. WATERS changed her vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to the rule, I call up the joint resolution (H.J. Res. 44) making further continuing appropriations for fiscal year 2011, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''March 18, 2011''; and

(2) by adding after section 166, as added by the Continuing Appropriations Amendments, 2011 (section 1 of Public Law 111–322), the following new sections:

''SEC. 167. The amounts described in paragraphs (1) and (2) of section 114 of this Act are designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

''SEC. 168. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this Act. For purposes of this section, the term 'earmark' means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

''SEC. 169. The first and third paragraphs under the heading 'Rural Development Programs—Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program' in Public Law 111–80 shall not apply to funds appropriated by this Act.

''SEC. 170. Notwithstanding section 101, amounts are provided for 'Corps of Engineers-Civil—Investigations' at a rate for operations of $104,000,000.

''SEC. 171. Notwithstanding section 101, amounts are provided for 'Corps of Engineers-Civil—Construction' at a rate for operations of $1,690,000,000: *Provided*, That all of the provisos under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 172. Notwithstanding section 101, amounts are provided for 'Corps of Engineers-Civil—Mississippi River and Tributaries' at a rate for operations of $260,000,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 173. Notwithstanding section 101, amounts are provided for 'Corps of Engineers-Civil—Operation and Maintenance' at a rate for operations of $2,361,000,000.

''SEC. 174. Notwithstanding section 101, amounts are provided for 'Department of the Interior—Bureau of Reclamation—Water and Related Resources' at a rate for operations of $913,580,000: *Provided*, That the fifth proviso (regarding the San Gabriel Basin Restoration Fund) and seventh proviso (regarding the Milk River Project) under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 175. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy' at a rate for operations of $1,950,370,000: *Provided*, That all of the provisos under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 176. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Electricity Delivery and Energy Reliability' at a rate for operations of $158,910,000: *Provided*, That all of the provisos under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 177. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Nuclear Energy' at a rate for operations of $784,140,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 178. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Fossil Energy Research and Development' at a rate for operations of $635,530,000: *Provided*, That the second proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 179. Notwithstanding section 101, amounts are provided for 'Department of Energy—Energy Programs—Science' at a rate for operations of $4,826,820,000: *Provided*, That all of the provisos under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 180. The last proviso under the heading 'Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities' in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 181. Notwithstanding section 101, amounts are provided for 'Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation' at a rate for operations of $2,136,460,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 182. Notwithstanding section 101, amounts are provided for 'Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Office of the Administrator' at a rate for operations of $407,750,000: *Provided*, That the last proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 183. Notwithstanding section 101, amounts are provided for 'Department of Energy—Environmental and Other Defense Activities—Defense Environmental Cleanup' at a rate for operations of $5,209,031,000, of which $33,700,000 shall be transferred to the 'Uranium Enrichment Decontamination and Decommissioning Fund': *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 184. Notwithstanding section 101, amounts are provided for 'Department of Energy—Environmental and Other Defense Activities—Other Defense Activities' at a rate for operations of $844,470,000: *Provided*, That the proviso under such heading in Public Law 111–85 shall not apply to funds appropriated by this Act.

''SEC. 185. Notwithstanding section 101, amounts are provided for 'Independent Agencies—Election Assistance Commission—Election Reform Programs' at a rate for operations of $0.

''SEC. 186. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Office of the Under Secretary for Management' at a rate for operations of $253,190,000.

''SEC. 187. Notwithstanding section 101, amounts are provided for 'Department of

Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses' at a rate for operations of $8,063,913,000.

''SEC. 188. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—U.S. Customs and Border Protection—Construction and Facilities Management' at a rate for operations of $276,370,000.

''SEC. 189. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Transportation Security Administration—Aviation Security' at a rate for operations of $5,212,790,000: *Provided*, That the amounts included under such heading in Public Law 111–83 shall be applied to funds appropriated by this Act as follows: by substituting '$5,212,790,000' for '$5,214,040,000'; by substituting '$4,356,826,000' for '$4,358,076,000'; by substituting '$1,115,156,000' for '$1,116,406,000'; by substituting $777,050,000 for $778,300,000; and by substituting '$3,112,790,000' for '$3,114,040,000'.

''SEC. 190. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Coast Guard—Operating Expenses' at a rate for operations of $6,801,791,000: *Provided*, That section 157 of this Act shall be applied by substituting '$17,880,000' for '$21,880,000', and without regard to 'and ''Coast Guard, Alteration of Bridges'' '.

''SEC. 191. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Coast Guard—Acquisition, Construction, and Improvements' at a rate for operations of $1,519,980,000.

''SEC. 192. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Coast Guard—Alteration of Bridges' at a rate for operations of $0.

''SEC. 193. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—National Protection and Programs Directorate—Infrastructure Protection and Information Security' at a rate for operations of $879,816,000.

''SEC. 194. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Office of Health Affairs' at a rate for operations of $134,250,000.

''SEC. 195. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Federal Emergency Management Agency—State and Local Programs' at a rate for operations of $2,912,558,000: *Provided*, That the amounts included under such heading in Public Law 111–83 shall be applied to funds appropriated by this Act as follows: in paragraph (12), by substituting '$12,554,000' for '$60,000,000' and by substituting '$0' for each subsequent amount in such paragraph; in paragraph (13), by substituting '$212,500,000' for '$267,200,000'; in paragraph (13)(A), by substituting '$114,000,000' for '$164,500,000'; in paragraph (13)(B), by substituting '$0' for '$1,700,000'; and in paragraph (13)(C), by substituting '$0' for '$3,000,000': *Provided further*, That 4.5 percent of the amount provided for 'Federal Emergency Management Agency—State and Local Programs' by this Act shall be transferred to 'Federal Emergency Management Agency—Management and Administration' for program administration.

''SEC. 196. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Federal Emergency Management Agency—National Predisaster Mitigation Fund' at a rate for operations of $75,364,000.

''SEC. 197. Notwithstanding section 101, amounts are provided for 'Department of Homeland Security—Science and Technology—Research, Development, Acquisition, and Operations' at a rate for operations of $821,906,000.

''SEC. 198. Sections 541 and 545 of Public Law 111–83 (123 Stat. 2176) shall have no force or effect.

''SEC. 199. Notwithstanding section 101, amounts are provided for 'Smithsonian Institution—Legacy Fund' at a rate for operations of $0.

''SEC. 200. Notwithstanding section 101, amounts are provided for 'Department of Labor—Employment and Training Administration—Training and Employment Services' at a rate for operations of $3,779,641,000, of which $340,154,000 shall be for national activities described in paragraph (3) under such heading in division D of Public Law 111–117: *Provided*, That the amounts included for national activities under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act as follows: by substituting '$44,561,000' for '$93,450,000' and by substituting '$0' for '$48,889,000'.

''SEC. 201. Notwithstanding section 101, amounts are provided for 'Department of Labor—Mine Safety and Health Administration—Salaries and Expenses' at a rate for operations of $355,843,000: *Provided*, That the amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$1,450,000'.

''SEC. 202. Notwithstanding section 101, amounts are provided for 'Department of Labor—Departmental Management' at a rate for operations of $314,827,000: *Provided*, That the amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$40,000,000'.

''SEC. 203. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Health Resources and Services Administration—Health Resources and Services' at a rate for operations of $7,076,520,000: *Provided*, That the eighteenth, nineteenth, and twenty-second provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 204. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Centers for Disease Control and Prevention—Disease Control, Research, and Training' at a rate for operations of $6,369,767,000: *Provided*, That the amount included before the first proviso under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$20,620,000'.

''SEC. 205. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—Substance Abuse and Mental Health Services' at a rate for operations of $3,417,106,000: *Provided*, That the amount included before the first proviso under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$14,518,000'.

''SEC. 206. Notwithstanding section 101, amounts are transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund for 'Department of Health and Human Services—Centers for Medicare and Medicaid Services—Program Management' at a rate for operations of $3,467,142,000: *Provided*, That the sixth proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 207. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Administration for Children and Families—Payments to States for the Child Care and Development Block Grant' at a rate for operations of $2,126,081,000: *Provided*, That the amount included in the first proviso under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$1,000,000'.

''SEC. 208. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs' at a rate for operations of $9,293,747,000: *Provided*, That the fifteenth proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 209. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Administration on Aging, Aging Services Programs' at a rate for operations of $1,510,323,000: *Provided*, That the first proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 210. Notwithstanding section 101, amounts are provided for 'Department of Health and Human Services—Office of the Secretary—General Departmental Management' at a rate for operations of $491,727,000: *Provided*, That the seventh proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 211. Notwithstanding section 101, amounts are provided for 'Department of Education—Education for the Disadvantaged' at a rate for operations of $15,598,212,000, of which $4,638,056,000 shall become available on July 1, 2011, and remain available through September 30, 2012: *Provided*, That the tenth, eleventh and twelfth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 212. Notwithstanding section 101, amounts are provided for 'Department of Education—School Improvement Programs' at a rate for operations of $5,223,444,000, of which $3,358,993,000 shall become available on July 1, 2011, and remain available through September 30, 2012: *Provided*, That of such amounts, no funds shall be available for activities authorized under part Z of title VIII of the Higher Education Act of 1965: *Provided further*, That the second, third, and thirteenth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 213. Notwithstanding section 101, amounts are provided for 'Department of Education—Innovation and Improvement' at a rate for operations of $1,160,480,000, of which no funds shall be available for activities authorized under subpart 5 of part A of title II, section 1504 of the Elementary and Secondary Education Act of 1965 ('ESEA'), or part F of title VIII of the Higher Education Act of 1965, and $499,222,000 shall be for part D of title V of the ESEA: *Provided*, That the first, fourth, and fifth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 214. Notwithstanding section 101, amounts are provided for 'Department of Education—Safe Schools and Citizenship Education' at a rate for operations of $361,398,000, of which, notwithstanding section 2343(b) of the ESEA, $2,578,000 is for the continuation costs of awards made on a competitive basis under section 2345 of the ESEA: *Provided*, That the third proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 215. Notwithstanding section 101, amounts are provided for 'Department of Education—Special Education' at a rate for operations of $12,564,953,000, of which $3,726,354,000 shall become available on July 1, 2011, and remain available through September 30, 2012: *Provided*, That the first and

second provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 216. Notwithstanding section 101, amounts are provided for 'Department of Education—Rehabilitation Services and Disability Research' at a rate for operations of $3,501,766,000: *Provided*, That the second proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 217. Notwithstanding section 101, amounts are provided for 'Department of Education—Career, Technical, and Adult Education' at a rate for operations of $1,928,447,000, of which $1,137,447,000 shall become available on July 1, 2011, and remain available through September 30, 2012 and no funds shall be available for activities authorized under subpart 4 of part D of title V of the ESEA: *Provided*, That the seventh and eighth provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 218. Notwithstanding sections 101 and 164, amounts are provided for 'Department of Education—Student Financial Assistance' at a rate for operations of $24,899,957,000, of which $23,162,000,000 shall be available to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965 and no funds shall be available for activities authorized under subpart 4 of part A of title IV of such Act: *Provided*, That the maximum Pell Grant for which a student shall be eligible during award year 2011–2012 shall be $4,860.

''SEC. 219. Notwithstanding section 101, amounts are provided for 'Department of Education—Higher Education' at a rate for operations of $2,126,935,000, of which no funds shall be available for activities authorized under section 1543 of the Higher Education Amendments of 1992 or section 117 of the Carl D. Perkins Career and Technical Education Act of 2006: *Provided*, That the thirteenth proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 220. Notwithstanding section 101, amounts are provided for 'Institute of Museum and Library Services—Office of Museum and Library Services: Grants and Administration' at a rate for operations of $265,869,000: *Provided*, That the amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this Act by substituting '$0' for '$16,382,000'.

''SEC. 221. Notwithstanding section 101, amounts are provided for 'Library of Congress—Salaries and Expenses' at a rate for operations of $445,951,000, of which $0 shall be for the operations described in the seventh proviso under this heading in Public Law 111–68.

''SEC. 222. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Highway Administration—Surface Transportation Priorities' at a rate for operations of $0.

''SEC. 223. Notwithstanding section 101, no funds are provided for activities described in section 122 of title I of division A of Public Law 111–117.

''SEC. 224. Notwithstanding section 101, section 186 of title I of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.

''SEC. 225. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Rail Line Relocation and Improvement Program' at a rate for operations of $10,012,800.

''SEC. 226. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of $4,255,068,480, of which $0 shall be for grants for the Economic Development Initiative (EDI), and $0 shall be for neighborhood initiatives: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.''.

This joint resolution may be cited as the ''Further Continuing Appropriations Amendments, 2011''.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to House Resolution 115, the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.J. Res. 44, the fiscal year 2011 Further Continuing Appropriations resolution.

This temporary CR is an extra special effort by the majority Republicans to avoid a government shutdown that could otherwise occur on March 4, when the current funding resolution expires. This temporary CR contains funding to allow all government agencies and programs to continue at the current rate of spending for the next 2 weeks until March 18, 2011, while reducing spending by $4 billion through several spending cuts and program terminations. These cuts reflect this Republican majority's continued commitment to significantly reduce spending, to rein in the Nation's exploding deficits and debt, and to help our economy continue on the road to recovery.

Madam Speaker, a government shutdown would halt critical and necessary services and programs that Americans across the country rely on, and it is not what our constituents expect or demand.

□ 1410

I would have greatly preferred that the Senate act on the hard-fought and thoughtfully crafted funding legislation that the House passed almost 2 weeks ago which saves the taxpayers $100 billion compared to the President's request, but it's clear that the Senate needs more time. So this short-term CR will provide an additional 2 weeks by cutting spending to show our continued resolve to get our Nation's fiscal house in order.

The bill before us terminates eight programs for a savings of about $1.24 billion. These eight programs were all targeted for elimination in the President's budget request and have also been part of proposed cuts in the past in the House and the Senate by Members of both parties. These eight programs include: Election Assistance Grants, the Broadband Direct Loan Subsidy, the Smithsonian Institution Legacy Fund, the Striving Readers program, the LEAP program, Even Start, Smaller Learning Communities, and a one-time highway funding addition.

In addition, the bill also eliminates more than $2.7 billion in funding previously reserved for earmarks, eliminations that the House, the Senate, and the White House have all called for this year. The earmark funding cuts in this legislation come from Energy and Water; Homeland Security; Labor, Health and Human Services; legislative branch; and Transportation, Housing and Urban Development program accounts.

This legislation will represent the second of many appropriations bills this year that will significantly reduce spending, continuing a pattern of cuts that will help put our Nation's budget back in balance and stop the dangerous spiral of unsustainable deficits and debt.

It is my hope that this CR can be passed quickly and that the President will sign it before the March 4 deadline. This legislation should garner broad support today, given the short timeframe for action and given the fact that these spending cuts have received previous bipartisan support by Members of the House and Senate as well as the White House.

Madam Speaker, we're now 5 months into the current fiscal year and it's critically important that we complete this budget process so that we can turn our attention quickly to passing funding bills for fiscal year 2012. It is high time we start looking forward instead of constantly looking back to clean up past mistakes and inaction. We must move forward quickly in regular order, passing bills on time in an open and transparent fashion to avoid these budget uncertainties in the future.

Madam Speaker, this is one more step that we have to take to get our fiscal house in order. While this isn't a perfect or an easy process, it is essential that we pass this bill, avoid a government shutdown, and continue to work on a long-term solution to complete this long overdue funding process. Our constituents expect and deserve no less.

I reserve the balance of my time.

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

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

Mr. DICKS. Madam Speaker, today we will consider a short-term continuing resolution that will allow the essential functions of our government to continue beyond March 4, the date on which the current continuing resolution will expire.

With no final agreement on the spending levels for the current fiscal year, this measure is necessary in order to avoid a government shutdown, something I believe we should all want to do. I think that 2 weeks is not enough time to reach an agreement on H.R. 1 with the other body, and I'm afraid we're going to be back here doing this again.

Now, when the House approved H.R. 1 earlier this month, despite the overwhelming opposition of the Democratic

Caucus, it was clear to me that gaining agreement on a compromised version of a full-year continuing resolution would be very difficult, at least before the expiration of the current CR. We opposed H.R. 1 because we believe it would have the effect of slamming on the fiscal brakes too abruptly, resulting in higher unemployment and threatening our Nation's economic recovery.

There is no dispute that cutting Federal spending too deeply and too quickly before the economy has fully recovered risks slowing growth and losing jobs. Moody's estimates that H.R. 1 would reduce real growth in 2011 by 0.5 percent, meaning 400,000 fewer jobs in 2011 and 700,000 fewer jobs by the end of 2012. The Economic Policy Institute projected job losses near 800,000. Goldman Sachs predicts that H.R. 1 would slow economic growth by about 1.5 to 2 percentage points, which translates into the American economy losing up to 2.4 million jobs.

So the recovery of our economy and the reduction of unemployment should be our paramount concern at this time.

I said during the debate on H.R. 1 earlier this month, and I will repeat today, that I believe the approach to deficit reduction that has been adopted by the Republican majority here in the House is far too narrow and too focused on the smallest segment of spending in the budget. It is a risky strategy based on the specious concept of cut and grow, which of course has no basis in sound economic theory.

So where does this leave us? We are now 6 months into the current fiscal year, FY11, and hearings with regard to the fiscal year 2012 budget have begun in both the Budget Committee and the Appropriations Committee.

H.R. 1 is clearly not acceptable to the other body, nor would it be acceptable to the President, whose signature is necessary before any funding bill can become law. What the President has already proposed for the coming year—a budget freeze at last year's level—remains, in my judgment, the best and most effective way to reduce the deficit and to support recovery in major sectors of our economy. In fact, we have already adopted a freeze at FY10 levels in the continuing resolution that we are currently operating under.

Democrats approved the CR in December with only one Republican vote, which represents a reduction of $41 billion from the levels sought by the President in his FY 2011 budget request. This is a significant reduction in the deficit, and a significant part of that came from defense. I want to repeat this. The $41 billion cut from the Obama FY11 budget was passed in a CR by the Democratic House and Democratic Senate and signed into law by the Democratic President with only one Republican vote.

We are now on the verge of an expiring CR, and we are considering another version that extends the time to resolve the differences by only 2 weeks.

I take the chairman at his word that neither he nor his leadership is interested in shutting down the operation of the Federal Government by declaring a stalemate in these appropriations deliberations. I will concede that it is disconcerting to me and others on our side to read the Speaker's comments this week that would seem to imply that there is a strategy of passing shorter term appropriation bills, with further and further and further cuts 2 weeks at a time.

□ 1420

We were concerned by his statement that seemed to indicate a plan for a piecemeal approach to future spending cuts. He said, ''If they won't eat the whole loaf at one time, we'll make them eat it one slice at a time.''

I believe we need to set aside these political machinations and get serious about finishing up work on the fiscal year 2011 budget. I will be the first to admit that it is because the Democrats didn't pass our bills last year that we're here working on this. So we have responsibility, too, and that's one of the reasons why we were so eager to engage Chairman ROGERS in trying to get this open rule, to work through the amendments, get a unanimous consent agreement—to help move this process forward because I personally feel we have some responsibility here.

And I think it is obvious that we are going to need more than the 2 weeks to get from here to there.

Now, I appreciate the desire of the gentleman from Kentucky to encourage the Members of his caucus to enter into serious negotiations with the other body with the hope of completing work by March 18.

But in a conference—I've been in conferences for 34 years as a Member and 8 years before that as a staffer—nobody gets everything they want. It's a process of compromise. You work out the differences between the two positions.

So I'm proud of the fact that we start with a cut of $41 billion that was enacted by the Democratic Congress in December during a very successful lame duck session.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield myself 30 seconds.

The gentleman, who is my friend, mentioned the economists and their opinion of H.R. 1, the budget-cutting bill we passed a couple of weeks ago.

The best source that I think of, right off, is Ben Bernanke, Chairman of the Federal Reserve, who has said H.R. 1 would have no negligible harmful impact on the economy. And if the Chairman of the Federal Reserve says that, I tend to believe him.

Now I yield 3 minutes to the chairman of the Energy and Water Subcommittee on our committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I rise in support of this continuing resolution. It's a reasonable and a thoughtful path forward to avoid a potential government shutdown.

Madam Speaker, the American people have made two things perfectly clear: First, they want their government to stay up and running; and, secondly, they want us to cut spending. We need to do both.

Like many of us, I would have greatly preferred that the Senate act on H.R. 1, the 7-month continuing resolution that we debated for over 90 hours that included, indeed, the largest spending reductions in the history of any Congress.

Ten days ago, this committee and this House took the President's budget and cut it by over $100 billion, terminating dozens of government programs in the process. And in a city where President Reagan once said ''A government bureau is the nearest thing to eternal life we'll ever see on this Earth,'' that's quite an accomplishment.

Madam Speaker, the resolution we have before us today is a simple stopgap measure to provide more time for negotiations to develop a funding bill for the rest of the current fiscal year. It's temporary and it must pass to keep the government open beyond Friday.

This bill contains $4 billion in savings including just under a billion from programs under the jurisdiction of my committee, Energy and Water Development. These savings are found purely from eliminating earmarks inserted by Congress in the fiscal year 2010 bill.

As with other spending reductions in this temporary bill, the committee has taken great pains to include only savings that both parties and both Chambers support. Both the House and Senate have sworn off earmarks for fiscal year 2011, so these reductions should not be controversial.

My colleagues, we must move this resolution. We need it to provide time to continue negotiations to complete the important work that should have been done by the last Congress—which passed no appropriations bills.

Madam Speaker, I repeat: The American people have made it clear. They want their government to stay open for business. They also want us to cut spending. Let's do it. Let's move ahead. This resolution needs to be passed.

Mr. DICKS. Madam Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO), who is also the ranking Democratic member on Health and Human Services.

Ms. DELAURO. I thank the gentleman.

Madam Speaker, I rise in opposition to this 14-day continuing resolution. The House majority is threatening to close down the government. This is brinkmanship. Their desire to engage in brinkmanship damages our economy and creates uncertainty for businesses and families.

Make no mistake, the proposed budget cuts will cost jobs, 700,000 jobs by the end of 2012, according to economist Mark Zandi, who, in fact, was the chief

economist for Senator JOHN MCCAIN in his Presidential bid.

Let me be clear. I am very supportive of the removal of earmarks in this resolution. They should be cut. We understand the need for deficit reduction. The question is where do we start?

Our first priority should be to go after waste and special interest spending: $40 billion to the oil industry which we are providing today, $40 billion. What about the almost $8 billion to multinational corporations who take their jobs overseas? And, yes, what about the $8 billion in agricultural subsidies?

It is too bad that cutting these special interest subsidies is not the priority of the majority's resolution. Instead, this budget makes deep and reckless cuts in the areas that most impact middle class and working families.

Of the $4 billion in immediate cuts put forward by this 14-day resolution, $1.4 billion comes out of Education, Health and Human Services, and out of training programs. And, yes, almost a billion dollars, a quarter of the cuts, comes out of education. Education should be one of the last places we look to cut the budget, not the first.

Yes, these cuts could be achieved by eliminating four programs proposed for termination by the President, as well as eliminating funding associated with earmarks last year. But these are not the President's proposals. While he would cut some education programs, he would then reinvest those savings in other education programs considered more effective. This resolution just wipes out the funding.

This resolution severely cuts efforts to reduce illiteracy, which is a serious national problem for economic, as well as human, reasons. The largest program targeted, Striving Readers, represents a consolidation and reorganization of literacy programs that was just launched in 2010. Why would the Republican majority think it is responsible to strip away funding to improve literacy in this country before it even has a chance to work?

I'm particularly concerned and disappointed by the elimination of Even Start. Even Start is about breaking the cycle of poverty and illiteracy by improving educational opportunities for families. I do not agree with the President's assessment that it should be terminated, and I do not support its elimination in this resolution. This is an effective and a critical program that should be allowed to continue.

I'm not the only one concerned by the consequences of this reckless budget. Three hundred leading economists have signed a letter to the President noting how these spending cuts will diminish our economic competitiveness. Goldman Sachs reported to its investors that the Republican budget will slash economic growth by 2 percent of our economic growth. That would send the unemployment numbers back over 10 percent.

Americans want us to craft a budget for the remainder of the year that creates jobs, reduces the deficit, and strengthens the economy.

□ 1430

Do we start with slashing special interests and waste like the $40 billion that we are providing in subsidies to the oil companies? And last time any of us looked, they were doing pretty well. They don't need any subsidies. Or do we start by cutting the things that help the middle class, which help our businesses, and working families with children and with seniors?

This resolution increases unemployment. It will hurt our economic recovery. And I urge my colleagues to oppose this reckless resolution.

Mr. ROGERS of Kentucky. I yield 2 minutes to the chairman of the Agriculture Subcommittee on Appropriations, the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the chairman for the time.

Madam Speaker, I want to make three very important points right off the bat:

Number one, our debt is almost at 95 percent of the GDP. It's the highest debt we have ever had in history. Last year alone the deficit was $1.5 trillion. We are borrowing 40 cents for every $1 that we spend. Now, if you and I were doing that in our households or our business was doing it or anybody else, you would say, okay, we've got to change our spending habits. But somehow there are those in Congress who think that we can continue to defy the laws of gravity. We have got to get our house in order.

Number two, why are we here? We are here because the Democrats last year did not pass a budget, did not pass appropriation bills, and did not complete their work on fiscal year 2011. That's what we're doing. We are trying to clean up the mess that was left to us. And in doing that, we are mindful of our financial situation and trying to reduce some of the spending.

Number three, let me say this. This bill was passed with an open rule. Indeed, I believe we had 127 votes on different amendments. Democrats and Republicans offered a myriad of amendments. Now, for those who are complaining on the floor today that they don't like these cuts, why didn't they offer their amendments on the floor a couple of weeks ago? That would have been the way to do this. Now, the chairman and the Speaker have committed to have open rules throughout this process this year, and so there will be a lot of opportunities to go after some of these programs. And some of the ones that are mentioned, I think I will support those cuts. But I just want to emphasize that everyone has had a bite of this apple.

Finally, let me just say this, Madam Speaker. The Zandi report comes from an economist, a political economist we might say, who was the same person who told us the stimulus bill would work, the stimulus bill would keep us from going to 8 percent unemployment. We reached 10 percent. I don't think we need to listen to any more of his advice.

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

Mr. ROGERS of Kentucky. I yield the gentleman an additional 30 seconds.

Mr. KINGSTON. I thank the chairman.

I just want to say that I don't think that Mr. Zandi has any more credibility. We have already spent $800 billion on his advice that the stimulus program would work, and it did not work.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Is the gentleman aware that Ben Bernanke, the Chairman of the Federal Reserve, now says that H.R. 1 would have no harmful effect on the economy?

Mr. KINGSTON. I have heard that. And I understand there is something like 150 other economists who have signed a letter to that effect that was led by John Taylor, who is an economist as well.

Mr. ROGERS of Kentucky. And that cutting spending and reducing the deficit will give confidence to the business community to hire people and put people to work.

Mr. KINGSTON. I thank the chairman.

Mr. DICKS. I yield 3 minutes to the gentlelady from Texas (Ms. JACKSON LEE), one of our distinguished Members.

Ms. JACKSON LEE of Texas. Let me thank the ranking member of the Appropriations Committee and let me thank the chairperson. I sometimes have a slip of tongue, Mr. DICKS, and call you ''chairman,'' but I thank you very much for this opportunity.

I want to just try to give a procedural class here today. The procedural class is that this document is a placeholder. I would hesitate to call it a fake document, but that is what it is.

As I left my constituency, the last words I heard were, ''Don't you all shut down the government.'' And I am glad that Mr. DICKS worked hard to submit his amendment in the Rules Committee. It's unfortunate that the wise men and women didn't have a majority. The Republicans would not yield to a thoughtful amendment by Mr. DICKS.

But this is a 2-week document. We know how old, and what—many of us have seen a 2-week-old baby. That's what this is: a 2-week document so we can do the right thing.

It needs to be very clear that before we left in the 110th Congress, Democrats had already cut $41 billion. Now, many say we didn't have a budget. We had a budget, but we had no compromise, no reconciliation, no fairness, no concern about the American people.

Now we have spent 3 months, March 1, doing nothing, and not one bill creates a job. Goldman Sachs, I know that

there is a critique on Goldman Sachs, but you can't discount the independent, objective assessment of them saying that in the CR that was passed a week ago 700,000 to 800,000 jobs would be lost.

Mark Zandi was the economist and adviser to JOHN MCCAIN. I am not sure what politics he has, but he is not in a political office today. And he provides us with an independent assessment that the CR that we voted on, which the Senate would not agree to, would cost us 800,000 jobs. This document will go nowhere.

Unfortunately, the $4 billion that is cut out of here, and a litany of other unfortunate cuts, is only temporary. I want to live to fight another day. We all want to be able to respond to the needs of this country in deficit reduction and a fair budget. But we could have had a clean CR, and we would have reasonably sat down and made right decisions.

Most economists have said that cutting the government in the middle of a budget year is ineffective. The bipartisan fiscal commission said: Project to 2012 and 2013; don't cut 2011.

It's important for the American people to know this is in the midst of your budget year. So Pell Grants for students who are in college right now, who have already gotten an amount rendered to them, operating on maybe a $1,000 grant to finish out in May, what we're doing is cutting them in the midst.

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

Mr. DICKS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE of Texas. That's what was voted on a week ago. What we're doing now is to recognize that people who govern are responsible for making sure the doors of this government stay open.

I care about homeland security as a member of the Homeland Security Committee. I care about the DEA task force fighting drug cartels. I care about children getting education, health care, the environment.

So let me just say this. We're doing this because we believe in the American people, but don't you for a moment think that this document is worth anything. We've got to get to business and fight for the American people and preserve education. That's what Democrats stand for, and that's what we'll fight for.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the chairman of the Homeland Security Subcommittee on Appropriations, the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Thank you, Mr. Chairman, for yielding this time to me.

Madam Speaker, as has been pointed out, 2 weeks ago this Chamber voted emphatically to cut spending and to right-size our government. This CR that's before us today is a necessary stopgap that will keep the government operating until we can finalize an agreement on those spending cuts that was contained in H.R. 1.

The homeland security sections of the CR before us today strikes the right balance between funding priority programs that are essential to our Nation's security and, at the same time, keeping our discretionary spending in check. This CR cuts over $264 million in earmarks from the Department of Homeland Security's budget, while at the same time sustaining the current staffing levels of our frontline operating agencies like Border Patrol, CBP, ICE, and the Coast Guard, proof that we can cut spending and fund these functions of government that are truly vital.

As I said 2 weeks ago on this floor, the Department of Homeland Security is not immune from fiscal discipline, and no program or agency is beyond the belt-tightening that our government so desperately needs.

□ 1440

By implementing these cuts, we are not choosing between homeland security and fiscal responsibility. Both are serious national security issues that must be dealt with immediately. Through a series of prudent choices, this CR achieves both.

Madam Speaker, this CR is a reasonable first step in addressing our government's fiscal crisis. There is absolutely no reason why the President or our colleagues in the Senate cannot support these overdue spending cuts. The American people are demanding no less.

Mr. DICKS. I yield myself 1 minute.

You know, as I have said here today, everyone is in favor of doing deficit reduction. We want to do it in a way that won't hurt the economy. What I am concerned about is that if we have this large cut and then the States and local governments cut $125 billion at the same time, we will have about $185 billion of cuts, and that is going to cause a decline in economic growth.

I mean, it is basic economics. The way you get the deficit down is get people back to work, get people jobs, get them back to work. When the economy is as fragile as it is, it's a question of timing.

What the commission members said is don't do it in 2011; do it in 2012 and 2013 and then deal with the entire budget, deal with the entitlements, deal with the taxes, do the whole thing. Do the budget agreement that we all know we have to do, and that's going to take bipartisanship. That's going to take both parties, the President and the Senate and the House.

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

Mr. DICKS. I yield myself 1 additional minute.

We are going to have to get together and work out an agreement and come out together and support it in order to get this through. This is what we did with Bob Dole and Tip O'Neill and Ronald Reagan.

So, this can be done, but we have to have everything on the table. Again, I worry about the 2 week Continuing Resolution. I think that's a bit ambitious.

Again, I want to point out to my colleagues that it was the Democratic House and Senate and President who passed the bill, the CR that cut $41 billion from Obama's FY 2011 request, $41 billion.

So I want to make sure you all don't forget that. I am going to try to continue to remind you of that fact.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the chairman of the Labor-HHS subcommittee on appropriations, the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Thank you, Chairman ROGERS.

Madam Speaker, I rise to express my deep frustration with this extension. Here we go again, debating another continuing resolution. I am starting to feel like Bill Murray in ''Groundhog Day.'' In that movie, the main character wakes up every morning to relive the same day again and again. He never moves forward because he is stuck on Groundhog Day.

Last year, Republicans in the House put the country on notice that we would try to reduce spending by $100 billion this year. The Senate knew, and the American people knew, and they gave us a substantial majority in the House.

We worked responsibly and openly on a continuing resolution to meet that goal. After considering scores of amendments and engaging in long days of thoughtful debate, we succeeded. In response, the Senate majority leader summarily dismissed our good-faith efforts and recessed the Senate for a week.

Despite giving us an unprecedented 3 years of trillion-dollar deficits, the majority leader dismissed our efforts to reduce spending less than 2 percent from the total fiscal 2011 budget.

In the interest of continuing our work on behalf of the American taxpayer and finding some common ground, Republicans are offering this 2-week extension, another continuing resolution made necessary only because the Democrat leadership refused to adopt a budget last year. It is like Groundhog Day all over again.

During this short extension we propose to save $4 billion—too much for Senator REID. He suggests a freeze on spending for 30 days while he contemplates our proposal. The national debt will increase another $136 billion during that time.

This is part of a big stall. Keep stalling. Keep implementing unaffordable health care entitlement programs. Keep threatening, keep spending, all the while ignoring the will of the people.

But the growing $14.5 trillion national debt is dragging our country into economic ruin, and a looming

health care law with $2.5 trillion in new spending, when fully implemented, is about to bury us. And make no mistake, I am not happy that funding for the implementation of health care law continues in this continuing resolution.

At some point soon, before it is too late, the majority leader and his Democrat colleagues need to meaningfully address our spending problem. Unfortunately, all indications are that our good-faith effort to find common ground with this 2-week extension will not bring the Senate to the table to negotiate.

The President and the Senate majority hold the balance of power in Washington D.C., but they stand against the majority of Americans.

I will support this measure, but I have been pushed to my limit. ''Groundhog Day'' may have been an entertaining movie, but it shouldn't be the basis for a system of government. It's time for the Senate to get to work.

Mr. DICKS. Madam Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Washington has 13 minutes remaining and the gentleman from Kentucky has 15½ minutes remaining.

Mr. DICKS. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend for yielding.

Madam Speaker, I hope that we are beginning to usher in in the next 2 weeks a season of compromise on this very important question before the country. I hope and I am confident that Chairman ROGERS and Mr. DICKS are capable of striking a very sound compromise for the people of our country.

Here is where we are. When the fiscal year began on October 1, there were a series of resolutions that said let's live under the budget that spent what last year spent, and we have lived under that budget until this time. That budget saves $41 billion below what the administration asked for last February.

The majority, about 10 days ago, passed a bill that said it wants to spend $100 billion less than what was proposed by the administration last February. Now, logical people would say that we are very well on the way to a sensible compromise.

We are on track to save $41 billion below what was requested. The majority wishes to spend $100 billion less than that.

I am certain that talented legislators like the chairman, like Mr. DICKS, left to their own devices and leadership, can find a way to have us strike a middle ground for the rest of the fiscal year. I am hoping that this is the last one of these temporary extensions we have so that those who rely upon the continuing funding of government departments—vendors, employees, and institutions—will be able to do so.

I think it's fertile for a good compromise, and I certainly hope the House reaches it.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. AUSTRIA).

Mr. AUSTRIA. I thank the chairman for yielding.

Madam Speaker, I rise today in support of this short-term continuing resolution, which must be passed this week to avoid a shutdown of many important programs and services.

Our first priority today is job growth. That's why we are putting into place policies that will stop the runaway spending here in Washington and help bring more certainty to our financial and business markets to grow our economy and create long-term sustainable jobs.

Last week, I had the opportunity to visit the largest single site employer in the State of Ohio, Wright-Patterson Air Force Base, and I was told that if the government shuts down that thousands of people may be asked not to come to work. If we don't pass this short-term CR, this is one place that would surely suffer from a shutdown, which is responsible for numerous national defense programs that depend on continued funding.

Without funding, programs like this across the country will not get off the ground in a timely manner, may incur programmatic delays and costs, jeopardize the national defense programs they support, and put thousands of jobs, including small businesses, on the line. We must do the responsible thing and pass this short-term resolution, which will buy us time to find a long-term solution to our budget crisis.

Madam Speaker, people across America, and especially in Ohio, have spoken very clearly that Washington needs to cut spending.

□ 1450

Nobody said these cuts were going to be easy, but they are absolutely essential to help put our country back on a fiscally sustainable path that will create jobs and strengthen our economy for future generations.

With the leadership of Chairman ROGERS, this House has already passed a CR to help protect national defense, but in addition to that made more than $100 billion in cuts; and when we pass this short-term CR, we will have passed another $4 billion in cuts. It's time for the Senate to do their job and pass a CR. I urge my colleagues to join me in supporting this short-term CR and show that we're listening to the American people by passing a CR that includes substantive cuts and will put us on a fiscally sustainable path forward.

Mr. DICKS. I yield 1 minute to the distinguished Democratic leader and former Speaker, the gentlelady from California, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding time and for presenting the Dicks substitute, which was not allowed to come to the floor, but nonetheless I salute him for his leadership in that regard.

Madam Speaker, Members of Congress agree, I think, on two things today: that we must move this process forward so that government does not shut down, and that we must reduce the deficit. As we do that, we must create jobs and strengthen the middle class. That is someplace where we may have some separation, because as the distinguished ranking member, Mr. DICKS, has said earlier, in December of 2010, congressional Democrats and the President of the United States cut spending by $41 billion—$41 billion. On that day in December, only one Republican voted for those cuts—only one.

February, 2 months later, Republicans passed a spending bill that does not create jobs but, in fact, has been said to destroy 700,000 jobs. That's approximately 100,000 jobs a week since we passed our ''cut it'' bill.

February 2011, Republicans passed the same spending bill that reduces U.S. economic growth by 1½ to 2 percent. Now some have questioned, Is it really as much as 700,000 jobs? Is it really as much as 1½ to 2 percent? But no one questions whether there will be job loss or whether there will be a slowing down of our economic growth among serious economists.

We are going in the wrong direction. How fast may be the question. But we are going in the wrong direction. That is why it's very important for us to proceed with great care and great caution here because, again, we have the opportunity to create jobs, to strengthen the middle class, and to do so in a way that is fiscally sound.

When I hear our colleagues talk about the deficit and the immorality of a big deficit—and I completely agree that we owe it to our children and our grandchildren not to leave them a debt—but all this talk about deficit is what we have, as Democrats, taken the lead on for decades.

Do you remember—because many of you were here at the time—that when President Clinton became President he inherited an enormous debt? He instituted pay-as-you-go, we had an economic agreement that was passed in the Congress, and the deficit began to reduce to a path of $5.6 trillion in surplus. Another President Bush took office; pay-as-you-go went out the window; and, again, the turnaround into growing deficits.

So for all of this talk about the immorality of deficits, where were you when those deficits were instituted in the late eighties? Some of you were here. In the 2000s, many of you were here. And, again, we have to take our country on a path of deficit reduction. Many of you were here when the tax cuts for the high end were implemented, creating no jobs, except increasing our deficit, sending the bill to our children and the credit to the Chinese Government.

How about when we did the prescription drug bill, giving away the store to the pharmaceutical industry and the price tag to our children by increasing the deficit? How about two wars, unpaid-for wars? God knows we will do anything to protect and defend our people. And I would hope that everybody subscribes to that. Why would we have tax cuts for people at the highest end? Why wouldn't they pay their fair share of protecting the American people and American interests and their interest wherever they may exist in the world?

And so we had in the 8 years of President Bush's administration a complete reversal, an $11 trillion swing, $5.6 trillion in surplus to nearly $5 trillion in debt.

And now people are saying it is an immorality to have national debt and to have these deficits. We thoroughly agree. And that's why, once again, we must take our country down a path of deficit reduction, but to do so in a way that is job creating and strengthening of the middle class.

As I said, in December 2010 Democrats cut $41 billion in spending. Only one Republican voted for that. February 2011, Republicans passed a spending bill that could destroy 700,000 jobs and reduce and slow down our GDP, our gross domestic product, by 1.5 to 2 percent. If you want to say it's going to slow down less than that, it's still going in the wrong direction.

I commented on Mr. DICKS' proposal because in the bill that we have before us, we have a situation where the Republicans have stripped the bill of important initiatives to the education of our children. In fact, President Obama made some of those cuts, too; but he didn't do it in a way that hurt the children.

What we debate today undermines our future by stripping support for some pressing educational challenges without redirecting those critical resources to meet the educational needs of our children. What Mr. DICKS proposed would have reversed that. He would have eliminated those educational programs in a way, as did the President, in the context of a comprehensive budget that also redirected funds to other initiatives addressing these needs.

If we do not, as a Congress, understand that education is essential, is key to all of our success—key to all of our success—then, frankly, the American people are way ahead of us on that. That's why I asked when we debated the bill before the break to see a quarter of a million children thrown off Head Start and many teachers fired alongside that, is that a smart cut? Sure, we have to tighten our belt. But let's do it, again, in a very smart way.

I just want to know where everybody was in the days when this deficit grew in the 8 years of the Bush administration. That's why we're in the situation we are in today. That's why we must, again, make some very difficult decisions.

So what is before us today is for the short term. It is saying, let's just keep the government open 2 weeks so we use that time to do the right thing and so we use that time to have a reality check—a reality check—on how we got these deficits in the first place. Tax cuts at the highest end do not create jobs but increase the deficit and are not the appropriate path to deficit reduction. Cutting education and therefore the innovation that goes with it and the strength of our children and affecting our economy is not the way to do it.

Many people here have met much experience on the way to do it, and they sit on both sides of the aisle. So let's get through this today, recognizing the challenge that we have, understanding that this bill before us is not a good one, but it's not final.

□ 1500

And when we come together, we need to meet the three criteria: Does it create jobs? Does it strengthen the middle class? Does it reduce the deficit? Because all of those who say that it is immoral for us to grow the deficit and pass those bills on to our children and grandchildren are right. I just don't want them to ignore the fact that we got here a certain way, and please do not ask us to go down that path again with the sanctimonious attitude that it is a morality for us to do exactly the same thing again, ignoring again the tremendous, tremendous suffering of the American people and their need for jobs, ignoring the aspirations of our children and their need for education by making the cuts that are in here without them rechanneling to a better place.

This is as serious a debate that we can have in the Congress of the United States because it affects our children and their future, because the deficits have gotten so far out of hand.

I am very proud of the fact that 30 years ago—in 1982, 29 years ago—when Democrats gathered in Philadelphia for a midterm conference, pay-as-you-go was placed on the agenda, passed as a resolution, and became part of the Democratic platform. Fiscal responsibility is a part of who we are. Our Blue Dog Coalition has had this as their mantra: pay as you go. Do not add to the deficit. If we all share that view, we should all be able to come together because the numbers will add up or they will not add up, and the bill for sure will be sent to our children and grandchildren.

Some of you have children; some of you have children and grandchildren. Would you ever dream of sending them a bill for a personal expense? If you were to leave them anything, would you leave them a bill? We cannot leave the children of America with any bills for any fiscal deficit either. It wouldn't be the right thing to do. But in order for us to do the right thing, it is time for a serious reality check, and that is the opportunity Mr. DICKS was giving us today. The Rules Committee rejected that. I hope that in the weeks ahead, depending on what happens here today, we can move on with it so we can spend whatever time it takes to do it right. Nothing less is at stake than the economic security of our country, the well-being of our children, the well-being of our children and the confidence that the American people have in what we are sent here to do for them.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself 1 minute to point out to the body that over the last 2 years, the Congress went on a spending spree and increased spending by 84 percent in just 2 years. You ran the deficit up; the annual deficit, now two in a row, trillion-dollar-plus deficits per year, record breaking. We have never had that before. You ran the debt up to where now we are bouncing against the ceiling and the Congress will be called upon to increase the debt ceiling.

There were no appropriations bills passed last year at all. Thus that's why we are here today. So let's talk about the spending spree that we're trying to slow down and stop, Madam Speaker, with this bill.

I yield 3 minutes to the gentleman from Georgia (Mr. GRAVES), a member of our committee.

Mr. GRAVES of Georgia. Madam Speaker, I appreciate the chairman clarifying some things we just heard because I was at a loss thinking I was going to need much more than 3 minutes to rewrite some of what we just heard there and correct the historical account of the last several years.

We've heard the lamenting and wailing today from the other side of the aisle. It is amazing to hear about why we are here? Why are we in this position today?

We are hearing government shutdown from the Democrats. You're not hearing that from the Republicans. You're hearing no, we have to cut spending and reduce the size of government. But we hear we're at the brink, we're about to shut down government, and we have to wonder: Why are we here?

Well, the chairman brought it up so eloquently just a minute ago. When they were in the leadership last year, and it wasn't that long ago, 1 year ago, they had the opportunity. They had the opportunity to pass their own budget. They didn't do it.

So instead, they passed a CR. The CR went for 4 or 5 weeks. It wasn't enough. Let's do another one because again, they couldn't pass a budget. They passed another CR for 2 more weeks. Again, it wasn't quite enough. So let's go 3 days because we don't know now to pass a budget nor have an appropriations meeting. And then, yet again, let's pass another one for just over 2 months. That is why we are here today. That is why the Republicans are stepping up and leading. That is why the Republicans passed a CR a few weeks ago cutting a hundred billion dollars.

But yet again the Democrats, they do not want to step up and lead at this time in our Nation.

So here we are again, the chairman of appropriations and the Republicans have stepped up and said it is time to lead. So $2 billion a week in cuts, yes, that is what we are proposing. Should it be more? Sure it should be more.

To those who have said we were cutting the wrong programs, I assure you, you'll have your chance to cut those programs because, again, we will be cutting more.

So this measure, hopefully it will pass both Chambers, and we will avert the government shutdown. And the question is then: What happens next? The American people want to know that.

Well, I want the American people to know this: that there are more spending cuts on the way. Now, some of my colleagues on the other side will say, we don't need to cut spending. In fact, we have heard that. We've heard that they want to freeze spending instead, which is akin to tying a brick to the accelerator of this vehicle that is going off the cliff when we need to take our foot off that accelerator. Again, it is the status quo that we hear from the other side.

We heard a minute ago from the leader of the Democrats, the former Speaker, and her quote was: They took the lead in deficits.

Oh, is she so right. In fact, they have led 3 straight years of deficit spending, consecutive years, trillion-dollar deficits, and now a $14 trillion debt. What leadership that is.

The status quo is unacceptable. The American people deserve so much more. So today, let's stop that threat of a government shutdown, and let's save the taxpayers $4 billion. Let's come back and let's save them billions upon billions more. But let's get ready because deeper spending cuts are necessary. And as we saw from that Government Accountability report, duplicative programs exist.

Madam Speaker, it is time to eliminate some of those programs, continue eliminating portions of this government, and get this fiscal house back on track.

Mr. DICKS. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the Democratic whip and former majority leader, who will help correct the record.

Mr. HOYER. I thank the gentleman for yielding.

I have now heard and watched on television and I have been on the floor with two members from Georgia, both of whom are brand new to this body who were talking about the history. Well, I want to tell my friend from Georgia a little bit of history. I have been here 30 years. I have served some 20 of those years under Republican Presidents. Every one of them has run a deficit of $100 billion or more. In fact, during that cumulative period of 30 years, notwithstanding the Obama administration, and I will discuss that in a second, Mr. Reagan, Mr. Bush I, and Mr. Bush II ran deficits of over $6 trillion that they signed the bills to spend. Over $6 trillion. Bill Clinton was President for 8 years. The last 4 years, we didn't raise the debt at all, unlike every one of the Republican administrations, where we raised it on a regular basis. Not at all during the last administration, the last 4 years of Mr. Clinton's administration, and he ran—the only President in your lifetime, and very frankly mine, and I may be twice as old as you are—a $62.9 billion surplus. Look it up. No argument.

But let me say something. Irrespective of who is responsible, we are responsible for fixing it. Republicans and Democrats. The American people know that we have a crisis confronting us. They know there is no option other than to deal with this realistically. I would call everybody's attention in this body—Republican, Democrat, liberal, conservatives—to an article written by David Brooks today in The New York Times. Read it. Read it. David Brooks is a conservative columnist of the New York Times. We all ought to read this and take it to heart. I called it to my caucus' attention this morning.

Our deep debt is a serious danger to our economy, to our future, and our children's opportunities. The American people want us to bring the debt down. They said so very loudly. And I doubt there is a Member who disagrees.

□ 1510

Democrats believe that spending cuts are part of the solution. Let there be no mistake. We need to cut spending, but we also believe that those cuts must be smart and targeted, not pegged to an arbitrary number.

One of your staffers, when you put the Pledge to America, came forth with a figure of $100 billion. That's a nice round figure; $100 billion sounds good. It's good PR. It's good spin—$100 billion. Read David Brooks. No analysis was given to that figure. No hearings were held on that figure. Nobody could testify on the cuts that were proposed to reach that figure.

We have to cut the spending. We can do without some spending, not the vital investments, however, that are helping to grow our economy, that are helping our private sector innovate and creating the jobs of the future.

During the Clinton administration, I will tell my young friend from Georgia there were 22 million new jobs. During the Bush administration, we lost 8 million jobs. A 30 million job turnaround. That's why there was so much spending of which Mr. ROGERS spoke. And $700 billion of that, of course, was asked for by the Bush Presidency, Secretary Paulson and Mr. Bernanke, so that we didn't fall into a depression for the first time since Herbert Hoover. This President has been trying to bring us out and, frankly, is succeeding.

Unfortunately, Republicans passed a spending bill full of shortsighted and indiscriminate cuts. Do we need cuts? Yes. Do we need shortsighted and indiscriminate cuts? No. Just over a week ago, you would cut billions in energy and medical research, kick 200,000 children out of Head Start, make college more expensive, and stop 21st-century infrastructure projects in 40 States. That's what Mr. Zandi is talking about. That's what Goldman Sachs is talking about. Cuts like these could cripple America's competitiveness and job growth.

According to Moody's Analytics chief economist Mark Zandi, who advised Senator MCCAIN's Presidential campaign, Republicans' cuts would cost America a total of 700,000 jobs. The Economic Policy Institute puts it at 800,000.

Rather than such job-destroying policies, both of us, both parties, need to come together and reason together. Frankly, the American public doesn't care who works with whom. They just want it to work. This is no way to fund the largest enterprise in the world—on 14-day cycles. The gentleman criticized us for doing it, and we should have been criticized.

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

Mr. DICKS. I yield the gentleman an additional 1 minute.

Mr. HOYER. Let me tell my friend what he didn't mention: One of the reasons we did it was that we couldn't get 60 votes in the United States Senate in order to move a bill forward.

Keeping our government running is vital to our economy. None of us should want to shut down the government. It is also vital to the millions who rely on government every day. The sooner we can agree on a long-term package of smart cuts, not reckless, arbitrary, job-destroying cuts, the sooner we can stop funding the government in disruptive 2-week increments. The gentleman was correct that we ought not to do that. We need to pass a 7-month funding so that government and all who rely on the government, who work for the government, and who have contracts with the government can rely on some certainty.

You've talked a lot about certainty on your side of the aisle. You're absolutely right, we need certainty. The business community needs certainty. Individuals need certainty, and the government needs certainty.

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

Mr. DICKS. I yield the gentleman an additional 30 seconds.

Mr. HOYER. Rather than passing 2-week continuing resolutions, I urge Republicans and Democrats to work together on a long-term solution—in this case, ''long term'' is 7 months—to reduce spending, to try to balance our budget, and to try to bring rationality to this process. We cannot, my friends on the Republican side of the aisle and

the Democratic side of the aisle, continue to look at 15 percent of the budget and expect us to get to where we need to be from where we now are.

Mr. ROGERS of Kentucky. Madam Speaker, may I inquire of the time remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 9½ minutes remaining, and the gentleman from Washington has 4 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a brand-new member of the committee, the gentleman from Kansas (Mr. YODER).

Mr. YODER. Madam Speaker, we can debate today who is at fault for the crisis we are in; but I think we have an agreement, which is, with record spending, deficits and accumulated debt, coupled with 20 months straight of 9 percent unemployment, it is time for us to get serious about the crushing effect of a runaway debt on this economy.

As Speaker BOEHNER said, ''Just like a bankrupt business can't create jobs, a bankrupt country can't create jobs.''

Small business owners, individuals and families now find themselves at the mercy of this debt that we as a government have recklessly accumulated. It's not Democrats or Republicans. It's those families and individuals and business owners who are the real casualties of this government spending spree. So now we must choose a pathway. We are at a crossroads: reasonable spending reductions and keeping the government open or heading towards devastating tax increases and crushing deficits.

The tax increases that would be needed to actually alleviate these bloated deficits would wipe out individuals, families and businesses. According to the CRS, current income tax rates would need to double across the board to close the expected deficits of this administration. You can't create jobs under these devastating taxes. We must reduce spending.

We have a choice as the American people. We can choose prosperity; we can choose lower taxes; and we can choose reduced debt. Or we can go other the other direction and choose record-breaking deficits, historic taxes and devastation all across this country.

Madam Speaker, we have a choice to make today, and it is my hope the Members of this body will choose to keep the government open, will choose to begin making modest reductions, and will pass this necessary resolution to begin the pathway towards prosperity again in this country.

Mr. DICKS. I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the chairman for yielding.

Madam Speaker, last November, the people I represent in Virginia's Fifth District sent an urgent message that America must make a bold departure from the status quo and put a stop to the out-of-control spending that has come to define Washington over the past 2 years. No longer can we continue on the path of unchecked, reckless spending that has crippled our economy and has left us with a massive $14 trillion in debt, $1.6 trillion in deficit spending, and an unacceptably high unemployment rate.

Last year, the 111th Congress completely failed in its fundamental responsibility to adopt a budget for the American people. Remarkably, they have punted that responsibility and have kept the Federal Government operating over the last 5 months by adopting continuing resolutions.

Fortunately, the new 112th Congress has accepted this responsibility to clean up the mess of the last Congress. Indeed, the House of Representatives, Republicans and Democrats, worked late into the night last week to get a proposal to the Senate that recognizes the critical need to adopt a budget while cutting a historic $100 billion in spending for the rest of this fiscal year.

After 5 months of failed leadership by Senate Democrats, we now find they need more time. This is truly unbelievable. Over the past week, back home in the Fifth District, I was reminded again and again by my constituents that now is the time for leadership, not for excuses.

While the House takes up another resolution today that will continue to temporarily fund the government while keeping our commitment to the people to cut an additional $4 billion in spending, it is critical that the Senate join us to produce a responsible funding resolution that makes the cuts necessary to get our fiscal house in order. For the sake of the next generation of Americans, we must act, and we must act now to secure our future.

Mr. DICKS. I yield 2 minutes to the ranking member and former chairman of the Interior and Environment Appropriations Subcommittee, the gentleman from Virginia, JIM MORAN.

Mr. MORAN. Madam Speaker, so many of our brand-new colleagues seem to have run on the thesis that government can't be the solution to any of your problems, rather that ''it'' is the problem, that it can't be counted upon to help people, that it can't even be counted upon to invest in America's long-term interests. It seems as though, now that they've been elected, they're doing everything they can to prove themselves to be right.

This is no way to run a government. A 2-week CR?

Now, we don't have any great problem with the components of this CR except for the fact that it's 2 weeks.

□ 1520

It should be a 7-month CR. In fact, we should really tackle the appropriations bills themselves. But if it's a 7-month CR, it shouldn't be a dump truck of legislation that includes in it virtually every controversial issue that this Congress has dealt with over the last 20, 30 years.

My good friend from Kentucky, the chairman of the committee, will recall that quaint phrase that we would deploy in committee, that this amendment is not in order because it constitutes legislating on an appropriations bill. Well, we legislated everything. This bill has more poison pills in it than Rasputin's medicine cabinet. Everything is thrown in here, and it was thrown in in the middle of the night. You know, bills that we had considered carefully in committee that had come to the floor, that they were debated carefully and then resolved, and yet sometimes in a 10-minute debate those bills were dispensed with. That's not the way an appropriations bill should be brought to the floor. It ought to be a clean, continuing resolution if we're going to do a CR.

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

Mr. DICKS. I yield the gentleman an additional 30 seconds.

Mr. MORAN. The fact is we know we can do this. We can get a good appropriation bill. We can make surgical cuts and we can agree on those surgical cuts. But let's not try to put together a dump truck that includes in it every possible controversial issue that we know we can't resolve. That's not in the long-term best interest of the American people, and, in fact, it ought to be an embarrassment to our appropriations process.

So I would hope that we would vote against this continuing resolution simply because it's only a 2-week CR. We can do better.

Mr. ROGERS of Kentucky. Madam Speaker, I wish they had done better last year and passed one appropriations bill.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 44, and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the chairman of the MilCon and VA Subcommittee on Appropriations, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Madam Speaker, I first would like to yield to my colleague from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Madam Speaker, I have to take a moment here to, I guess, comment back on the distinguished whip's comments a minute ago.

It's great that he pointed out his knowledge of history and his years of experience here, and he's right about a few things. He talked about the years

of Bill Clinton and the spending cuts and the deficit reduction and debt reduction, all those kinds of things. He's absolutely right. But he didn't tell you the rest of the story, and that is the Republicans took the majority in 1995 and were part of that process, in leading through the legislative process not through the executive process.

And then he talked about George Bush and the 8 million job losses. And if you look back, if you look at the rest of the story on that again, that starts in about 2006 and 2007 and 2008. And if we think about who was in charge at the time, yes, it was the distinguished whip, who was the leader at the time, and the former Speaker. So they were right. They were right about history, but they weren't telling the whole story, and that is that the Republicans were leading during those difficult times and providing the spending cuts when necessary.

To the gentleman a minute ago who said government is not the solution, you're absolutely right. And to finish that quote from Ronald Reagan, more so, it is the problem.

Mr. CULBERSON. Reclaiming my time, Madam Speaker, I think it's important to remember that the people of America spoke decisively in the November election. It was as clear a referendum on the direction that President Obama and Speaker PELOSI were taking the Nation as we could have, and the Nation decisively rejected the agenda that Speaker PELOSI and President Obama were promoting.

The spending that Chairman ROGERS spoke about was out of control over these last several years. I know in the time I served under President Bush I voted against about $2.6 trillion of new spending under President Bush. And in just the last 2 years, under President Obama and Speaker PELOSI, my staff calculates I've had to vote against about $7.6 trillion in spending under President Obama. I know that the level of spending under President Bush was higher than it should have been, but it has absolutely gone vertical under President Obama.

The country decisively rejected the direction that President Obama was taking the Nation. The country elected this new majority to cut spending, to repeal ObamaCare, and to put the Nation back on track towards a balanced budget, and that's what this appropriations bill does. In this 2-week period, we're doing our best at every opportunity, on every occasion. Chairman ROGERS and all of us are working to cut spending and to get the Federal Government out of our pockets, off our backs, and out of our lives.

Mr. DICKS. Will the gentleman yield?

Mr. CULBERSON. I am happy to yield to the distinguished gentleman from Washington.

Mr. DICKS. I was just glad to hear the litany of these things that you voted against. Are you still for those Civil War battlefields?

Mr. CULBERSON. Reclaiming my time, there are a few core functions the government has to do, and I'll tell you that national defense, for example, we've protected the Pentagon and national security. We've protected the investments in medical and scientific research and in law enforcement. And you will find on every bill that we present we're going to work to cut spending in every possible way.

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

I think this has been a very spirited debate in the best traditions of the House. I want to point out a few facts to again correct the RECORD.

First of all, the American Recovery and Reinvestment Act probably brought down the unemployment rate from 12 or 13 percent to 9.5 percent. We would have a 12.5 percent unemployment rate today if it weren't for the American Recovery Act.

The only deficit that has been cut around here was the $41 billion that was done by the Democrats and enacted in December and passed to March 4.

Now, again, we did not get our work done. Mr. ROGERS and I are going to get the work done. But again, gentlemen and ladies, it's the economy. You've got to put people back to work. And if the net impact of what you do, the cuts you make are to throw people out of work, to cause the economy to stumble and stop the recovery and increase unemployment, then the deficit will go up.

The only way you get this better is to drive down unemployment, get people working, get businesses producing, get the revenues coming in. That will do it. But what the best economists in this country say is your medicine is not going to cure the patient. It could well harm the patient and cause things to get worse, not better. So that's why some people believe it's a timing issue.

And yet, again, I want you to know, we will work together in these next 2 weeks. We've got to get this thing resolved.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. May I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 3 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of my time.

Let's be clear what it is we're voting on here today. This is a short-term, 2-week CR. It cuts $4 billion, a little over $4 billion in spending that both parties have agreed to in the past, both bodies in the House and Senate have agreed to in the past, and agreed to by the White House.

So what are we talking about here? This is a 2-week extension. It's about as clean as you can make it. And, oh, by the way, speaking about that bill we passed 2 weeks ago, H.R. 1, that cuts $61 billion off of current spending, Ben Bernanke, Chairman of the Federal Reserve, said as late as today that that bill will have no harmful effect on the economy. I don't know that there's a bigger, better source on the economy than the Chairman of the Federal Reserve, and he says no problem.

Now, what the Democrats want to do, Madam Speaker—this is pretty simple—they want to freeze spending. They want to freeze spending at the biggest bloated level we've ever had.

□ 1530

They increased spending 84 percent over the last 2 years. Now they want to freeze and they'll go no higher. Well, it's bloated. We want to take it back down to where it's reasonable, where we can live with it. So we don't want another $1.7 trillion-a-year deficit like they've had the last year and, before that, something approaching that.

So I ask Members to vote for this short-term CR, to give us time to work with the other body on H.R. 1 to find out what their position is, about which we have no idea at this moment. They haven't acted. And so to avert a closedown of the government, which is what we're after here, we want to give the Senate time to look at H.R. 1 and tell us what their position is so we can have a conversation about it. And, frankly, 2 weeks is plenty of time, plenty of time in the House. I know the Senate works a bit more slowly, but 2 weeks should be plenty.

So, Madam Speaker, I urge Members to vote for this reasonable, fair, budget-cutting extension of the time to shut down the government. Vote ''yes'' and keep the government operating.

Mr. VAN HOLLEN. Madam Speaker, today's legislation proposes to extend Federal Government operations for an additional two weeks while cutting roughly $4 billion in spending from FY 2011, if the proposed cuts are ultimately extended for the rest of the fiscal year.

Democrats understand the need to get serious about our deficits and debt, but we also understand the difference between making smart, deliberate cuts to spending while maintaining targeted investments that create jobs, grow our economy and strengthen our international competitiveness. In that regard, I am especially disappointed that the majority did not make in order an amendment offered by ranking Member DICKS, which would have restored some of the education cuts in today's bill by finding the necessary savings in unused Census funds. It seems to me those are the kinds of distinctions, priorities and choices this body should be able and willing to make.

Furthermore, based on our experience with H.R. 1, I am concerned that the majority is ignoring the explicit advice of two fiscal commissions and a growing chorus of bipartisan commentators warning that we must not in the guise of fiscal discipline cut so indiscriminately, so fast that we sabotage job creation and weaken our ongoing economic recovery.

Madam Speaker, sooner rather than later, we need to come to a final agreement on federal spending for the rest of FY 2011. That agreement should chart a credible course towards long term fiscal sustainability while

making the kinds of investments that will allow us to win the future in the 21st century.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support for H.J. Res. 44, the Continuing Resolution (CR) to make further continuing appropriations for Fiscal Year 2011 to keep our Federal Government open through March 18, 2011.

Though I have serious reservations about this CR offered by my Republican colleagues, I absolutely refuse to let our Federal Government close on my watch. Allowing the Federal Government to close while this nation continues to recover from its economic downturn does no good for anyone. Closure of the Federal Government at this juncture would deal a crushing blow to the people all over the United States who are looking to Congress to do its part in bringing about much-needed economic relief and to get this country back on course.

Moreover, states all around this nation are in the midst of recovering from their own economic crises. The closure of the federal government would deal them a crushing blow. Worse still, it would only serve to increase the hardship and suffering visited upon the citizens of those states. We must remember that these citizens are also our constituents and we must not let unfettered zeal to make spending cuts blind us to the point where we allow cuts to the funding necessary for economic recovery.

This insufficient, fake CR contains many horrible cuts to important programs. It unjustly heaves a heavy weight upon the backs of the American people who should not be made to bear this burden. These cuts include but are not limited to:

Critical Education Funding at All Levels from Head Start to Higher Education

Health and Human Services Funding

Energy Funding

Critical Transportation Funding

Military and Veteran's Affairs Funding

Science and Technology and NASA Funding

However, this is only a two-week CR and the critical funding it cuts can be recouped and restored. I look forward to fighting hard over the next two weeks to restore this crucial funding. The cuts contained in this CR squarely impact the people and programs we need to support the most in order to bring about job creation and sustained economic growth. I am committed to doing all that I can to restore these funds while making fiscally responsible, well deliberated appropriations for funding the Federal Government for the remainder of Fiscal Year 2011. I urge my colleagues to join me in this commitment.

Mr. ROGERS of Kentucky. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 115, the joint resolution is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. KEATING. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. KEATING. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Keating moves to recommit the joint resolution H. J. Res. 44 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendments:

Page 18, line 21, strike the quotation marks and final period.

Page 18, after line 21, insert the following:

''SEC. 227. For the period beginning on the date of the enactment of the Further Continuing Appropriations Amendments, 2011 and ending on the date specified in section 106(3) of this Act, no major integrated oil company (as defined in section 167(h)(5)(B) of the Internal Revenue Code of 1986) shall be eligible for any tax benefit or relief under the following provisions of such Code to the extent attributable to such period:

''(1) Section 43.

''(2) Section 45I.

''(3) Section 469 with respect to working interests in oil and gas property.

''(4) Sections 613 and 613A, with respect to percentage depletion for oil and gas.

''(5) Section 199 with respect to income derived from the production of oil and gas.

For purposes of this section, the amount of any tax benefit or relief for any taxable year shall be treated as attributable to the period described in the preceding sentence in the same ratio that the portion of such period which is part of such taxable year bears to the entire taxable year.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts is recognized for 5 minutes in support of his motion.

Mr. KEATING. Madam Speaker, I rise to offer this motion to recommit which I believe will greatly improve our fiscal health and ensure that we're responsible to all taxpayer dollars and the taxpayers of this great Nation.

We all agree—all of us, Republicans and Democrats alike—that cuts in wasteful spending are vital to our country's future. The decision that stands before us is whether we should adopt reckless cuts to some of our most important programs or not: education cuts, cuts to college scholarships, reading teachers, Head Start.

As a D.A. for the last decade, I know the effects of cuts to police officers and firefighters, and I know what they mean to our public safety. Reckless cuts: cuts to border protection, cuts to the hubs of cybersecurity research so that we can better protect ourselves in our infrastructure, cuts in cancer research and other life-saving ventures of the National Institute of Health.

It's worth repeating that Moody's chief economic expert, Mark Zandi, the former adviser to the McCain for President campaign, just this week estimated that the reckless Republican cuts will cost our country 700,000 jobs. Investment groups estimate that the reckless cuts will cut the economy by a growth this year of almost one-half.

Our alternative? Our alternative is an alternative of sensible spending cuts. In this motion, we're offering such a sensible spending cut.

Let's stop sending taxpayers' money to the most profitable companies in the world. The time is now to stop subsidizing the largest oil companies. I think it shocks every American taxpayer to know that they're required to fork out over $40 billion in subsidies over the next decade to the most economically profitable of companies—especially as oil soars to a hundred dollars per barrel. My constituents in Plymouth, Massachusetts, are paying almost $3.50 per gallon and have had enough. Even ex-Shell CEO John Hofmeister says enough is enough. He said, ''With high oil prices, such subsidies are not necessary.''

So let's put a stop to this welfare program for Big Oil right now. Cuts to police, cuts to fire, cuts to cancer research, cuts to border security, cuts to reading teachers—or oil subsidies to the most profitable of companies.

I urge my colleagues to vote ''yes'' on this motion to recommit.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I rise in opposition to the gentleman's motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. If I understand the gentleman's motion correctly, it would, for a 2-week period, attempt to change the Tax Code to single out resource companies and increase their costs of doing business. This misguided policy can only lead to higher energy prices, continued reliance on foreign oil, and economic hardship that hampers job creation.

At a time when gasoline is currently approaching $4 a gallon around the country and when our resources are being threatened by the instability in the Middle East, we should be encouraging domestic energy production—not cutting it down.

We're talking about a 2-week continuing resolution to keep the government running past Friday, reduce spending, and avoid a government shutdown. This is neither the time nor the place to inject an unrelated job-crushing, controversial rider to the CR that will absolutely hinder its chance of passing in the Senate before this Friday when the current CR expires.

I urge defeat of this ill-advised motion.

I now yield to the gentleman from Idaho (Mr. SIMPSON), chairman of the Interior Subcommittee Appropriations.

Mr. SIMPSON. I thank the chairman for yielding.

Madam Speaker, if this wasn't such a serious subject that we're discussing here, the Federal budget and how we're going to fund it for the next 2 weeks, it would almost be funny.

Almost every Member of the Democratic Party that has stood up and talked about this CR has said something like this—even the sponsor of this motion said something along these lines: Democrats know we have to reduce spending. Democrats want to reduce spending. Yet the very first time

they have a chance to vote to reduce spending, reductions that the administration agrees with in its 2012 budget and eliminating earmarks, the Democrats vote ''no''? It's strange but true.

In fact, instead of cutting spending, they propose to increase revenue. Or increase taxes.

In this fragile economy with energy prices rising, we should be encouraging more energy and gas development and production in the United States. We need more supply, not less supply. This would reduce the supply.

Oil prices are rising again; and with the wave of unrest in the Middle East and North Africa, there are fears that we could soon see a return to $4 or $5 gas in the United States this summer.

□ 1540

The moratorium put in place following the Deepwater Horizon accident was lifted last fall by the administration; but the administration has issued just one deepwater permit in the gulf, and that was issued just yesterday. The Federal judge called this de facto deepwater drilling moratorium unreasonable, unacceptable, and unjustifiable.

The public will have no patience for more delays, more excuses, and higher taxes if gas prices continue to rise, especially when we have untapped resources here in the United States not being utilized. We need to be encouraging more production in this country, not discouraging production in this country.

Oil and gas from Federal lands, both onshore and offshore, provide an important energy source and domestic jobs and billions of dollars of revenue to the United States. This is a job-killing proposal. This is an issue that needs to be addressed carefully and in great detail. A rush to impose new taxes and fees through a motion to recommit is hasty and unwise. We ought to let the committees of jurisdiction address this issue. I strongly, in the strongest terms, encourage my colleagues to vote against this ill-conceived motion to recommit.

Mr. ROGERS of Kentucky. I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the joint resolution, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 176, nays 249, not voting 7, as follows:

[Roll No. 153]

YEAS—176

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NAYS—249

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOT VOTING—7

Capito
Castor (FL)
Giffords
Hanna
Hinojosa
Marchant
Young (FL)

□ 1605

Ms. HERRERA BEUTLER, Messrs. GRAVES of Georgia, CHANDLER, and SMITH of Nebraska changed their vote from ''yea'' to ''nay.''

Messrs. CLARKE of Michigan, CARNEY, LEWIS of Georgia, SCHIFF, TIERNEY, and Ms. KAPTUR changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. ROGERS of Kentucky. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 335, noes 91, not voting 6, as follows:

[Roll No. 154]

AYES—335

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Austria
Baca
Bachus

Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Davis (CA)
Davis (KY)
DeFazio
DeGette
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Holden
Holt
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tsongas
Turner
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Weiner
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NOES—91

Amash
Andrews
Bachmann
Baldwin
Bass (CA)
Becerra
Berman
Brown (FL)
Capuano
Carson (IN)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cummings
Davis (IL)
DeLauro
Edwards
Ellison
Farr
Filner
Frank (MA)
Fudge
Garamendi
Gohmert
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hinchey
Hirono
Honda
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
King (IA)
Kucinich
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Lynch
Markey
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Miller, George
Moore
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Paul
Payne
Pelosi
Rangel
Richardson
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Serrano
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—6

Castor (FL)
Giffords
Hanna
Hinojosa
Marchant
Young (FL)

□ 1614

Ms. WATERS changed her vote from ''aye'' to ''no.''

Mr. COSTELLO changed his vote from ''no'' to ''aye.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

□ 1620

CONGRATULATING THE PENN STATE IFC/PANHELLENIC DANCE MARATHON

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, the Penn State IFC/Panhellenic Dance Marathon, referred to as THON, is a yearlong effort to raise funds and awareness for the fight against pediatric cancer. THON is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event.

Since 1977, THON has raised more than $78 million for The Four Diamonds Fund at the Penn State Hershey Children's Hospital. This year, THON 2012 took place from February 17–19. At this year's event, Penn State York broke its own record, raising $17,160.71, the largest amount that has ever been raised for THON, and it made it to the top 10 in fundraisers among the Penn State campuses.

THON has helped so many families through The Four Diamonds Fund, and this critical support for pediatric cancer research has enabled some pediatric cancer survival rates to increase to nearly 90 percent.

I want to congratulate the Penn State University IFC/Panhellenic Dance Marathon on its continued success in support of The Four Diamonds Fund and for their amazing, record-breaking total for this year's event.

DEAD BABIES DESERVE JUSTICE

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

Ms. JACKSON LEE of Texas. Mr. Speaker, yesterday I came to the floor of the House, and I think I was genuinely pleading with my colleagues in responding to the tragedy of an incident that occurred last Thursday, when a person who was supposed to have been attending to seven babies under 3 years old now has been found allegedly to have left to have gone grocery shopping, to have come back to a grease fire in the kitchen, and to have found that four babies, 3 and under, were killed.

Two are now in the burn unit. These are possibly babies supported by Federal funding for child care—by someone 22 years old and licensed by the State of Texas. In all we do to provide funding for desperate parents, can we at least expect the criteria to be reasonable?

Now we have the District Attorney's Office indicating that they can't find the suspect, that he has fled because they waited 3 days to file any charges against someone who was responsible for four dead babies. We understand they have asked the U.S. Marshal. We don't even know whether they have asked the State Department to help.

It is a crying shame, and I am getting to the bottom of it. Dead babies deserve justice.

SHERIFFS ON THE BORDER

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

Mr. POE of Texas. Mr. Speaker, it has been 5 months since David Hartley was brutally murdered by pirates on

Falcon Lake. His body remains missing, and those responsible for this border murder remain at large.

Shamefully, the only American peace officer apparently still working on this case is Sheriff Sigi Gonzalez of Zapata County. He has identified four of the seven shooters as Zeta Cartel members.

At least there's still somebody on the case.

The local sheriffs cannot do the job that they are supposed to do of protecting their counties while doing the Federal Government's job of protecting the border as well. Sixty-five Americans were murdered in Mexico last year, and not one case has been solved. Unfortunately, some of the Mexican border law enforcement personnel are in cahoots with the drug cartels. That relationship breeds incompetence and corruption.

Until the FBI, the State Department and Homeland Security get fully engaged in the murders of Americans in Mexico, it will be the responsibility of local sheriffs to keep the peace on the border.

And that's just the way it is.

THE STATE OF OUR ECONOMY

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

Mr. BARLETTA. Mr. Speaker, last week I had a chance to gain feedback from my neighbors in Pennsylvania's 11th Congressional District, and what I heard should concern us all.

From my ''Home to House'' town hall forum to the numerous meetings I held all over the district, my constituents are deeply concerned with the state of our economy and its effect on our communities.

Just one week after I submitted an amendment to restore $42 million to the Community Development Fund, I had the chance to get a firsthand look at some of the food banks and after-school programs that benefit from this critical resource. I also had the opportunity to hear from many who share my apprehension about spending reductions to the Low Income Home Energy Assistance Program, LIHEAP. I learned that 3,036 requests for LIHEAP grants were received from Wilkes-Barre and Hazleton in the past 2 months alone.

I thank all of those who have made the effort to share their thoughts and concerns with me, and I look forward to receiving more feedback in the future.

TURN THIS SHIP AROUND

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

Mr. KINGSTON. Mr. Speaker, imagine in your own household if, for every dollar you spent, 40 cents was borrowed. Obviously, you would sit down with your family at the kitchen table and say, Okay, for every dollar we spend, 40 cents is borrowed. We're going to have to change our purchasing habits.

That's what American families do; that's what farmers do; that's what small businesses do each and every day. Yet, for some reason, the U.S. Congress thinks it can defy gravity and not worry about this deficit, which is now $1.5 trillion. The debt is nearly 90 percent of the GDP, and we owe much of this money to China.

We have got to make tough decisions. It is not time for partisan politics. We need to come together as Democrats and Republicans and do what American families, farmers and small businesses do every day, every year. We need to reduce spending and turn this ship around.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 662, SURFACE TRANSPORTATION EXTENSION ACT OF 2011

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112–20) on the resolution (H. Res. 128) providing for consideration of the bill (H.R. 662) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, SMALL BUSINESS PAPERWORK MANDATE ELIMINATION ACT OF 2011

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112–21) on the resolution (H. Res. 129) providing for consideration of the bill (H.R. 4) to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE DOCTORS CAUCUS

The SPEAKER pro tempore (Mr. GRIFFITH of Virginia). Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY of Georgia. Mr. Speaker, I thank you, and I thank Speaker BOEHNER and my leadership for giving me an opportunity and my colleagues an opportunity during this next hour to talk about something that, yes, indeed, is still fresh on everybody's minds.

That is, of course, the passage on March 23, 2010, almost a year ago now, of something that some might affectionately refer to as ObamaCare, I guess officially we would say the Patient Protection and Affordable Care Act. Some people struggle with the acronym of PAPA Care. Whatever you call it, this health care reform act that was passed last year is something that a preponderance of the American people have been and continue to be opposed to.

Mr. Speaker, as the designee of the majority, I am taking this opportunity during this hour to talk a little bit more specifically about why we feel the way we feel, why the American people—why our constituents—keep telling us even a year later they are still worried about it and are opposed to it after President Obama signed the Patient Protection and Affordable Care Act into law. I think the bill number was 3590. That's what we're going to be spending our time on here in the next hour. We will be discussing that issue.

□ 1630

I have a number of my colleagues, Mr. Speaker, who are members of the GOP House Doctors Caucus. Now, in that Doctors Caucus, we have all health care providers—not all M.D.s, a lot of M.D.s, but we also have some dentists. We have a clinical Ph.D. psychologist, and now, with our new freshman class, we have three registered nurses on our side of the aisle, Mr. Speaker. So the Republican GOP Doctors Caucus is growing, growing almost double in the 112th Congress as compared to the 111th. So many of my colleagues in the Doctors Caucus will be part of this discussion.

I would like to point out to my colleagues on both sides of the aisle a couple of slides before yielding time to the other members of the Doctors Caucus. This first slide that I'm pointing out to you—GOP Doctors Caucus, of course—''ObamaCare hurts States and patients.''

I know that a lot of the discussion today will be about the strain that certain provisions of this bill place on our 50 States, not just my home State of Georgia. I do want to talk a little bit about that and the strain that my Governor and the members of the Georgia General Assembly are experiencing in trying to balance a budget when they have all this added requirement under the sections pertaining to Medicaid. So that's what I mean when I say in this slide the GOP Doctors Caucus feels that ObamaCare hurts States, and certainly potentially hurts patients.

I'd ask my colleagues to also—again, on both sides of the aisle, because our purpose here is to inform. We're not to be overly critical, but I think it's very important that we state the facts as we see them, as we know them.

In this slide a little bit further to my left, ''ObamaCare,'' it says, if you can't see it, ''You can have whatever you like as long as the boss approves it.'' And the boss, if you remember from that pretty popular TV series ''The

Dukes of Hazard,'' that would be Boss Hogg. Now, if you're wondering who I'm referencing in regard to ''the boss,'' I'm referencing the Federal Government, Mr. Speaker, not any individual, but the Federal Government.

It was said many times in the markup of this bill and the lead-up to this bill—which, as I say, we call ObamaCare—''You can have whatever you like as long as the boss approves it.'' And just in this year alone, the boss—and the boss in this instance happens to be Secretary Sebelius and the Department of Health and Human Services—has had to grant—now listen to this, my colleagues—has had to grant 733 waivers to make sure that this pledge of ''if you like what you have you can keep it''; otherwise, without those waivers, you couldn't—733 of them.

So this is what we're going to talk about tonight, and I thank my colleagues for being on the floor and joining with me.

At this point, one of the members of the GOP Doctors Caucus, in his second term, a gastroenterologist of a number of years practicing in Louisiana, my good friend, Representative and Doctor BILL CASSIDY.

Mr. CASSIDY. Thank you, Dr. GINGREY.

Now, Dr. GINGREY, I'm struck. Sometimes folks think that when we speak about health care, we're only speaking about health care. That seems kind of a simplistic statement. But let's think about it.

Right now, States are having these huge budget crises. We see in Wisconsin where there's a protest. We see in some States where there may be as much as a $10 billion budget deficit. In my State of Louisiana, there is a $1 billion to $2 billion budget deficit. And if you think about this a little bit deeply, you understand that this can be related to health care.

Now, specifically, for Medicaid. Medicaid, for those watching who are unfamiliar with it, is a combined program in which the State puts up some money and the Federal Government puts up some of the money, and with this it is used to care for the elderly, for pregnant women, for children, typically people of low income. Well, as it turns out, it is this program which is bankrupting the States. In a State, if you're paying this amount for health care and this amount for roads and this amount for education, as the amount for health care increases, you either raise taxes or you decrease spending on the other areas. Now, as it turns out, this has had tremendous impact.

Today, the Governor of Massachusetts came and spoke to one of our committees regarding the impact of their health care program, which is very similar to the bill just passed last Congress, in Massachusetts, and I was struck by what a nice view he gave. If you heard Governor Patrick speak—I didn't have a chance to ask him questions, but if you heard him speak, there's no problems with it whatsoever. But as I logged on and, say, read the Boston Globe, I learned different things.

First, I learned that Massachusetts, which has already implemented a program like this, the amount of money spent on health care has gone from 21 percent of the State budget in the year 2000 to 37 percent now. So from 21 percent to 37 percent is the amount the State of Massachusetts is now spending on health care. Well, you can only imagine the crowd-out effect that has on spending for other issues.

Well, the Governor again, as he went on and praised their program, said that there has been no problems paying for it. Well, as it turns out, and according to the paper, there's about a $1.5 billion to $2 billion shortfall in the Massachusetts budget. And in Massachusetts, the Governor of Massachusetts has said that the Medicaid spending is unsustainable. Hmm, that's different. So this is, if you will, the beta version of the Affordable Care Act—or as I call it, the unaffordable care act. This is the beta version of it, but it gives us an idea of what our future is going to be like.

Now, in order to deal with these costs—again, I'm quoting the Globe—it says that ''most recently dental benefits have been slashed for hundreds of thousands of Massachusetts Medicaid patients and they have lost access to their dentists.''

Now, by the way, the goals of health care reform are to provide affordable, quality health care that is accessible to all; but if you can't afford it, you eventually lose access. And I think what we found in Massachusetts is that the inability to afford is, of course, decreasing access. And it's not just the fact that these folks lost access to their dentists. Last year, folks who are recent immigrants to the United States who have been enrolled upon Medicaid in Massachusetts were disenrolled. So, if you will, this Massachusetts Medicaid program that has grown from 21 percent of the Massachusetts budget to 37 percent and still growing, now the cost is being controlled by denying access.

Now, we also mentioned a third goal of health care reform, which is quality care. You know, there's actually now concerns about the quality of health care afforded by Medicaid. If you will, there's a study recently reported in the Archives of Surgery in which someone looked at the outcomes of patients covered by Medicaid, Medicare, private insurance, or uninsured. As it turns out, they say, of all four groups, the cost and length of stay associated with Medicaid was longer than the rest.

Also, mortality rates—now, that's a way to say how many people die. Mortality rates associated with uninsured, Medicare, private insurance, and Medicaid was highest for Medicaid. So if you had Medicaid, you had a higher death rate from your hospitalization than if you're on private insurance, if you're on Medicare, and if you're uninsured.

Now, it's so counterintuitive that being on Medicaid is worse than being uninsured in terms of outcomes. Clearly, this is an issue that has to be studied further, but it certainly calls into question the very premise of using Medicaid as the basis for health care reform.

Just to make a point, under the Affordable Care Act—or the unaffordable care act—many people are insured; 20 million Americans are put on Medicaid as a way for them to be now insured.

□ 1640

And yet if we see that it's bankrupting States, it's clearly not affordable. If we see that because it's not affordable States are now denying access to care, as is the case in Massachusetts, and the care that is provided is of problematic quality, we can say to ourselves that this is not the basis for reform. It's like the antithesis of reform.

So I will yield back to you, Dr. GINGREY, just pointing out that this not only involves health care but also involves our ability as a State to afford other things, like roads and education. And to use that State government-Federal Government program as a basis for reform does not serve patients, does not serve the States.

Mr. GINGREY of Georgia. I thank the gentleman from Louisiana, Mr. Speaker.

At this time, I want to yield a little bit of time to our colleague, a freshmen Member, a new member of the Doctors Caucus, a registered nurse from the great State of North Carolina, RENEE ELLMERS. Representative ELLMERS has worked in a medical practice with her husband, who is an M.D., and we look forward to her comments.

And at this time, I yield as much time as she may use to RENEE ELLMERS.

Mrs. ELLMERS. Thank you.

I'd like to just contribute a little bit more on the overall burden that ObamaCare places on our States in covering patients on Medicaid.

As we've seen, this has grown, especially with the recession and the undue costs to our States' budgets to provide Medicaid at no cost sharing from the patients. I think that this is a key issue. It's basically free health care for those individuals at taxpayer expense. And it's just a huge strain on our States' budgets, as my colleague has pointed out.

One of the key factors—and very important, certainly very important in health care—are the preventative mandates. Certainly preventative medicine is a way that we can all heal, that we can all be looking for those issues that can down the road prevent excessive costs. But such things as no copays or deductibles for colonoscopies, mammograms, such things like this is there again, an undue cost to our States at taxpayer expense. It's just too much of a burden.

You know, I want to help everyone. I think that everyone should be able to have health care. As we know, if you pull up to an emergency room in any hospital across the country, you will receive health care. So the misnomer that there are those individuals who are not receiving health care is really an untrue statement.

Now, of course, you're going to receive a bill for that care. And I think that just as if you go to the grocery store and you have your cart full of groceries when you check out, you have to pay for it. It's the same thing with health care. Health care is a business, and someone has to pay for it.

But when we continuously pass this cost on to our taxpayers and, of course, our State budgets, it is just unbelievably difficult; and, of course, that is what ObamaCare does. It increases the number of patients on Medicaid, and it is just an unsustainable cost.

Mr. GINGREY of Georgia. If the gentlelady would let me reclaim my time for just a second, and then I will yield back to her.

Colleagues, look at this first slide again, the heading, ''Who Is the Boss?'' And of course we've already talked about Boss Hogg. And I said at the outset, the Federal Government is the boss. But there are one, two, three, four, five bullet points under that. And this is really what Representative ELLMERS is referring to in regard to the Federal Government putting all of these mandates onto the State budgets.

159 new boards, agencies, and commissions created by ObamaCare to support the boss, the government—159 new boards. Sixteen thousand new IRS agents help the boss, the government, enforce the new law. That's a report from the House Ways and Means Committee.

The Secretary of Health and Human Services, Kathleen Sebelius, under this law, this 2,400-page monstrosity, is given broad new powers to run ObamaCare—rulemaking, regulatory authority. No wonder the doctors and their patients are scared to death.

And then, of course, the new Director of CMS, the Committee on Medicare and Medicaid Services, Dr. Donald Berwick, a brilliant man, a Harvard-trained doctor, M.D., written several books. Unfortunately, in those books, Mr. Speaker, he talks about rationing of care. This is a paraphrase of a quote: It's not if we ration; it's how we ration.

And, again, these are the things that we have great fear of.

The CBO actually, in this last bullet point, Congressional Budget Office, nonpartisan, says it will cost between $5 billion and $10 billion just to hire all of these new employees needing to help the boss, the government, run ObamaCare.

Mrs. ELLMERS. I would like to expand on some of the points that you're making there.

We're basically talking about the same issues, and we can see what an increase in costs this is going to be and how incredibly difficult it would be to put this in place. And, you know, this isn't yet another situation where the good intentions and well-meaning intentions that are put forward to help this situation are just truly not the answer.

You know, basically, how do we increase the access to health care coverage? Medicaid is not the route to take. There again, it passes too much cost on to our States and it is not—it is an imperfect situation. And I'll expand a little bit on the Congressional Budget Office numbers.

Very conservative estimates indicate Federal spending for Medicaid is expected to reach $427 billion by 2019. And the Congressional Budget Office notes the program will consume more than 4 percent of GDP by 2050.

You know, one of the unintended consequences to this—you know, we were talking about some of these bad situations, poor outcomes. One of the things that we're seeing right now, unfortunately, in health care as we move into this transition into ObamaCare is the decrease in Medicaid reimbursements to physicians. They're not very good to begin with, and I would say that that's probably going to decrease to doctors and hospitals as we decrease the reimbursement to hospitals especially.

This will basically—we were talking about the possibility of rationing of care and knowing that this is down the line and the quotes, of course, that we see from Centers for Medicare & Medicaid. But basically what we're seeing here is that physicians will be forced to have to stop taking Medicaid patients.

As we all know, physician offices are businesses. They're small business owners. They have staff that they have to pay. They have payroll that they have to meet. And, unfortunately, when faced with a situation like this—we're already seeing it with Medicare as well; physicians, you know, having to dial back on the number of Medicare and Medicaid patients that they're seeing. This ultimately will not help the situation and get that health care for the American public that we're looking for.

If this is the answer—well, let's just say it's not the answer. We're creating another problem with this solution. And once again, how will we deal with that down the road, with these incredibly large numbers of costs that we're passing on to our taxpayers?

Mr. GINGREY of Georgia. Reclaiming my time, Mr. Speaker, again, I thank the gentlewoman from North Carolina and hope she'll stay with us during the remaining portion of the hour, and I'd like to yield additional time to her later in the hour.

At this time, I would like to yield to another freshman Member, another physician Member, Mr. Speaker, and also I'm proud that he is a member now of the House GOP Doctors Caucus. And I will yield time now to my good friend from Indiana, Dr. LARRY BUCSHON.

Mr. BUCSHON. Thank you, Dr. GINGREY.

Mr. Speaker, I rise today to talk about how ObamaCare will hurt my State and ultimately hurt my patients. And I would like to start with an example of the Medicaid program.

As a cardiothoracic surgeon in Evansville, Indiana, I see a lot of patients from neighboring States because we're right in the corner next to Illinois and Kentucky.

□ 1650

Many of these patients are Medicaid patients and, without treatment, face grave results. However, every year the Illinois Medicaid program runs out of money in September, October. They don't have enough money to fund the entire year. And what does that mean? That means that without denying any patients care that they need and deserve, my practice was forced to delay billing to the Medicaid system of Illinois. And then once the new fiscal year came into play, about 50 percent of those claims were subsequently denied by Illinois Medicaid. So those patients that came over for our services, they don't have quality health insurance, Mr. Speaker.

Some physicians in my community don't even bother to bill the Medicaid program in some States at all. This is an example of the broken Medicaid system, a system that has many issues focusing on the access to quality health care. And it was said earlier you see the outcome difference between Medicaid and private insurance patients because we have an access and quality problem with these patients, a system that ObamaCare will break even more by adding millions of Americans to the States' Medicaid rolls. It's estimated that this may cost the State of Indiana as much as $3.6 billion to cover these folks.

From Indiana we have an innovative and effective solution, and that's called the Healthy Indiana Plan. Beginning in January 2008, uninsured Hoosiers between the ages of 19 and 64 started enrolling in this plan, a consumer-driven health care plan. The Healthy Indiana Plan operates on an 1115 demonstration waiver from CMS, the Center for Medicare and Medicaid Services. Due to the program's success, the State of Indiana would like to use the Healthy Indiana Plan as a coverage vehicle for the newly eligible population under ObamaCare. This has been requested by my State Department of Health and Human Services, but to this point we have not heard a response about whether this will be possible. And I am hoping that we get a response in the positive direction because this is a great program.

The plan is for citizens that earn less than 200 percent of the Federal poverty level and works on a sliding scale for individual contributions, based on the ability to pay, that cannot exceed more

than 5 percent of his or her gross family income. Each participant is enrolled in a health savings account valued at about $1,100, and will not make copays except for non-emergency use of the emergency room. And believe it or not, this program reimburses providers at a Medicare, not Medicaid, level. This gives citizens a financial incentive to adopt healthy lifestyles and personal responsibility to make their own health care decisions.

Healthy Indiana Plan is an innovative, market-based, consumer-driven plan that is working. In a recent survey, 94 percent of Healthy Indiana Plan participants are satisfied with the program, and 99 percent indicated they would re-enroll. There is data in the fact sheet that I have included in the CONGRESSIONAL RECORD showing the success of this plan both for patients and for the State of Indiana.

It's a commonsense, market-based solution to a broken Medicaid system that ObamaCare does nothing to fix, but only further burdens my State, and all States, and will ultimately continue to hurt patients' access to quality health care in America. So I would urge everyone to review what the State of Indiana has done with its Healthy Indiana Plan.

With that, Dr. GINGREY, I thank you.

The Healthy Indiana Plan is a consumer-driven health care plan for uninsured Hoosiers between the ages of 19–64. The program began enrollment in January 2008, and operates under an 1115 demonstration waiver from the Centers for Medicare and Medicaid services (CMS). During the first two years of the program, HIP served 61,797 Hoosiers.

WHO IS COVERED?

HIP is for uninsured Hoosier adults between the ages of 19–64. Parents or caretaker relatives of children in the Hoosier Healthwise (CHIP) program are likely candidates for HIP.

Eligibility Requirements: 1. Earn less than 200% of the federal poverty level (FPL). A single adult earning less than $20,000 or families of four earning less than $40,000 likely meet the basic financial requirements. 2. No access to employer sponsored health insurance coverage. 3. Uninsured for the previous six months.

PLAN STRUCTURE

A POWER (Health Savings Account) Account valued at $1,100 per adult. Contributions to the account are made by the State and each participant (based on ability to pay). No participant pays more than 5% of his/her gross family income.

Sliding scale for individual contributions (based on % of gross family income): 0–100% FPL: 2%; 100%–125% FPL: 3%; 125%–150% FPL: 4%; 150%–200% FPL: 4.5%–5% (Caretaker relatives/parental adults in this income bracket contribute 4.5%, and the childless adults contribute 5%).

No co-pays except for non emergency use of the ED.

Providers are reimbursed at Medicare, not Medicaid, rates.

PLAN BENEFITS

A basic commercial benefits package, once annual medical costs exceed $1,100.

Coverage for preventive services up to $500 a year at no cost to participants.

Services include: physician services, prescriptions, diagnostic exams, home health services, outpatient hospital, inpatient hospital, hospice, preventive services, family planning, and case and disease management.

Mental health coverage is similar to coverage for physical health, and includes substance abuse treatment, inpatient, outpatient, and drugs.

HIP does not cover vision or dental. HIP also does not cover pregnancy services, as these services are available through the existing Medicaid program.

WHY A POWER (HSA) ACCOUNT?

Personal Wellness and Responsibility (POWER) Accounts give participants a financial incentive to adopt healthy behaviors that keep them out of the doctor's office. When they do seek health care, participants will seek price and quality transparency so they can make value conscious decisions.

If all age and gender appropriate preventive services are completed, all (State and individual) remaining POWER Account funds will rollover to offset the following year's contribution. If preventive services are not completed, only the individual's prorated contribution (not the State's portion) to the account rolls over.

PROGRAM RESULTS & PERSONAL RESPONSIBILITY

HIP members, in general, have demonstrated the personal responsibility emphasized by the program.

Lower ER Use: Some HIP members do not make POWER account contributions due to CMS income-counting guidelines. HIP members required to make POWER account contributions: 9% decrease in ER use in 3 months; 15% decrease in ER use after 6 months. HIP members not required to make POWER account contributions: Initial 5% decline in ER use after 3 months; no additional decline in ER use.

High Generic Drug Utilization:

HIP generic drug utilization: 80%; comparable commercial population: 65%.

High Use of Preventative Care: 76% of HIP members received their required annual physical in the first year of the program. Use of preventive services was significantly higher than the traditional Medicaid population in Indiana: 445.4 well care visits per 1,000 (HIP caretaker adults); 281.8 well care visits per 1,000 (HIP childless adults); 195.2 well care visits per 1,000 (Indiana Medicaid adults).

Strong Personal Responsibility: 97% of members made their required POWER account contributions during program year one. Individuals can be removed from the program for failure to make POWER Account contributions within 45 days. Once removed from the program, an individual may not re-enroll for 12 months.

High Member Satisfaction: 94% of HIP participants surveyed said they are satisfied with the program, and 99% of respondents indicated that they would re-enroll in the program.

IMPACT OF THE AFFORDABLE CARE ACT

The Affordable Care Act maintenance of effort requirements turned HIP into an entitlement program for adults. Despite funding limitations (HIP was funded through an increase in the cigarette tax), the State cannot limit the number of parental enrollees. Therefore, the State is not currently enrolling childless adults on the wait list.

Due to the success of the program, the State would like to use HIP as the coverage vehicle for the newly eligible population. Indiana has asked for direction from CMS (May letter to Cindy Mann) and has not received any official guidance.

The success of the program depends on its innovative market-based, consumer-driven structure. There is concern about whether or not CMS will allow the program to continue in its current form.

For more information: www.HIP.in.gov.

Mr. GINGREY of Georgia. I think, Mr. Speaker, the good doctor is pointing out some things that our colleagues on both sides of the aisle and the American people need to understand. This plan that was just described to us by Representative BUCSHON, the Healthy Indiana Plan, it's so typical of what the States are capable of doing, Mr. Speaker, if they're allowed to do that.

But we have great concerns, and when I say ''we,'' I am talking about the governors of all 50 States, be they Republican or Democrat, and the territories, to be told by the boss, again, that, no, you can't be an incubation center, you cannot be innovative in regard to developing a health care plan for those who can't afford to purchase health insurance on their own and they qualify for safety-net programs like the Federal-State shared program Medicaid.

And the States, Indiana, my own State of Georgia, Governor Herbert testified before the Energy and Commerce Committee today in regard to what he is doing in Utah. In fact, they had already set up exchanges at the State level 5 or 6 years ago, long before this Patient Protection Affordable Care Act even was on the drawing board.

But when you have things in the bill, when the boss writes a section of the bill that says States, it doesn't matter that you have to balance your budget, we don't at the Federal level, but we're going to dictate to you that you're going to have to start covering Medicaid constituency up to 138 percent of the Federal poverty level. We're going to put that into law. That's part of this new law ObamaCare. And you have no choice. Now, we're going to give you a little breathing room, and we're going to say it's not going to start for a couple of years, indeed January of 2014 you have got to expand your Medicaid rolls from the typical State covers 100 percent of the Federal poverty level. This goes up to 138 percent of the Federal poverty level.

And the boss says, well, we'll pay all of it with Federal dollars for the first couple years, but we're going to phase that out. And then, oh, yes, guess what happens, the boss adds eventually at the end of the day $60 billion to State Medicaid costs. And also there is a section in the bill, Mr. Speaker, that tells the States, and it's called maintenance of effort, you can't change one thing that you currently do in your Medicaid program to prepare yourself for this tsunami. If you're covering today 185 percent of the Federal poverty level, you can't all of a sudden say, well, gosh, you know, we're going to have to lower that to 150 percent and put some oats away and get ready for that real rainy day in 2014.

We heard from another governor today in that hearing—there were three—Governor Deval Patrick of Massachusetts was one, and Governor Haley Barbour from Mississippi, Mr.

Speaker, was the other. And Governor Barbour was saying that a couple of years ago he instituted a program in the State of Mississippi that would make sure that people that were on the Medicaid program were eligible, that they deserved to be there. They weren't eating somebody else's lunch, as the expression would go. They weren't illegal immigrants. Their income wasn't too high to make them eligible for this safety-net program.

And of course, Mr. Speaker, as we all know, thank goodness, income from year to year can get better. We're still waiting for that to happen. I think ObamaCare and some of these other policies that we're seeing over the last 4 years is preventing that from happening. So Governor Barbour would make people come and face to face verify that they were still eligible from year to year. As I understand it, this rule, this maintenance of effort would prohibit—he has already done it in Mississippi—but in any other State, as an example, to make sure your rolls were clean and were you covering the people that were eligible and that really needed that care.

□ 1700

This is the kind of thing that we are dealing with, and why we are talking about this tonight and why we are talking about it so passionately.

Mr. Speaker, I yield to my colleague from Tennessee, Representative DIANE BLACK, another new Member, a delightful new Member, also assuming leadership positions and going to do a great job here in the House.

Mrs. BLACK. Thank you.

Mr. Speaker, I rise today as a registered nurse who worked in emergency rooms and caring for patients. I also rise as a former member of the Tennessee General Assembly who saw firsthand the devastating effects of TennCare on our State and was a part of the group, of the effort, to dismantle it.

Finally, I rise today as a representative of the Sixth District of Tennessee, where my constituents have told me over and over how they do not want ObamaCare bankrupting our Nation and getting between them and the doctor.

Mr. Speaker, I know that the health care industry, and I know that the new health care law, is not the solution to our problem. Pretty soon, the health care law will be the problem. I know this because for many of us in Tennessee, the President's new health care law is like a bad dream all over again.

And let me tell you what I mean. Tennessee was the pilot project for universal health care and the experiment was called TennCare. Put simply, the experiment failed.

After TennCare passed, we watched the cost grow exponentially, and those of us in the legislature knew that if we did not do something, TennCare was going to bankrupt our State and, much like ObamaCare, the sheer size of TennCare was more than government could handle. The government could not perform all of the functions of the medical insurance industry. Promises of care and access were made, and promises were far beyond what our State could possibly do.

It didn't take long before TennCare became riddled with waste and fraud and abuse. I can remember talking with people who had gone from doctor to doctor and specialist to specialist using TennCare to fill more than 50 prescriptions. Yes, 50 prescriptions is what they would put in front of me and tell me that TennCare was paying for, and it was all on the taxpayer's dime.

TennCare became the monster that even the creators could not control. Today, TennCare is gutted, only available to a small group of people, and Tennessee has been brought back from the brink of bankruptcy.

Last month, Republican Governors wrote to ask the administration to ''waive the bill's costly mandates and grant States the authority to choose benefit rules that meet the specific needs of their citizens.'' The Governors were asking for commonsense solutions like waiving provisions that punished consumer-driven plans like the most popular plan and the cost-effective plan of health care savings accounts. Give the States the ability to do what States can do best, and that is to determine what's best for them.

But the President shows no sign of granting States some flexibility in how they will apply ObamaCare. And only yesterday, President Obama said he is supporting letting the States propose their own health care plans by 2014. However, that would be only if he will not change the mandates for the States in the current law.

So in one side of his speech he says, yes, he will allow some flexibility. On the other side he says, there still must be certain mandates.

Mr. GINGREY of Georgia. If the gentlewoman would yield, it is kind of like you can keep what you like until you can't. That's what we are seeing, and that's why, as I pointed out earlier, that 733 waivers, just this year in 2011, had been grant happened by Secretary Sebelius to try to fulfill that promise, but they can't do it. They can't keep up with it. There is a need for a new waiver every day.

Mrs. BLACK. Dr. GINGREY, as you said, States will still be forced to comply with benefit levels and mandates that are set by Federal bureaucrats, not by the States themselves. That certainly doesn't give States rights.

Secretary of Health and Human Services Kathleen Sebelius has already said that if the State were to propose its own plan that they will be forced to provide comprehensive, comprehensive coverage, and that coverage will be defined by government. So much for being able to keep your plan or for the States to make a determination on what plan best suits them.

Now President Obama wants every State to live through its own version of TennCare. With ballooning budgets for each State and no way to curb their health care costs that will cripple the States during a time of already strapped budgets, it's simply unacceptable.

Mr. GINGREY of Georgia. I would say it's unconscionable and unacceptable.

Mrs. BLACK. We averted this disaster in Tennessee by dissolving TennCare and now, as a Member of Congress, I will work to stop this financial and fiscal disaster that ObamaCare will bring to our Nation. This health care law must be replaced, and I believe this House can do it.

Mr. GINGREY of Georgia. I thank the gentlewoman from Tennessee. I failed to mention, of course, that she is also a part of our GOP House Doctors Caucus and, as she pointed out, a registered nurse for many years in a great Volunteer State, so we appreciate Representative BLACK being with us tonight.

Before I yield to our next speaker I wanted to, Mr. Speaker, go back to this current chart. I wish I had brought a magic marker. I didn't. But I circled this, I guess, third bullet point because I think it's really telling in regard to what's happened at the State level as a consequence of the provisions of ObamaCare.

And this bullet point says the boss, the Government, the boss prohibits 16 million patients from buying private insurance by trapping them in Medicaid, and that's really what they have done, Mr. Speaker. By expanding the Medicaid eligibility from 100 percent of Federal poverty to 138, that means that a lot of the folks out there today who are uninsured can't afford health insurance; they are not eligible, they are not poor enough, if you will, to be eligible for their safety net program known as Medicaid.

In the Federal Government, the boss comes along with this idea of letting people buy their health insurance in an exchange in each State, maybe over the Internet. If they are low income, then they get a Federal subsidy, not a Federal-State subsidy, but a Federal subsidy.

Well, clearly as the Democratic majority and President Obama were crafting this thing, they figured out, well, you know, if we can shift more of these people into the Medicaid program where the States have to pick up some of the tab, then we will get them off our back. You know, we will lower the cost. We will make this thing work.

Unfortunately, the poor States, and they are poor, all have to balance their budgets, and the Federal Government doesn't. That's why we owe $13.4 trillion, and now they are even talking about us wanting to raise the debt ceiling so we can borrow some more money. It's a smoke and mirrors game, maybe even a Ponzi scheme, in my opinion, Mr. Speaker.

Mr. Speaker, at this time, I want to yield to another member of our GOP

House Doctors Caucus, the gentleman from west Tennessee. I don't know whether the area is called Pell Mell or Pall Mall—maybe he will describe it to us when he stands to speak—but I am talking about a fine physician, a family practitioner, Dr. SCOTT DESJARLAIS.

Mr. DESJARLAIS. Thank you, Dr. GINGREY. I hail from Marion County, which is South Pittsburg, would be the hometown.

Before coming to Congress I had the opportunity to serve the people in Tennessee as a primary care physician. In 1994 Tennessee embarked on an experiment with the Medicaid program, which became known as TennCare. Unfortunately, it never accomplished its goal of improving on the flawed Medicaid system.

□ 1710

To the contrary, it became a breeding ground for waste, fraud, abuse and inefficiency. I witnessed the frustration of my patients, my staff and myself as we struggled to combat this bureaucratic web that forced us to spend time navigating administrative hurdles rather than focusing on quality care.

Another problem that rapidly evolved was over-utilization of the system. Often, only one family member was ill, but other family members were requesting to be seen simply because it was more convenient than making other arrangements for the non-ill member, such as children, to be cared for elsewhere. This also became, and continues to be, a problem in the emergency rooms. There is no cost difference to the patients, so there is no disincentive to utilize the ER for nonemergent care. In fact, this is a national problem, with up to 80 percent of ER visits being deemed nonemergent. This leads to much longer wait times in emergency rooms for those patients who are critically ill. It should also be noted that ER visits are obviously much more expensive than office visits, further driving up the cost unnecessarily.

A simple solution to improving the problem of over-utilization would be implementing a nominal copay system in which office visits cost something like $5 per visit and ER visits might cost $20. This simple step would likely have far-reaching effects to reduce costs, over-utilization, and thus increase availability of care for those who need it. We should see TennCare as a warning of the many problems that a government-run health care model creates.

There are certainly issues with our Nation's health care system that need to be addressed, and the GOP Doctors Caucus has no shortage of good ideas on how to make health care more affordable and expand coverage. But what we stand firm in saying is that ObamaCare is not the answer to the problem, but, rather, it creates an even bigger problem.

Mr. GINGREY of Georgia. I thank the gentleman from Tennessee, and I thank him for making sure that I know exactly what county and counties he represents. I know it's a great State and a great part of the State, and we are very proud of the good doctor.

At this time, I want to yield to another freshman member of their class of 87 strong. It's a fantastic class, Mr. Speaker. We are awfully proud of each and every one of the new Members, but especially those who have that health care background, that experience to come to this body, to this Chamber and to this town and bring some professional expertise. We don't have all the answers, Mr. Speaker. And I'm proud of these physician colleagues of mine because they're not know-it-alls, but they know what they know and they know it well.

At this point, I would like to yield time to the gentlewoman from New York, an ophthalmologist, Dr. NAN HAYWORTH.

Ms. HAYWORTH. Thank you, Mr. Chairman.

I observed, sir, that you have brought a sign to the floor that talks about stealing America's liberty. One of the fundamental problems that I perceive, and I'm not alone in this, but in this entire scheme, if you will, that is represented by the Affordable Care Act, as it has been called, is that there was a failure to understand the very nature of American medical care. When it's at its best, and we recognize—every colleague of mine, all of my Republican and medical colleagues have also appreciated certainly that we want to see all Americans have access to good, affordable care and to have affordable, portable health insurance. That's not in dispute. So we honor those goals. But the means by which the ACA endeavors to achieve those goals go against the grain of the American culture. Our culture is one that has always allowed us to choose, that has allowed us to pursue, in terms of our medical care, the very best that the world has to offer in terms of innovation and quality, motivation, incentive to invent and to do better. The American medical consumer, our patients, expect no less than the best, nor should they receive anything less than the best.

That's a very different way of thinking about care in a consumer society than is the case in so many other systems around the world that were cited as exemplars when the ACA was being formulated. We do not have, I can tell you from my experience with patients who have had care, who have lived in Europe for variable periods of time, some Americans who have spent sojourns in Europe because of business obligations and working with colleagues from Europe, historically it is rather a different model than we have here. American doctors are accustomed to jumping and doing and doing all they can and doing it fast, and my colleagues can certainly attest to that.

It's a little bit different sometimes overseas. They have a different kind of medical culture. Patients don't expect quite as much. It's not the same sort of thing that we have here. And indeed, that is consonant with the fact that there isn't any other country's dream necessarily as there is an American Dream. My mother is from England. She came to this country in 1948 because she was very distressed by national health care. There is no British dream. There is not necessarily a German dream or Japanese dream. But there is an American Dream.

Mr. GINGREY of Georgia. If the gentlewoman will yield, Mr. Speaker, what the gentlewoman from New York is referencing is something that I have heard from people in other countries that have government health insurance. And they say, well, I'm real happy with my government health insurance. And I know what's going on over here. And I'm thinking, my goodness gracious, you're happy? What are you happy about? Well, you get to see the doctor within 5 minutes, and you always come out with at least three prescriptions.

Now, if that's the definition of success, Mr. Speaker and my colleagues, that's not what American, good old U.S.A. medicine is all about. It's time, quality time, spent with that doctor, and maybe no prescriptions.

Ms. HAYWORTH. Thank you, and precisely the point that I'm agreeing on with you and that I think we all have driven to philosophically is that we need to have solutions that empower our doctors, our patients and our providers to do all of them, to have the best and to do the best. And consumer-based solutions are possible. Our Doctors Caucus is working very hard on providing those ideas. Real liability reform has to be part of this. We cannot possibly continue as we have been. That was a glaring omission from the ACA.

In addition, we need to recognize, appreciate and act upon the knowledge that our medical care can cost less. We do need to pay attention to costs, but we need to empower our patients, our doctors and our providers to use their best judgment, not empower something like the Independent Payment Advisory Board to make those decisions for us. That is a very dangerous thing and something that Americans will find very distressing and disturbing. And the inevitable result of the ACA is that, and you can trace it out, but we will end up having less choice. The government will make decisions for us. They will be decisions we don't like. We need our consumers and our providers to be able to make those decisions.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentlewoman from New York, and I appreciate her time.

If my clock watching is accurate, I think we may have 8 to 10 minutes remaining, and I will try to conclude. I would like to see if my colleagues would like to weigh in with additional comments. We do have time if any of

those that are still on the floor would like to bring some more enlightenment into this subject.

I yield to the gentlewoman from North Carolina.

Ms. ELLMERS. Thank you, Mr. Chairman.

I think we've come to the point now where we do need to discuss that ObamaCare is not the answer. We have all discussed this over and over again. I would say that it's probably a good reason that I was elected because I ran on repealing it—that and cutting taxes and cutting spending. And it all ties in together.

Those of us who are in health care have been aware of the need for reform for quite some time. I think any of us can say that we've seen the costs increase. We've seen the cost of health care insurance increase. And yet we've all felt that our hands were tied. We didn't know how to address it. The bureaucratic system, as my colleagues have pointed out, just dealing with billing and trying to get the care for patients alone can just take over your office.

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We have seen these things. We know there are problems that exist, but we all agree that it needs to be a patient-centered, doctor-nurse-patient relationship that we have to be putting forward. And it has to be in the private sector. There are ways to do this. There is a role for government in it, especially when we are talking about Medicare, Medicaid, and those who are unfortunate. We want everyone to have health care. But there are ways we can address it.

It is not a health care crisis; it is a crisis of culture. We have to change the culture that we are dealing with. We want everyone to have affordable health care, and there are simple solutions we can put in place to do that.

Mr. GINGREY of Georgia. I am so glad that I called on the gentlewoman from North Carolina and she brought up this point, colleagues, because what RENEE ELLMERS just said is absolutely the truth. We are not on this side of the aisle, and those Democrats who agree with us, we are not opposed to reforming the health insurance industry, to eliminating abusive practices such as canceling policies after the fact or denying children with preexisting conditions, and that is exactly what the gentlewoman from North Carolina was referencing.

The pledge to repeal ObamaCare is because in our humble opinion it is too bad to fix. That doesn't mean that when we replace it, and we may have to do it piece by piece, bit by bit, that we don't incorporate some of the things in there that most people would agree are good, like allowing youngsters, young adults, Mr. Speaker, to stay on the health insurance policy of their parents until they are 26 years old. With this economy and the destruction of jobs because of bailouts and stimulus, trillions of dollars that don't work, unfortunately, our young college graduates have no job to go to; otherwise, they would have health insurance from their place of work. So they darn well need to stay on their parents' policy until they are 26, and maybe until they are 36 if we don't quite get our act together and quit spending and get this economy going.

Let me yield quickly to the gentleman from Tennessee, Dr. ROE, my OB–GYN colleague from Tennessee.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

When I came, as we all did, doctors, physicians tend to look at a problem. When a patient comes in, the first thing we ask them, Dr. GINGREY: Why are you here today? It is a fairly obvious question. It is called the chief complaint.

When I came to Washington, D.C., I asked the same thing about the American health care system. I said: What is the problem with the American health care system? I thought there were probably three.

Number one, it was too expensive. The cost of health care had skyrocketed way above inflation so it is way too expensive to come see a doctor or go to the hospital.

The second issue I saw you just brought up was that there was a segment of our population that didn't have access to affordable health insurance coverage. These are not the very poor who had access in my State to TennCare or in other States to Medicaid, but these are folks who are out working. Maybe they are a carpenter and their wife stays at home. Or maybe they have a job, a small business, where they can't afford it. So there was that segment that didn't have it.

Lastly, there is a liability crisis in America. Our friends on the other side, our trial lawyer friends can tend to say that is not the case, but let me give you a personal example. When I started my medical practice, probably about the same time you did, Dr. GINGREY, it cost $360. That was the first baby I delivered in 1977 that I got paid for. I was out of the Army and out of my training, $360. My first year's salary was $32,000. That is what I made my first year in practice. I delivered 260 babies that year; a lot of babies. The next year I was up to $60,000 a year. My malpractice was $4,000 a year. When I came to Congress 2 years ago, the malpractice in Tennessee for an obstetrician was $74,000. And there is no value that we get, that patients get from that. We will go into that when we have another hour.

But the thing about the ObamaCare plan that bothered me was it did nothing to bend the cost curve. If you looked at this and if you look at plans that have been out there in the past, Medicare, for instance, came on board in 1965 as a $3 billion program; $3 billion in 1965.

The estimators, there was no Congressional Budget Office then or folks who make these estimates, but the government estimators at that time said in 25 years this will be a $15 billion program. The actual number was over $100 billion. And today it is over $500 billion.

In Tennessee, we noticed we had the same problem 20 years ago. We have been through all of this before. Unfortunately, no one here chose to listen to us in our Doctors Caucus. We said we had lack of access and we had prices rising back in the 1990s, the early 1990s, exactly the same debate that we are having today except today it is more severe than it was.

We spent $2.6 billion on TennCare in 1993. In 2004, 2005, just 10 budget years later, it was up to $8.5 billion. The cost had tripled.

So when you see these cost estimates—and remember that the same CBO, and these are good folks. I'm not pointing the finger at them. It is very hard to do what they do. They are given a set of data. They crunch the numbers and they hand them to us. They only missed this year's budget deficit by $400 billion in 1 year. So I am to stand here and believe, looking at these other examples I have just given you, that this is going to be budget neutral in 10 years? There is no way it will be.

I know we have a lot to discuss. I'm sorry I was a little late. I had some folks from the great University of Tennessee in my office to see. I look forward to continuing this discussion.

Mr. GINGREY of Georgia. Dr. ROE, we appreciate you being with us. I know the time is rapidly coming to a close.

But, Mr. Speaker, I guess the last slide basically says it all, cuts right to the chase: ObamaCare steals Americans' liberty. Our forefathers intended certain basic rights—life, liberty, pursuit of happiness—to be inalienable—that means can't be taken away from you—and consider them self-evident and universal.

ObamaCare lets the boss steal liberty from every American by forcing them to buy health insurance whether they want it or need it or not. We can encourage them to have it and try to make it possible and affordable. But to force them to do it, the next thing we know, everybody will be eating broccoli by government edict because it is healthy, it is healthy food. They are going to have a hard time getting me to eat broccoli.

But I am telling you the judge in Florida, Judge Vincent, and the judge in the Commonwealth of Virginia, Judge Hudson, they got it right. We need expedited processing of those suits so the Supreme Court will tell the American people this is unconstitutional and will not stand.

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

50TH ANNIVERSARY OF THE PEACE CORPS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, today, March 1, marks the 50th anniversary of the United States Peace Corps. In 1961, President John F. Kennedy, together with Sargent Shriver, established the most remarkable, long-lasting, and incredibly successful United States Peace Corps. On the announcement of the establishment of the Peace Corps, countries around the world clamored to have Americans of all ages come to their country and assist in the economic development of those countries.

To date, over 200,000 Americans have followed that call to service and have served in over 130 countries. Today, some 77 countries have Peace Corps volunteers and another 20 countries request the presence of Peace Corps volunteers.

My wife, Patti, and I are proud returned Peace Corps volunteers. Joining me today to celebrate this 50th anniversary are two other returned Peace Corps volunteers. And together with SAM FARR, who unfortunately cannot join us this evening, we comprise the four Members of Congress who are returned Peace Corps volunteers.

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I would like to call upon my colleague from California, MIKE HONDA, to join us here to express his own experiences of his work here in Congress and how his Peace Corps experiences may have reflected upon his work.

MIKE, if you'll join us.

Mr. HONDA. Thank you, JOHN.

As a returned Peace Corps volunteer, I rise to recognize the work of the Peace Corps on its 50th anniversary. The Peace Corps has played an instrumental role in establishing prosperous foreign relations while fostering cross-cultural understandings. Countries from all over the globe celebrate the contributions of the Peace Corps and look forward with anticipation to its continued growth.

In representing the Ethiopian Caucus here, I was in Ethiopia a couple of years ago and traveled extensively through Ethiopia during the 8 days I was there. I ran across some folks in the upper part of Ethiopia, and we talked about the Peace Corps. Immediately, a lot of the young people there brightened up, and asked, Do you know GARAMENDI? It was at that moment I remembered that our colleague GARAMENDI had served in Ethiopia. What struck me the most were the memories of people and the fact that we touched them in their youth. The influence that we had on the young people in the different countries had stayed with them, and they have become leaders in their own right in the countries in which we served. The same happened in El Salvador. I'm sure the same happened in Somalia where our other colleagues had served their time.

The Peace Corps provides a unique opportunity for volunteers to help some of the most impoverished people in the world, work that changes their global perspectives.

I had met another person at Stanford University. He was a visiting scholar. He was not much more than 5-foot 1-inch, articulate in English and Spanish, who said that he was an aberration of statistical probability. In saying that, he meant that he was a young boy in the mountains of Peru and that it was a Peace Corps volunteer who had touched his life, who had allowed him to learn more about himself and his country, which pushed him to learn English. Because of the Peace Corps volunteers, he was able to go to school.

His name was Alejandro Toledo. He became the President of Peru. Now he is a visiting scholar and is also looking at running again and perhaps serving his country. He not only serves his country; he serves all people of this world by the fact that he was able to express the idea that he was probably an aberration of statistical probability and that he had attained a position on the global stage, a leadership position, because of Peace Corps volunteers.

This story is replicated over and over again with the over 195,000 volunteers who have served. Yet I just want to pay special attention to Sargent Shriver, the person who made the selfless commitment and took the visionary leadership in creating a pioneering organization that provided opportunities for young people and that provided them opportunities to grow in themselves. Filling Sargent Shriver's shoes will always be difficult.

President Clinton was right when he said that never has America had a stronger warrior for peace and against poverty than Sargent Shriver. Sargent Shriver, himself, said it best when he said that the Peace Corps represents some, if not all, of the best virtues of this society. It stands for everything that America has ever stood for. It stands for everything we believe in and hope to achieve in this world.

So I want to thank my colleague for putting this together. I want to thank my friend Mr. PETRI, on the other side of the aisle, for his friendship. We say ''the other side of the aisle,'' but I think that the aisle does not exist with our relationships and with our commonality within the Peace Corps.

The Peace Corps allowed me to grow up. The Peace Corps allowed me to believe in myself. The Peace Corps was responsible for my being here today to be able to speak fervently and hopefully convincingly in encouraging other young people to serve this country through the Peace Corps. It will be 2 years that you will never ever regret—years I would never exchange for 10 years of regular life in this country.

I thank you.

Mr. GARAMENDI. Congressman MIKE HONDA, thank you so very, very much.

Let me now turn to my colleague on the Republican side, TOM PETRI, who also served.

TOM, if you could share some of your experiences with us.

Mr. PETRI. Yes, I am delighted to have the opportunity to join with my colleagues in recognizing the 50th anniversary of the founding of the Peace Corps.

It was my pleasure some 25 years ago to work with the fellow whose picture is up by the podium, Sargent Shriver, on some of the arrangements for the 25th anniversary of the Peace Corps. They'd had a gala reunion and a program at the Kennedy Center with such luminaries at that time as Harry Belafonte and many others. It was a memorable occasion.

Sargent Shriver, of course, was a great leader in many different areas. I met him in a reception line awhile back. He didn't really much like, though, that I'd said, So great to meet Arnold Schwarzenegger's father-in-law. He really didn't want to be known as Arnold Schwarzenegger's father-in-law. He wanted to be known, and is known, as the most dynamic director of the Peace Corps and for many others of his works—with Mrs. Shriver on the Special Olympics and for a variety of other good works that he did with his life.

We all have our Peace Corps experiences. I had the opportunity to serve in the neighboring country to Ethiopia, which was Somalia—a troubled place now. It was a great experience, though. People ask about the Peace Corps, and I always say that one of the things you have to remember about the Peace Corps is that you get a lot more out of it than you really give. You're serving other people, but you're learning. You're learning about another culture; and at the same time, you're learning about your own country and your own experiences because of the points of contrast.

What a wonderful thing it is that America has now tens of thousands of people who have served in the Peace Corps, who have returned and who now are working in every walk of life—working in international organizations, working in business organizations, knowing different cultures, knowing different languages—thereby providing a dimension to our own national life that we would otherwise not have if we did not have people who had had the experience of serving in the Peace Corps.

There is one other thing. I still can remember the quizzical but interested reaction that so many people in Somalia or, I'm sure, anywhere in the world had: Who are you? Why are you doing it? Explain that to me again.

The spirit was kind of catching, and they would participate in all kinds of little volunteer activities and things that they hadn't necessarily thought of doing themselves.

Of course, the Peace Corps volunteers are not representatives of the American Government. They are representatives of the American people. That was always emphasized very, very strongly to all of us as part of our Peace Corps training. The way we were living was among the people, not behind these diplomatic bunkers that we sometimes see in the world today. You're experiencing life in the country in which you're serving.

One thing, just as an example, is that Peace Corps volunteers, of course, do their assignments, but they're also people who do volunteer work of one kind or another. One of the big hits was when I was in Mogadishu in the Peace Corps. I was with two other people who were Peace Corps lawyers at that time, and there were about 50, 60 people who were teachers. Some were community health workers, and some were community school construction workers. They would come to Mogadishu for a couple days off, for vacation time, when school was down, that kind of thing.

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And five or six of them got together and started playing some American young people's music. And the next thing you know they were invited to a restaurant in Mogadishu. Crowds of hundreds of people gathered, and it was the sensation of the town for a couple weeks. Of course they couldn't be paid for doing this sort of thing, but they might have gotten a couple of free meals from the restaurant and that kind of thing. What a wonderful, sort of natural way of building bridges. The people in this country had never really seen something like this. They weren't on a tour for any of these international shows, and they just thought it was the most wonderful thing to see live music played by American Peace Corps volunteers. And that was the face of America that they were presenting in this country, and it was one that I think has served our Nation very well.

So thank you again for giving me the opportunity to participate in this Special Order that you've organized to mark the 50th anniversary of the United States Peace Corps.

Mr. GARAMENDI. Tom, thank you so very much for your experiences. What year were you in Somalia?

MR. PETRI. I was in Somalia in 1966–67.

Mr. GARAMENDI. Those were the same years that Patti and I were in Ethiopia, and we served in the far western part of Ethiopia in a very small town.

Mr. PETRI. We were there during the peaceful years between the two countries. The Peace Corps had been in Somalia and then had been pulled out because war erupted between Ethiopia and Somalia. The people on the Horn of Africa have very close and great respect for each other but also a strong rivalry. It's a very interesting thing to learn about.

Mr. GARAMENDI. Well, that's exactly the case. And it's not unusual to find wars going on. But as MIKE HONDA was talking about the President of Peru, who started his climb up the economic and educational ladder as a result of his experience with a Peace Corps teacher in Peru, the same thing happens in the countries in which you and I and other Peace Corps volunteers serve.

I recall in 1999–2000, when the war broke out between Ethiopia and Eritrea, a group of us became interlocutors trying to figure out how to get these two countries to settle up. And because we were able to stand on the shoulders of so many Peace Corps volunteers that had served in those countries, we were able to meet with the President of Eritrea and the Prime Minister of Ethiopia in two separate meetings and just talk to them about peace, about why they were fighting, why this war was going on that killed nearly 100,000 soldiers at that point. And it turned out that they were willing to talk to us. The reason was that in their high schools they were taught by Peace Corps volunteers, and they had this trust. They knew we didn't represent the American Government. They knew that we were there searching for peace as we had when we were volunteers. It turned out that those conversations led to the essence of the settlement of that war, the peace treaty.

And I'll never forget a day when—actually, a gentleman who's here in the gallery at the moment, Chic Dambach was one of our team, and another fellow, Mike McCaskey, who was then the president of the Chicago Bears, he was part of our team. We sat down with the foreign minister of Ethiopia, and we were talking about where we served in the Peace Corps and Mike was saying he served in the northern part of the country. And the foreign minister said, what school? And Mike described the school. It turned out that Mike was the teacher for the foreign minister, and immediately there was a connection. That connection then led to the meeting that we had with Meles and the conversation that ultimately led to a peace treaty. Our role was ended, but the African Union carried on.

Those are the relationships that count. We never know when they're going to materialize. It's quite possible that the people that you taught may one day be the leaders in Somalia once again. And these are the foundations upon which the Peace Corps breeds.

Thank you so very much for joining us. I know that you have another appointment that you need to get to. But the experience of a Peace Corps—and my wife, when she was the associate director of the Peace Corps, would often say that a Peace Corps volunteer leaves to search for peace and returns, and throughout one's life, continues that process. Our work here in Congress is part of that. Thank you so very much for your service and joining us this evening.

Mr. PETRI. Thank you for organizing this occasion.

Mr. GARAMENDI. The interest in the Peace Corps is not just shared by those of us who are return volunteers; it's also served, and the interest is found, by others.

I'd like to invite here to the well a colleague of mine from California, Congresswoman LOIS CAPPS, who represents the Santa Barbara area up into Santa Maria. Would you care to join us? Thank you so very much for doing so.

Mrs. CAPPS. I thank my colleague, Mr. GARAMENDI, for inviting me to join him here and for bringing the likeness of Sargent Shriver, the first director, so that I can stand next to him and pay tribute to him as I am speaking about the importance of the Peace Corps as I have experienced it.

This is such an important anniversary, the 50th anniversary of the founding of the Peace Corps—actually, this day, apparently, that's what you mentioned in your remarks, Mr. GARAMENDI. And you were joined by two Members of Congress who probably were influenced to become Members of Congress by—in fact, one, Mr. HONDA, just spoke, and he said it's because of his experiences in the Peace Corps he could say honestly that that's why he is now serving in Congress. And I've heard others of our colleagues say that as well. And both Mr. HONDA and Mr. PETRI speak eloquently, as you do, Mr. GARAMENDI, about the effect of this experience on you. And I have seen it firsthand from friends of mine.

I don't think it's possible to say enough positive about this wonderful organization. So having a Special Order this evening is an opportunity for us all to come together and celebrate the commitment of the United States Congress to communities around the world as they experience, through volunteerism, through ordinary citizens of this country who volunteer to share in the life and experience of a culture different from their own. As the Peace Corps celebrates its 50th anniversary, it's clear that this work that our citizens and volunteers have done is never more important than we see today, and also more relevant to what's going on in the world today.

I am very proud to represent a congressional district, the 23rd in California, with a very active Returned Peace Corps Volunteers community. The alumni association numbers well over 150 members and they are active in our community. And I know firsthand also, knowing several of them—many of them—that the community has been strengthened because of their experiences in the Peace Corps, and they readily testify to that.

And at the University of California in Santa Barbara, my home town, this campus consistently ranks towards the top of U.S. colleges and universities for volunteer recruitment among its young graduates. When I have the opportunity to meet with folks from the

Peace Corps administrative office, the first thing they always mention when they find out where I'm from is the high concentration of former and future volunteers from my congressional district. And so I know that on the south and central coast of California, with these alumni living and working among us, the importance of service, community, and open mindedness, values that the Peace Corps holds dear, these have influenced the way our civic life is conducted in our country as these Returned Peace Corps Volunteers bring their experiences in their service abroad back to their home communities and places of business. It's a win-win on both sides of whatever body it is that separates us from our countries around the world.

There is an institute on my campus that I'll reference, it's named for my husband, but it's called the Capps Center for the Study of Faith, Ethics and Public Policy. They sponsored an event—in fact, they had a series of events this past fall celebrating the 50th anniversary of the Peace Corps. And on one of those occasions it was a privilege to welcome Aaron Williams, who is the National Peace Corps Director, to Santa Barbara, and in doing so to pay tribute to the Peace Corps. But also, the Capps Center invited three former Peace Corps volunteers to honor their service, but also to invite them to form a panel discussion so the rest of us could listen and respond and have questions about their own experiences. One of them was Sarah Chayes, who is a former NPR, National Public Radio, correspondent. She is a prominent author and founder of the Arghand Cooperative in Kandahar, Afghanistan. She spoke of her early experiences in the formation of the Peace Corps. She served in Morocco from 1984 to 1996.

Also present to be recognized and also to participate in the discussion was Gordon Radley. He is the former president of Lucasfilm. He served in Malawi from 1968 to 1970 and then again in western Samoa in 1979 and 1980.

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The third person who spoke—I just acknowledge these people because they're examples of community leaders in the country who were influenced so tremendously by their experience in Peace Corps. One whom I know well, because he's a constituent of ours in the congressional district but also with his service, is Thomas Tighe. He is the President and CEO of a very influential organization called Direct Relief International, which provides emergency services, disaster aid to countries around the world. It's headquartered in Santa Barbara. And before Tom came to this position, he served as the Peace Corps associate general counsel and was the chief of staff and COO of the Peace Corps. He, himself, served in Thailand from 1986 to 1988.

I mentioned these three because now the Library of Congress is collecting these stories from previous volunteers, and I think it's a great idea that the anecdotes and vignettes that Peace Corps volunteers remember so poignantly from their time of service can be woven into the Library of Congress archives and there for permanent record.

Some of us in Congress, Mr. GARAMENDI, are old enough to remember the passion and enthusiasm from these 50 years ago when President Kennedy announced the creation of the Corps, the idea that Americans from all different backgrounds and walks of life would have an opportunity to work for and to learn from other cultures. You know, in that time, that was a fairly radical concept. But I marvel—don't you?—at how far we have come.

Since 1961 when the first volunteers went abroad, nearly 200,000 volunteers have served in over—in 139 countries around the world. These are talented and selfless Americans who have made lasting contributions in agriculture, in business development, in sustainable infrastructure, in education, in health, in combatting HIV and AIDS, in working to protect the environment around the world. Collectively, each volunteer's work represents a legacy of service that has become such a significant part of America's history and the positive image that we have abroad.

I know that Mr. FARR is going to speak probably after me, and he has just joined the group. He and I are part of an organization here in Congress which has some connections to the Peace Corps. It's called the House Democracy Partnership. And last week we traveled actually literally around the world. One of the places we were, one of our partner countries whose parliament we work with closely is the country of Indonesia.

For many years, the Peace Corps was not there. And now, just this past year, volunteers have been welcomed back. We had the chance to meet these active volunteers as we have met during visits to other countries with our work in the House Democracy Partnerships. Some of the countries are Malawi and Indonesia, and we've taken gifts. Sometimes occasionally we'll have a constituent serving there, so a family will ask us to bring some item that this person has wanted.

It was because of Mr. FARR's insistence that we invite four of the current volunteers. They've just come back, the presence of Peace Corps in the country. I know, Mr. FARR, I hope you'll expand upon this. The four had dinner with us who were visiting. Here we were in Surabaya, a coastal community in a large city actually in Indonesia, and these four young people who are teaching English as a second language in the high schools in the region came and shared some of their stories with us. It moved me then as it has over the years as I've heard these stories. And to see these young faces—not all Peace Corps volunteers are young, I know that. But these are young people who just were caught with zeal and enthusiasm with what they were doing.

During times of both war and peace, our volunteers through Peace Corps have exemplified some of the best qualities that this country has to offer the world: generosity, tolerance, hard work, ingenuity, friendship, and compassion. They have exhibited critical attention to detail and an unwavering commitment to sustainable development. These are talented people who really are a beacon of the goodwill that we want our country to stand for.

So I'm offering tonight, and I'm standing right next to the likeness of Sargent Shriver, as I offer my sincerest congratulations to the Peace Corps on its 50th anniversary that we all join in celebration.

I want to take the opportunity to encourage anyone who is thinking about it to serve either abroad or find a way in one's own community to serve with this kind of volunteerism.

I appreciate the leadership you've shown, Mr. GARAMENDI, in calling us together. I want to thank you and my colleagues in Congress who add so much to your service as colleagues of mine by this history that you share. You can add this to the kind of Peace Corps volunteerism that you did when you were younger, and it is a spirit that I know has never left you.

So I got a signal from Mr. GARAMENDI, and it is really a tribute, because Mr. FARR is a dear friend but also my neighboring congressional district Representative, and he never misses an opportunity, whether he's at home or abroad, to bring up the topic of serving in the Peace Corps. And how fitting this evening, Mr. FARR, that you are here to add your words to and your stories to this celebration.

I'm going to yield the floor, if it is okay with Mr. GARAMENDI, right directly to you.

Mr. FARR. Thank you very much, Congresswoman LOIS CAPPS. I'm so fond of you and the service you give in your wonderful district, the Santa Barbara and San Luis Obispo County coastlines.

Yes, I was with Congresswoman CAPPS last week when we hosted, in Surabaya, dinner with Peace Corps volunteers. And what struck me is, one, some of their assignments were much tougher than the one I had in a barrio in Medellin, Colombia, back in the 1960s, that women live with Muslim families because Indonesia is the largest Muslim country in the world. They teach in schools.

Very interesting how, and essentially progressive even, those Muslim schools were, allowing the American women not to have to be covered and to essentially be themselves and represent this country, and how fond the students are of their teachers and the faculty of the teachers. So Peace Corps was there.

And it's interesting that, as we pay tribute on the 50th anniversary, there's no age limit to joining the Peace Corps. We're in, I think, 77 countries now. We're about half our full size. We once were 15,000 volunteers. We're down

to 7,000. Growing. Congressman GARAMENDI and myself and others have been working to try to increase the Peace Corps budget because it's the only thing that's standing in the way between more volunteers being overseas.

There's 20 countries that want Peace Corps. There's 20,000 people that apply to the Peace Corps. And there's only, every year, about half of 7,000, so about 4,000, 3,500 jobs available. So only one in three or four ever can get a chance to get accepted, and that's not fair. And we need to double the size of Peace Corps.

And lastly on that point is that it costs, I think it's for every soldier we sent to Afghanistan, we could send 12 Peace Corps volunteers abroad. So we really get a good bang for our buck.

Why I rise tonight and I will try to be quick before I give it back to Mr. GARAMENDI is to, on behalf of all four of us who are returned Peace Corps volunteers now serving in Congress, we circulated a letter asking the President of the United States to issue a proclamation honoring the 50th anniversary of the Peace Corps. It was signed by 136 Members of Congress.

Today, on the 50th anniversary of the Peace Corps, the President of the United States said the following:

''In 1961, President John F. Kennedy signed an Executive order establishing the Peace Corps''—remember, Executive order. It wasn't done by a congressional act; it was a Presidential act—''establishing the Peace Corps, forever changing the way Americans see the world and the world sees us.

□ 1800

''Today, one of President Kennedy's most enduring legacies can be found in the over 200,000 current and returned Peace Corps volunteers who have collectively given over a half a century of service to the cause of peace. On its 50th anniversary, the United States Peace Corps remains an enduring symbol of our Nation's commitment to encouraging progress, creating opportunity, and fostering mutual respect and understanding throughout the world.

''Over the past five decades, Peace Corps volunteers have served in nearly 140 countries, bringing a wealth of practical assistance to those working to build better lives for themselves and their communities. From the first group of volunteers to arrive in Ghana and Tanzania in August of 1961, they have been emissaries of hope and goodwill to the far corners of the world, strengthening the ties of friendship between the people of the United States and those of other countries.

''Living and working alongside those they serve, volunteers help address changing and complex global needs in education, health, HIV/AIDS, business and information technology, agriculture, environmental protection, and youth development. With each village that now has access to clean water, each young woman who has received an education, and each family empowered to prevent disease because of the service of a Peace Corps volunteer, President Kennedy's noble vision lives on.

''In our increasingly interconnected world, the mission of the Peace Corps is more relevant today than ever. Returned volunteers, enriched by their experiences overseas, bring a deeper understanding of other cultures and traditions back to their homes here in the United States. The lasting accomplishments of the Peace Corps continue to strengthen the partnerships with leaders in countries around the world.

''This year, we also mourn the loss and pay tribute to the extraordinary life of Sargent Shriver, the founding director of the Peace Corps. The impact of his decades of public service will echo forever in countless places across the globe that have been touched by the Peace Corps.

''On this anniversary, we honor the men and women from across the country who have carried forward our Nation's finest tradition of service, and we rededicate ourselves to fulfilling the dream and continuing the work of all those who aspire and yearn for peace.

''Now, therefore, I, Barack Obama, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby claim March 1, 2011, as the 50th Anniversary of the Peace Corps. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities that honor the Peace Corps and its volunteers, past and present, for their many contributions to the cause of global peace and friendship.

''In witness whereof, I have hereunto set my hand this 28th day of February, in the year of our Lord 2011, and of the Independence of the United States of America the 235th. Barack Obama.''

So in that honor I am very pleased that my colleague and friend from California, JOHN GARAMENDI, has asked us to pay tribute to the Peace Corps on its 50th anniversary. And I yield to my good colleague, who had the wisdom to set up this moment of special order.

Mr. GARAMENDI. SAM, if there was wisdom it was because you suggested it. Don't run off. I would like to ask you a couple of questions about your service.

SAM, the President's words were very touching to me, and I know they were to you, because we were part of the Peace Corps, and we still are, not so much because of our role here in Congress, but rather because once you are a Peace Corps volunteer you never leave the service of peace. Talk to me about where you served and the work that you did as a Peace Corps volunteer.

Mr. FARR. JOHN, I went into the Peace Corps right after graduating from college in 1963. I knew I wanted to be called for that service. I had done Air Force ROTC in college, and I worked overseas for a cousin who had a factory in Argentina. It was my cross-cultural experience. And I realized that once I got bitten by wanting to see other languages and other cultures, that when the Peace Corps was announced, that's what I would do. And I thought when I left the Peace Corps—when I went in, I thought when I leave I will probably come back and be a high school biology teacher.

My background had been in science. And I went to do urban community development, which just means we were listening to what we call the felt needs of very poor people in a very poor barrio that didn't have any water or lights. And we were taught, and it was very interesting, because it's been probably one of the best teachings I have ever had in my life is don't go down there and just tell them what you want do based on your values, because you are going to be in a country that doesn't have infrastructure. Your main thought and idea will be about cleanliness because you haven't lived in dirt before. And you don't have garbage pickup and you don't have that infrastructure. Don't let your values not allow you—open your eyes and your ears and listen. Look before you leap. And that was really great advice, because I think in politics you really do have to be a good listener.

So we listened to the community, and what they wanted to do was first build a soccer field. I thought that's odd. I played soccer, but I have no idea of the dimensions of a field. I don't know how you do this. It didn't matter. It was just like, okay, they need a motivational force. I am there. I said, okay, how do we do this? Got some shovels, got some picks. Where do you want to do it? And we did it. What was interesting is they had never worked together in a community project. So the teachings there were community development, how do you get together. And from there on we went to build schools, and we put in sewers, all by hand by the way.

And we had to go downtown to the municipal government to get the sewer pipes and to get bags of cement. So that petitioning of government, going down, and a long story but quickly, it woke me up to thinking I am in another country, I can't vote here. I am petitioning government. I won't be able to vote for or against it. We have got poverty in America. The book had come out, ''The Other America,'' which showed there was a lot of poverty in the United States. Why don't I go home and petition my own government to right wrongs? And here I am in the United States Congress.

Mr. GARAMENDI. Before you arrived here, you spent many years in the California legislature, where I had the privilege of working with you. You started the discussion about your own Peace Corps experience by answering the call to action, President Kennedy's very famous call: Ask not what your country can do for you, but what you

can do for your country. I know that for you and for myself, and even more so for my wife Patti——

Mr. FARR. You did it even more so, because you were married, you were a rock star athlete out of California, you were at the University of California Berkeley. And to be married and to take that risk, sort of walking away from what was just the ideal life to go off to Ethiopia must have been an incredible pull.

Mr. GARAMENDI. Certainly the pull personally, but much more important than that was the pull that Patti exerted upon me. I had an opportunity to play professional football, but turned that down to get married and to spend a 2-year honeymoon in the far western part of Ethiopia, where there was no running water, and we literally lived in a wattle, which is a mud-walled home with a corrugated tin roof and an outhouse out back. And it turned out to be the most marvelous honeymoon, and it's still going on now some almost 46 years later. So it was a beautiful opportunity for us to serve.

And then the rest of what you said is a Peace Corps volunteer never leaves a life of service. We transform it into many, many ways. LOIS CAPPS talked about three or four examples from her own district of returned Peace Corps volunteers and the way they inserted themselves into their communities for service, and in one case international food.

Mr. FARR. Would you share for me, I got here a little late, maybe you already did, but I think you did one of the most remarkable diplomatic missions ever in being asked to come back to Ethiopia with some colleagues of the Peace Corps by the president of the country to see if you could help to settle the dispute with neighboring Eritrea. And as I recall, it was a band of Peace Corps volunteers that put that peace agreement together.

□ 1810

Mr. GARAMENDI. Well, it really speaks to the thousands of Peace Corps volunteers that worked in Ethiopia and Eritrea. In the late nineties, a war broke out between those two countries.

There is, here in Washington today, well over 100,000 people from Ethiopia and Eritrea. They were getting riled up and choosing sides. Those of us that served in Ethiopia, together with Chic Dambach, who is here in the gallery, set out to try to get these people here in the Washington area to work towards peace rather than to get into an argument amongst themselves over which country was right or wrong. From there we very quickly found ourselves invited to travel to both Ethiopia and Eritrea, where we were able to meet with the heads of state.

In both cases, the team that was assembled, there were five of us, myself, I was then just leaving Federal Government service as the Deputy Secretary of the Interior. Mr. Dambach had just left the Returned Peace Corps Volunteer Association, the National Returned Peace Corps Volunteer Association, a Federal appellate court judge who had served in Ethiopia who was then on the bench in Arizona in the Ninth Circuit; Mike McCaskey, who was then the president of the Chicago Bears; and another fellow who was deeply involved in African relief issues.

We journeyed and we sat down and met with first the President of Eritrea and had a 3-hour conversation with him about the war and why the war was underway, what his goals were.

We then traveled to Addis Ababa, Ethiopia, where we met first with the foreign minister of Ethiopia, who actually was a student of Mike McCaskey. They talked about it, and there was this bond that was immediately established between them.

Shortly thereafter, the foreign minister arranged a meeting with Prime Minister Meles, and, again, we spent nearly 3 hours with him asking him about the war from his perspective, what there was. It came to the five of us that there was a way to find peace, that there was a path that could bridge these differences that these two countries had that at that point had resulted in nearly 100,000 soldiers, both Ethiopia and Eritrean, having been killed in that war.

We turned that information over to the Organization of African Unity, which was then working towards some sort of a settlement. And, shortly thereafter, within a couple of months, the basic elements of the peace treaty were developed, and they were based upon the work that we had done. There was some more back and forth that took place. But our team was invited to Algeria for the signing of the ceremony of peace.

So the work for peace really never ends, and I know you are doing it here in Congress.

Mr. FARR. It's one thing to be a Peace Corps volunteer. It is one thing to bring two nations at war together living in peace because you are Peace Corps volunteers. I think that's a great tribute. You mentioned Chic Dambach. He was a student of mine when he was going into volunteer service in the Peace Corps in Colombia.

It seems that you and I have developed a great fondness for Chic. Maybe he is more important than either of us because he has been so instrumental in your life and what happened in Ethiopia and Eritrea, and was instrumental in my life in Colombia. I am glad he is here tonight because he really is part of the Peace Corps legacy.

Mr. GARAMENDI. There is another example of an individual who has dedicated his life to peace. He now heads up an organization that is a consortium of nongovernment organizations that are dedicated to searching for peace in countries around the world and trying to resolve disputes before they come to war.

We would just be derelict in our duty if we didn't make a heavy-duty pitch here for people to join the Peace Corps.

Everywhere I go on campuses, people, the young men and women that are graduating, and older people—I think 7 percent of the volunteers today are over 50 years of age. The next election may give us an opportunity to return to the Peace Corps. Who knows what will come of that.

But whatever your age is, the Peace Corps offers you an opportunity to serve.

Mr. FARR. I would also like to mention that we could use a lot more Peace Corps volunteers because of these countries that want us. They want us to come in for the first time, they want us to grow. Vietnam is interested in getting the Peace Corps.

We were just in East Timor. They were there. We were pulled out due to unrest. They are now in peace. They want them back. Surabaya in Indonesia, there are, I think, 18 volunteers there now. They could grow that to hundreds of volunteers. The country wants it.

But the one thing we have to do here in Congress is give them more money. Frankly, I want to really salute the President of the United States, because in these tough fiscal times, where everything else has to be cut back, this year he has asked Congress to give the Peace Corps more money than we gave them last year, and that's one of the bounce-up programs.

We have gotten strong bipartisan support on this, and hopefully in this Congress, which is going to be mostly a cut, squeeze, and trim Congress, we don't throw the baby out with the bath water, as you said. What an incredible opportunity at a time when peace might be breaking out in the Middle East. They are going to need a lot of this. They are going to need a lot of community development.

You are going to need people to understand. I mean, I could go on for hours at what I just saw in East Timor where women had, three, four, five babies in houses with no electricity, mud floors, before anyone got to them and said, you know, you need to go through a prenatal discussion and some postnatal treatment. Even in that poverty, what they are just trying to do is sequence the babies so they won't be born so quickly one next to another because there is a high risk of low birth rate.

You know who is there right on the ground doing that—that is what the Peace Corps does. So the need, the war on poverty never ends.

The war, or the path to peace, the process for peace, as we have seen hopefully breaking out in the Middle East, that we can get a democratic society, they are all going to need teachers, and as we need them here at home we need them abroad. Teachers and not just traditional reading, writing, and arithmetic but teachings of health care and HIV prevention and so on. And I know you and Patti have dedicated your lives to that work and what a wonderful way to celebrate on this 50th anniversary.

Mr. GARAMENDI. And as you were talking about Peace Corps volunteers working with young families, our son and daughter served in Paraguay in the Peace Corps, and her work was precisely that, working with her families in her community in Paraguay. They were also in a rural area working on family health on the issues of raising children, healthy children, and providing them with information about how they could better take care of their families and have a better life.

Our son was involved in community development work. Our two daughters also served in the Peace Corps, and for young men and women, and others who are not so young, the Peace Corps offers an incredible opportunity to serve the world, serve this country, and to serve the needs of individuals in a one-on-one relationship in some 77 countries now, and hopefully with a small increase in the Peace Corps budget, which stands just at $400 million.

You issued, you gave a statistic earlier in your discussion that is really, I think, important. For every soldier that we send to Afghanistan, we could send 13 Americans somewhere in the world to work on the issues of poverty, the issues of education, social development, societal development, and peace. So it's a 13–1 ratio, a great investment.

Aaron Williams is the current Peace Corps director. He was a volunteer in the Dominican Republic from 1967 to 1970, served 3 years.

Mr. FARR. He met his wife there too. They are happily married. So some Peace Corps volunteers come home with new families.

Mr. GARAMENDI. There are many, many opportunities that the Peace Corps develops and yes, indeed, they can come home with a new family or wife. You are quite correct about Aaron.

There are 8,655 volunteers, as of today, serving in 77 countries, urban, rural, in all kinds of work. Just some of the statistics are, I think, interesting; education, 37 percent. We were teachers and community development. Actually, Patti and I were involved in the smallpox eradication program, Ethiopia being one of the last countries to eradicate smallpox.

Health, HIV/AIDS, was 22 percent. Business. Do you want to be a graduate of Harvard Business School and really get some experience? Fourteen percent of the volunteers do that.

Mr. FARR. We had small business development in Colombia. There was also a whole bunch of people working on educational television, which the country was implementing and needed teachers who knew how to do that, and technicians on how to run the studios and set it all up.

□ 1820

We also had architects helping design public facilities and parks. You don't work on your own. You work with host country counterparts who are professionals like you are.

Mr. GARAMENDI. I have a great example of this. A television reporter, a cameraman in the San Francisco Bay area, is about to retire; and every time I see him, he says, I'm going to go in the Peace Corps. And I say, have you gone online, peacecorps.gov, to put your application in? He says, no. And I said, well, the next time I see you, I want you to tell me that you have your application in. He wants to take his knowledge of reporting and television camera work overseas to work with countries that are developing their own media for the purposes of providing that foundation for a democratic society. And he would be terrific. He's a great reporter.

Mr. FARR. I think that's very important. One of the things I did today, because I was in the same conversation that you were having, somebody asked me about it who was my age and wanted to know whether he could go in the Peace Corps. And I said, go look up the Peace Corps on the Internet.

Not only that. It shows every one of those countries, 77 countries, and what jobs are in that country. You can go out and look around the world and see the country you want to go to and find a job that you think you're qualified to do, and that gives you a motivation to do that. Also, not all Peace Corps volunteers live in mud huts. If you're teaching in a university or in a school in an urban area, you could be in a much more comfortable, middle class setting than people out—the image of sleeping in a hammock in a mud hut. So it's all kinds of opportunities, just depending on the skill sets of you, the individual, and the needs of the host country.

We are always there as a guest being asked by the country to be there, and we do the jobs they ask us to do. And, frankly, I think we have enough innovation, as you and I found out, that sometimes if the job isn't working exactly as they described, you just look around and see what else is needed and adapt yourself. That's a lot of fun. That's a lot of creativity and I think a lot of satisfaction for the volunteer.

Mr. GARAMENDI. Sam, we're just about out of time.

Today, March 1, 2011, marks the 50th anniversary, the 50th birthday of the United States Peace Corps. It's been an incredible organization all of these years. Over 200,000 Americans have served, both young and old, in some 139 countries. And so for all of those out there that want to do something very, very special with their life, well, you can Google it or you can go directly to peacecorps.gov. Put your application in and see what the toughest job you ever loved will bring to you.

Congressman SAM FARR, thank you so very much for joining me this evening, for TOM PETRI and MIKE HONDA, the four of us who are in Congress that were—that remain—Peace Corps volunteers, and for LOIS CAPPS joining us and giving her perspective, a very big ''thank you.''

Mr. FARR. Happy birthday.

Mr. GARAMENDI. Happy birthday, Peace Corps.

50TH ANNIVERSARY OF THE PEACE CORPS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

In 1961, President John F. Kennedy signed an Executive Order establishing the Peace Corps, forever changing the way America sees the world and the world sees us. Today, one of President Kennedy's most enduring legacies can be found in the over 200,000 current and returned Peace Corps Volunteers who have collectively given over a half century of service to the cause of peace. On its 50th anniversary, the United States Peace Corps remains an enduring symbol of our Nation's commitment to encouraging progress, creating opportunity, and fostering mutual respect and understanding throughout the world.

Over the past five decades, Peace Corps Volunteers have served in nearly 140 countries, bringing a wealth of practical assistance to those working to build better lives for themselves and their communities. From the first group of volunteers to arrive in Ghana and Tanzania in August 1961, they have been emissaries of hope and goodwill to the far corners of our world, strengthening the ties of friendship between the people of the United States and those of other countries.

Living and working alongside those they serve, volunteers help address changing and complex global needs in education, health and HIV/AIDS, business and information technology, agriculture, environmental protection, and youth development. With each village that now has access to clean water, each young woman who has received an education, and each family empowered to prevent disease because of the service of a Peace Corps Volunteer, President Kennedy's noble vision lives on.

In our increasingly interconnected world, the mission of the Peace Corps is more relevant today than ever. Returned volunteers, enriched by their experiences overseas, bring a deeper understanding of other cultures and traditions back to their home communities in the United States. The lasting accomplishments of the Peace Corps continue to strengthen partnerships with leaders and countries around the world. This year, we also mourn the loss and pay tribute to the extraordinary life of Sargent Shriver, the founding director of the Peace Corps. The impact of his decades of public service will echo forever in countless places across the globe that have been touched by the Peace Corps.

On this anniversary, we honor the men and women from across the country who have carried forward our Nation's finest tradition of service, and we rededicate ourselves to fulfilling the dream and continuing the work of all those who aspire and yearn for peace.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim March 1, 2011, as the 50th Anniversary of the Peace Corps. I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities that honor the Peace Corps and its volunteers, past and present, for their many contributions to the cause of global peace and friendship.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty eighth day of February, in the year of our Lord two thousand eleven, and of the Independence of the United States of America the two hundred and thirty-fifth.

BARACK OBAMA.

PUTTING OUR NATION ON THE RIGHT TRACK

The SPEAKER pro tempore (Mrs. BLACK). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Madam Speaker, the gentleman from Iowa is pleased to be recognized to address you here on the floor of the House, and I want to express my disappointment in the gentlemen who spoke before me. I usually come here to pick up my material for rebuttal. And as I listened to you talk about your affection for the Peace Corps, I didn't come up with a single thing that I seek to rebut here tonight.

So I'll go off on the subject matter that I came to address, Madam Speaker, and that is the situation where we are in this country today with debt and deficit and the growth in government and the things that we must do to turn this country back around and put it on the right track.

This House here this afternoon voted to pass a continuing resolution that has within it an aggregate of about $4.1 billion in cuts over a 2-week period of time that if you multiply or extrapolate that out to the end of the fiscal year, it comes in that neighborhood of about $61 billion in cuts which arguably holds the reductions in place. But it did specifically go in and make the cuts in areas where the President had recommended those cuts. It dialed down the contention and tried to find a way to find a solution and a resolution. A list of the President's recommendations I have, but I don't think I'm going to take the time or the trouble, Madam Speaker, to read them into the RECORD. I'll just say that it suffices to show that a number in the neighborhood of $2.7 billion would be to earmarks savings, and the termination of programs saving is about $1.25 billion, so we get to that number that's just slightly more than $4 billion.

It's perhaps a victory. It's perhaps a success. It's perhaps a temporary one. I think most likely that it is. These cuts that were offered here today will, most likely, be met with an agreement down on the other end of the Capitol Hill building in the Senate that is run by Majority Leader HARRY REID of Nevada. I think I saw some language in this appropriations bill that might directly affect him. That might be what helps convince him as well.

Madam Speaker, this is a short-term piece that was designed to be a period of time that would allow the Senate to mull over the House position, which is H.R. 1. H.R. 1 is the bill that has the highest priority for the Speaker of the House. It's been traditionally the case. And 2 weeks ago, this Congress negotiated, debated, and offered amendments. Some 500 to 600 amendments were filed. Nearly 200 of them were debated and voted upon. And many of them that went in were cuts in spending or prohibitions from using that spending to implement certain policies that have been since rejected by this Congress.

And, Madam Speaker, we need to remember that there was an election last November 2 of 2010. And to quote the President of the United States, he famously said after the election of November, 2008: We had an election, and we won, which means that he dictates the policy. Well, Madam Speaker, to the President of the United States, I would say, we had an election November 2. You didn't win that one, Mr. President. In fact, you declared it to be a ''shellacking.'' It was a shellacking.

And the Republicans won the majority in this House by huge numbers. We're looking today at 87 new freshman Republicans and nine freshman Democrats, to give you a sense of the poor proportionality, or the disproportionality. The seats that were picked up have dramatically changed. The gavels all changed hands in the House of Representatives. The agenda changed. It has gone from an agenda that has been driven under the speakership of NANCY PELOSI for 4 years, of an agenda of accelerating spending, increasing government and pushing socialized medicine—which is what I have long declared ObamaCare to be. That doesn't shock anybody, Madam Speaker. It is common vernacular out in the central part of the United States at a minimum.

And so we saw this push to grow government. We saw the President participate in, as a United States Senator, and accelerate his efforts as the President of the United States in the government take-over, first promoting a $700 billion TARP bailout program that was designed to pick up toxic assets that could have been far better picked up by the private sector if he would have just identified them and we would have exempted capital gains taxes on the profits that would be have been made. We would have seen private money go in and pick up these toxic mortgages in a large way and be managed—managed for a better result that would have kept more people in their homes. The list of good things goes on that might have happened had we had more free market solutions and less government intervention.

□ 1830

But that $700 billion TARP plan was a mistake, in my view, Madam Speaker. And behind that came the call for the economic stimulus plan which was $787.5 billion that rolled up to around $816 billion for the economic stimulus plan. Not all of it was spent, but it was to keep unemployment below 8 percent. We know that it sailed up into the upper 9 percentile, 9.7 and above. It has dialed down now to around 9. But we have a lot of people who have given up and stopped trying.

It is clear that the stimulus plan didn't stimulate the economy at all in the way that it was described or the way it was promised to us, but it surely added to the debt. We have seen about $3 trillion in unnecessary spending driven by this President. We have watched as proud companies went into hock to the Federal Government and found the Federal Government engaged in managing some of those companies.

Three large investment banks were taken over by the Federal Government, at least by the power of management or influence—AIG, the insurance company, over $180 billion that flowed into AIG to protect other investors that had an interest in AIG, the insurance company, or in policies that they had offered that were guaranteeing the return on mortgage-backed securities, Madam Speaker. So there is $180 billion there. Three large investment banks and AIG, the insurance company.

We saw Fannie Mae and Freddie Mac transition from quasi-government to government, to taxpayer guaranteed, stepping in to play a role in the majority of the mortgage loans in the United States, guaranteed by the taxpayers.

I recall standing on this floor, the floor of the House of Representatives, October 26, 2005, listening to the most immediate past chairman of the Financial Services Committee arguing that he was never going to participate in bailing out Fannie and Freddie. And if anyone was considering buying stock in either one, they should not do so under the consideration that BARNEY FRANK from Massachusetts would be engaged in bailing them out. And so he later became chairman of the committee, and that's what happened.

We saw Dodd-Frank become law, which gives the Federal Government massive regulatory control over the financial institutions in America. We saw the government, the White House, takeover of General Motors and Chrysler. And we saw ObamaCare pass, which I have declared to be the nationalization of our skin and everything inside it. And by the way, it includes a 10 percent tax on the outside if you go to the tanning salon. That is over 51 percent of our economy swallowed up by the Obama administration and supported by the Pelosi House and the Reid Senate.

And we come to this point where America can't take it anymore, Madam Speaker. We can't take it anymore. And all over the world they know that too much spending has put America in debt. It has put our currency in question. It has put our economy in an unstable position, and it guarantees that we will be in a long, drawn-out recovery because we have the overspending. We have the debt to service, which is pay the interest. And then we also have to eventually pay off the principal. And we are borrowing from the Chinese and begging them. And we are borrowing money from the Saudis and begging them. Yes, it affects our foreign policy. We are watching a foreign policy that is a conflagration in the Middle East. Country after country is blowing up and seeking to throw off the yoke of its long-term dictatorship ruler and replace it with—we are not sure what

their ideals are, but they have hit the end of their patience line.

So here we are. Here we are with a continuing resolution that the government is operating on today that was negotiated and passed here in the House and in the Senate in December. It extended the funding for the government over until March 4 of this year; midnight, March 4, which is somewhere around Friday night, I think. Maybe Thursday night.

So there has been an action here on the floor to pass a continuing resolution to do temporary stopgap funding to keep the government running for another 2 weeks, up until March 18. And that CR has now been messaged to the Senate. And the Senate can decide if they want to take it up tomorrow or the next day, get it to the President's desk. If the President signs the CR, the government keeps running; if the President doesn't, the government shuts down.

I am watching as my colleagues seem to think that there is one data point of message for them to learn from, that because there was a government shutdown in 1995, it was one that was pushed for by Republicans, it was driven by Republicans. They wanted to face President Clinton down and insisted that they pass a balanced budget and to get to a balanced budget. In spite of all of the things that happened in 1995 and in early 1996, that was the result, Madam Speaker. They shortly had a balanced budget, and that balanced budget came a lot sooner than it would have otherwise and it lasted at least until such time we were hit by September 11 and the calamity that sent this America into an overspending binge.

I think we could have faced the calamity of September 11 without having to blow our budget in the way we did, but that is not what happened. But what did happen in 1995, if that is the only data point, I want to make this point, Madam Speaker. First of all, there are thousands and thousands of students all over America who are studying political science. Some of them are watching tonight. Some of them are reading in the paper the things that we say and we do, and they are analyzing it. They are listening to their professors analyze what goes on here in Congress, and they are listening to the instruction of the rules, the standards, the axioms that come from certain data points along the line of continuum of political history. And that one data point on that line of continuum of political history is the government shutdown of 1995, and some of it drug over into very early 1996, and the argument is that House Republicans lost that because they had to concede their position to the President and to the Senate.

Well, it is a fact that the House had to concede. They did concede. It is also a fact that the Republicans that controlled the Senate at the time passed a unanimous consent agreement to go ahead and spend the money that was demanded by Bill Clinton and send it over here to the House. The House was in a position where they couldn't push that chain back uphill and President Clinton and the Senate got their way and imposed it over the House.

But I will still say that there is not a dime that can be spent by the Federal Government if the House of Representatives insists that it not be spent. We have to concede and go along with it at some point, or it won't be spent. And the negotiating position that was there for the House Republicans in 1995 was one that was marginally stronger because they had at least a majority in the Senate. That is the difference in the dynamics. But it was also about $300 billion, as I recall, on Medicare spending.

So whenever you put down a dollar figure and you try to stand on that as a principle, it is a different stance than if you put something that is principle down and stand on it. For example, whether we are going to spend $300 billion on Medicare in 1995, or 250 or 200 or 150 or 100 or no more, you will lose or gain people along that line of that continuum. If you want to cut Medicare by $350 billion, you would lose some people that might be with you at 300. And if you move the line up $400 billion, 450, you lose some people who might have been with you at 350 or 400.

Money is something that there is a sliding scale. You cannot find a principle there that you can stand on. It is like going to an auction and seeing something that you want. And maybe you go to the auction and you decide I want to buy a bicycle and I am willing to pay $100 for that bicycle. If you go to the auction and the auctioneer is crying out he has a bid for $100, now he wants $101, do you pay that extra $1 and go home with the bicycle, something to show for it? Or do you say, no, that was my principle. My principle was I am not going to spend more than $100.

Well, some people live by that principle. I do, occasionally. But it is not a principle that is tied to anything that is definable from a sense of right and wrong. It is a percentage scale. If $100 was the right number, it is only 1 percent wrong to pay $101. If you get it for $99, do you have any more virtue? No, you just got a bargain from what you anticipated.

But when you stand on a principle, it is a different story. The principle here that is better for the House to stand on than the principle of the $300 billion in 1995 is the principle that we must not be funding ObamaCare willfully with appropriations bills here in the House. We must not do so because every Republican and a handful of Democrats, and there will be more, voted to repeal ObamaCare.

We passed the repeal and sent it over to HARRY REID. Furthermore, now that that has happened, every Republican, with H.R. 1, has voted to shut off any funding that can be used to implement or enforce ObamaCare. That is also a fact. They are principled votes. They are not votes that are measured on the dollar figure. In fact, most people who voted in that fashion didn't know how much money it actually saved us for voting to repeal ObamaCare.

And it is hard for me to take a position on that. I'll just say that the chairman of the Budget Committee, PAUL RYAN, has used the words about $2.6 trillion is the spending that is saved by repealing ObamaCare.

That is the best number we have, and I don't disagree with that. I accept that number, but it is hard to come down to something and then argue are we doing it because of the money savings. Did we vote to repeal ObamaCare because it would stop the spending of $2.6 trillion? I think not, Madam Speaker.

□ 1840

I think it's part of it. It's part of the equation—and we can't afford it—but there are many other principles. The most important one is: ObamaCare takes American liberty, and puts it into the hands of government to manage our, I'll say, the second most sovereign thing we have, which is our bodies and our health.

That's what's wrong with ObamaCare; it's a matter of principle. It's the takings of American liberty that must be stopped. No, we can't afford it, and it's money that's better spent by doctor-patient relationships and by individuals making decisions on their health insurance and moving on down the line with those conservative principles. We need to stand on principle.

We have this opportunity here in this 112th Congress to stand on principle. The stance needs to be that we will not vote to fund ObamaCare. I'm going to add to this that neither shall we vote to fund Planned Parenthood, and I shall be looking for ways to unfund every other entity like them that promotes abortion or provides abortion as a matter of practice in their facilities. Planned Parenthood has invested in promiscuity, but that's a longer discussion than I will engage in tonight, Madam Speaker.

I do think these two issues are tied very closely together going forward in that ObamaCare funding must be shut off, and we cannot be asking our Members to vote again to appropriate funds that can be used to fund ObamaCare. Some will be saying we didn't have ObamaCare funding in this short-term CR, just as they said there wasn't ObamaCare funding in the CR that passed at the end of December that takes us to the 4th of March, but here is the answer to this:

There are at least 21 different components to ObamaCare that are beneficiaries of funding that go into the various departments. There is no prohibition for that money going into or for being used to implement or to force ObamaCare. There are at least 21 different areas. Then when you look at

the money that's in there, we discover altogether the automatic appropriations. There was something like $4.9 billion for the balance of this year that was automatically appropriated. That's not prohibited in this CR. We didn't get it into H.R. 1, actually, either. But the 21 programs are there, and the money is there for them. I can roll those into the RECORD, Madam Speaker, but there is another component to this that is a blanket component:

It is language in ObamaCare that gives the authority to the Secretary of Health and Human Services, Kathleen Sebelius, to do intradepartmental transfers so that she can use that money to implement and force ObamaCare at her discretion. We failed to shut that language off, too.

So this appropriations bill that passed today, H.J. Res. 44, the 2-week CR, has 21 places in it that could fund ObamaCare, and it still allows for the Secretary of Health and Human Services to take intradepartmental transfers to use at her discretion, at will, which funds ObamaCare.

Then the Pence language, the Pence amendment that he has worked on so valiantly and for so long to shut off all funding to Planned Parenthood, was passed by this House in H.R. 1. It became a component of the position of the House that was delivered here at about 4:30 on a Saturday morning, a week ago last Saturday morning.

Those components, I believe, need to be part of everything we do going forward. I will stand and promote those, and I will stand with those who will stand for life. I simplify it when I say the Pence language shuts off funding to Planned Parenthood, but there are other components that also were left out.

One is the Dornan amendment, which prohibits funding for abortions in D.C. There is the Mexico City policy that shuts off funding to abortions in foreign lands, which we've always done, which is not part of it. The international population control and planning fund gets money still, along with Planned Parenthood.

This is what has taken place, Madam Speaker, in this short-term CR. Boy, it's hard for many Members to vote for it. They want to be team players, and I appreciate that sentiment. From my standpoint, I have an obligation to my constituents and to God and country to do the best job I can to serve, and it goes in the opposite order: God, country. Constituents are right up there with country. Sometimes the best interests of my district are not always going to be the best interests of America. I haven't had that conflict that I can articulate yet, but if that comes, I'm pretty confident my constituents will understand the priority.

We have to do the right thing for the long term for our country, and the right thing is for us to stand on principle and to shut off this funding to ObamaCare, to shut off this funding to Planned Parenthood, to make sure that we are standing on solid, moral, principled ground so that we have a firm place from which we can then negotiate those things that are negotiable with the Senate, which, by the way, is a proxy for the President of the United States. So, if it can be negotiated with the Senate, it's also negotiated, in my view, with the President.

In a moment, I'm going to look forward to yielding to my friend from Texas, who has just arrived on the floor, but I want to also add this:

For weeks now, the Democrats in the House and the Democrats in the Senate have been clamoring for a government shutdown. They seem to be determined to shut the government down. They seem to think that, if there's a government shutdown, they're going to win that debate, and they're going to maybe pick up seats in the House and pick up seats in the Senate, and they'll be able to impose their government growth/government spending/expansion of debt proposals that they've been pushing for the last 4 years, which have failed and which the American people have rejected.

We should not be deluded into believing that Democrats somehow want to go through this period of fiscal austerity. They want to drive this spending up, and they want to have more excuses for increasing taxes. If government grows and taxes grow, at some point the taxes grow to the point where they consume everything, and then those business entities that I talked about being taken over by this White House become the small part of a long list of business entities that are taken over.

I've spoken of this before. On the Web site, the Socialist Web site, they say: We don't want to nationalize everything like the Communists. We're just Socialists. We only want to nationalize the Fortune 500 companies. Thanks a lot. Give the barber, the butcher, the baker, and the candlestick maker some relief. Thanks a lot for that. They want to manage the Fortune 500 companies ''for the benefit of the people affected by them.''

That's the unions.

The President handed shares in General Motors and Chrysler over to the unions, who had no skin in the game, no equity invested, but he handed the shares over to them anyway. It's right off the Socialist Web site, and the Progressives that are left in this Congress adhere to the agenda of the Socialists, which is on the Web site.

But Democrats who are clamoring for a shutdown fail to understand that the American people are more sophisticated today than they were in 1995. They've seen this movie before, and they fear it ends with Republicans giving in to the demands of tax consumers. I have that same fear, but I'm encouraging all of us on this side of the aisle and those discerning Democrats who remain—and there are some—to join with us in putting an end to ObamaCare, in putting an end to funding for Planned Parenthood, in putting an end to overspending.

Let's get serious about real cuts. Let's get serious about holding the line. When every Republican in the House voted to repeal ObamaCare and when every Republican voted to unfund ObamaCare, then, by golly, that's our obligation. That's what we must do. That's what we shall do.

Madam Speaker, I'd be happy to yield to the gentleman from Texas, my friend Judge GOHMERT.

Mr. GOHMERT. I thank my friend from Iowa.

I've been listening to your well-thought-out comments. This is a serious time, not just in American history but in world history; and it's a little difficult to get beat up from our friends from the other side of the aisle over what's going on right now over a continuing resolution when there is one reason we're doing any continuing resolution—they didn't do their job last year. This was supposed to have been done last year. They didn't do it. Why?

I guess they were concerned if people saw exactly a budget that's required by law, but that wasn't done last year—they just ignored that—just like the President is now going to ignore the Defense of Marriage Act. I didn't know Presidents could pick and choose the laws that were duly passed and signed into law and just say, We don't choose to defend that anymore.

But to get beat up by people across the aisle over what's going on is a little tough to take, because they didn't do their job, and now we're having to do it.

□ 1850

And then to further get beat up over spending issues because we're trying to cut spending.

I know my friend from Iowa, as I did, voted ''no'' on the CR today because it didn't continue the hard-fought battle that was won in H.R. 1, where we were defunding ObamaCare. But I recall in 2005, 2006, my first term in Congress, getting beat up—figuratively speaking—by my friends across the aisle because they said, rightfully, we were spending too much money and that we were going to run $100 billion to $200 billion in deficit over the amount we were going to receive in, and that that was irresponsible. Well, they were right. We shouldn't have been spending $100 to $200 billion more than we were getting in in 2005 and 2006. They said we were spending too much, they were right. And what happened in November of 2006? They promised they would get the spending under control if they were given the majority, they got the majority, and they immediately started spending more than we had spent.

And so here we are after a Democratic President gets elected promising hope and change, and people didn't realize that the change was going to be the few pennies left in their pockets after this government was spending so much and leaving little that banks can

loan for new businesses and small businesses to hire people. So the economy is struggling. I mean, this government has sucked up all the capital that there is to create jobs and to get the economy going.

So one of the things that has troubled me is hearing people complaining about wanting to cut hundreds of billions of dollars—in fact, trying to cut $1.5 trillion of the President's proposed $3.65 trillion budget, $3.7 trillion. We're only supposed to get in about $2.16 trillion total of all Federal revenue, and this President's proposing a budget that's $1.65 trillion more than that.

So I keep wondering, since our Democratic friends across the aisle were beating up on us in 2006 for spending too much money, what would be wrong with saying not cut $100 billion, but cut $1.65 trillion, and let's get back to where we were in 2006. That was only $200 billion over what we were receiving. The Democrats were right: Republicans were spending too much money in 2005 and 2006. What would be wrong with going back to that budget? And yet here there's all this rancor over just cutting $100 billion. And the President's talking $1.65 trillion more than we received in?

I don't know if my friend from Iowa noticed, but 2 weeks ago when the President came out with his absolutely irresponsible budget that was going to spend $1.65 trillion more than we brought in—not the $160 billion more that we got beat up for spending more than, but 10 times that, $1.65 trillion—I noticed in the paper the next day that the Chinese were selling off some of their U.S. bonds, some of the debt from our country. Well, it immediately came to my mind, if I were China and I were holding our debt, and I saw that the President of the United States, despite making almost daily speeches about how we're getting spending under control—it would be irresponsible, he says, not to get spending under control—and then he reveals his budget and it's spending $150 billion more than he did last year, I'd start selling off our debt too. I would be thinking these people are so crazy.

I mean, the dollar is the reserve currency of the world. Nations around the world have been advising us as friends, look, you don't realize what you're doing, but people are getting ready to dump the dollar as a reserve currency for one reason—well, two reasons: One, a lot of them are jealous, but number two, we're being irresponsible with our economy and with our spending. And so I couldn't help but vote ''no'' today on the CR with my friend from Iowa.

I also heard a lady yesterday talking about 30 people had lost their jobs because of ObamaCare and what this administration is doing. I've heard from people who are extremely upset back in Texas who have lost their health care just because ObamaCare has been passed. I've talked to doctors who have said, I'm done, I can't play these games anymore. I have not saved as much money as I had hoped before I retire, but I'm done. And they're giving up the medical practice. I talked to a doctor just this morning who said the very same thing.

It just keeps bringing back: If you care about people, if you care about them having jobs, if you care about their self-respect that comes when they have a meaningful job, earn their own keep instead of having the government luring them into indentured servitude status where they are servants of the government and just running around wherever they can find a government that will hand them a check and demanding checks, America deserves better.

There are people that have given that last full measure of devotion to make sure that freedom existed around here, not freedom to go begging the government for a check, not freedom to go begging the government for health care, to pass some law that we're going to take someone's money that they earned, they don't want to give up, and force them to spend on people who don't want to work. We owe them better than we've been doing.

And so when we hear our friends talking about how we shouldn't even have to go through this process, I couldn't agree more. If they had done their job, if they had cut spending instead of putting the dollar in jeopardy, putting our economy in jeopardy, then they're right, we shouldn't have to be going through this. But we have got to defund ObamaCare before too many more people lose their health care and end up having rationed care. I heard about more doctors today who are no longer taking Medicare or Medicaid. We owe all of the people across this country better than what they've gotten in the last 6 years, and what they've sure been getting the last 2 years.

These are dire circumstances, and we just can't keep this going. I mean, we are really in serious trouble. And I know my friend knows that or he wouldn't be spending his time here when he could be doing so many other things. But I appreciate my friend from Iowa more than he could possibly know. I appreciate his courageous stands, and I look forward—I can't really say that. I don't look forward to the battles ahead, but I look forward to having a friend as we go through them.

□ 1900

Mr. KING of Iowa. Reclaiming my time, I thank the gentleman from Texas. He sparked some things in my mind that in about the 6 minutes we may have, a little bit of dialogue with regard to that.

One point that I wanted to make about what's going on with the strategy on ObamaCare is that I've spoken significantly about how this House has voted to repeal it, this House has voted to shut off the funding to it at every single opportunity.

And if there's a strategy out there that says we're going to do death to ObamaCare by a thousand cuts, I'd ask those folks that are concerned about a real showdown with the President on ObamaCare to think about what really happened not so much in the 1995 shutdown, which I said earlier I don't think is applicable under these circumstances. There's a better issue to understand.

And that is in 1998 when the impeachment of President Clinton was brought up, when America found out about what was going on in the Oval Office and in the room next to the Oval Office in too stark of detail for the children of America to be so rushed in to the birds and the bees discussion in the way that they were, Madam Speaker.

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

Mr. KING of Iowa. Madam Speaker, I apologize. I didn't hear your gavel earlier.

So even though it's abrupt, I am happy to yield back the balance of my time.

WHAT CAUSED THE FAILING ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from California (Ms. SPEIER) is recognized for 30 minutes.

Ms. SPEIER. Thank you, Madam Speaker, and I appreciate the opportunity this evening to talk about something that we're not talking much about right now. We talk about the loss of jobs, the unemployment. But what really caused it?

You know, a few weeks ago the Financial Crisis Inquiry Commission actually submitted its report to Congress. The good news is that it's on the best seller list. The bad news is that I am fearful that it's going to be gathering dust in the Chamber here and throughout this building because in this document it speaks volumes about why we are sitting where we are today; why our economy has tanked; why there are 15 million people unemployed in this country; and why there are 4 million people who now have been foreclosed on, and another 4 million who are underwater relative to their mortgages.

So this evening I am joined by the distinguished member from the Financial Services Committee, my good friend from the State of North Carolina, who is a powerful voice on consumer protection and the financial crisis that we've endured. And we're going to spend the next half hour just talking about it.

Well, first and foremost, what was this commission? This commission was a bipartisan, independent 10-member committee composed of private citizens with experience in economics, finance, housing, market regulation. They held 19 public hearings in affected communities across this country including Washington, New York, Miami, Sacramento, Las Vegas, and Bakersfield; 115 witnesses appeared before the

commission in sworn public hearings, including leading figures in the crisis.

In addition, the commission interviewed over 300 people, virtually all of the key players in the financial collapse, including Angelo Mozilo of Countrywide, Richard Fuld of Lehman, and Joe Cassano of AIG Financial Products Division, and examined thousands of documents—all of which are posted on the Web. A totally transparent process.

And the single most important statement they made was this crisis could have been avoided.

Now, they gave just a few examples. The Securities and Exchange Commission could have required more capital and halted risky practices at the big investment banks, but they did not. The Federal Reserve Bank of New York and other regulators could have clamped down on CitiGroup's excesses in the run-up to the crisis. They did not. Policymakers and regulators could have stopped the runaway mortgage securitization train. And they did not.

So this document has line and verse of what went wrong. But one of the most telling parts deals with the mortgage fraud, and I would like to just put this up.

How many executives have been held accountable for their actions in this financial crisis?

As you can see, two have been criminally charged. There have been zero convictions, zero sent to prison.

Well, what happened when the savings and loan crisis occurred in this country decades ago?

The results there were much different: 1,188 were criminally charged, 915 were convicted, and 582 went to prison. Convictions included more than 260 thrift CEOs and senior executives including, of course, the famous Mr. Keating.

So it is very important for us tonight and through the next year or two to not only study this document but to put it to paper. By ''put it to paper,'' I mean legislate around it.

Now the Dodd bill is an incredible effort in that regard. The Dodd-Frank effort was one that we were successful in moving through; but as this report points out, there were powers that many of these regulators already had but chose not to use.

Now, the second poster talks about mortgage fraud; and the compelling information in the report that I think is important to point out is that, again, there were people that were looking at the problem and saying, Wait a minute, we need to do something about this. One in particular was the Deputy Director of the FBI who began to look at this issue and thought something is wrong here.

According to the FBI, 80 percent of the cases of fraud involves insiders. So if there was fraud being exercised in the mortgage industry, it was coming from the inside. FBI Assistant Director Chris Swecker began noticing a rise in mortgage fraud back in 1999 and in 2002 led a successful criminal prosecution against the owner of Beneficial Mortgage in your State, my dear friend from North Carolina, for selling fraudulent loans to Fannie Mae.

First Beneficial repurchased the fraudulent loans from Fannie but then proceeded to resell them to Ginnie Mae without any interference from Fannie. Fannie later paid $7.5 million in restitution to the government for allowing the sale.

Assistant Director Swecker told a congressional committee in 2004 that if fraudulent mortgage practices became unrestrained and systematic, it would ultimately place financial institutions at risk and have adverse effects on the stock market. Boy, was he prescient or what?

So here is an interesting chart that shows how we've seen an increase in fraud reports at financial institutions.

Now, these are really undervalued. They're probably five times higher because many institutions do not actually report like they should. But what is even more disturbing is that while the number of mortgage frauds have increased, the number of actual prosecutions have slowed down. So as we are trying to kind of somehow come to some understanding of why this all happened and how do we make sure it doesn't happen again, if we don't have enforcement tools, if we don't have those who have the enforcement tools seeking to go after the mortgage fraud, then in all likelihood it will continue to happen.

So I know that my good friend from North Carolina is interested in weighing in on this issue. I think that as we discuss this issue, it's important to know, one, that there are enforcement tools, but they have to be used.

I yield to my good friend.

Mr. MILLER of North Carolina. Thank you, and thank you for organizing this Special Order tonight to talk about an issue that we should not turn our attention from because we need to remember how we got here if we're going to figure out how to get out and how to make sure we don't get here again. This has been the worst economy since the Great Depression, and we need to make sure that the mistakes that got us here are mistakes we avoid in the future.

Our colleagues across the aisle have said the great issue in American politics now is between those who want big government and those who want small government.

□ 1910

The real issue is which side government is on; and for too long, government has not been on the side of working and middle class families who are trying to make an honest living, who are trying to support themselves, support their families, do the right thing, do something useful with their lives. Government has been on the side of people who were trying to make a killing by getting themselves into a position where they can take advantage of the economy, where they can extract money, they can loot the economy, is what economists called rent-seeking, doing nothing particularly useful, but just taking a piece of other people's productive work.

There has been a lot of gloating in the last little bit about how successful the financial rescue has been, and by many measures it has been. The banks have not actually collapsed; the financial system didn't collapse. We did not have a Great Depression, as painful as this has been, but the financial collapse and the rescue profoundly offended Americans' sense of justice, and it offended my sense of justice.

What led to the financial collapse was not some perfect storm of unforeseeable macroeconomic forces and this weird combination of events that no one could possibly have seen. It really was the result, as the FCIC report concluded, it was not just preventable; it was the result of blame-worthy conduct that we should never have allowed to happen.

I first got involved in this issue, not knowing it would result eventually in a financial crisis, through working on the issue of mortgages, knowing that the mortgages were terrible for consumers, for homeowners. And the way that they had been portrayed, as a good-faith effort by the financial system to try to make home ownership available to people who could not otherwise afford it, was completely different from what was really going on with subprime mortgages.

There was an explosive growth of subprime mortgages. They grew from 8 percent of all mortgages in 2003 to 28 percent in 2006. That is enormous growth in just 3 short years. And they certainly were not about helping people buy homes who otherwise could not have afforded home ownership.

In fact, every study that has looked at it has concluded the great majority of people who got subprime loans qualified for prime loans. They got cheated. They got steered into loans that obviously were not in their interest. They weren't about helping people into home ownership.

In fact, subprime was almost entirely a creature of refinances. Seventy percent, even during that 2003 to 2006 period, 70 percent were refinances. People already owned their homes, but they needed to borrow money. Some of them lived beyond their means, there is no doubt about it. Some of them were using the equity in their home as an ATM machine. But the fact is for the last generation the means of middle class families have not been enough. Americans, as the economy has grown, as the Nation has prospered, that prosperity has not been widely shared as it has been in the past.

And so when Americans got into trouble, when they needed to borrow money from somewhere, when someone in the family got sick, when someone lost their job, when they went through a divorce, when they needed to borrow

money, the only way they could borrow money was to borrow it against their home, to refinance their home. Seventy percent of subprime loans were refinances. And again, the great majority, The Wall Street Journal estimated 55 percent, most of the other estimates have been more than that, were people who qualified for prime mortgages.

Ninety percent were not fixed rate, 30-year mortgages. They had a quick reset after just 2 or 3 years. So they were 2/28s or 3/27s. Most people who got those loans did not even know that. They did not know that the initial mortgage payment that they had to make, monthly payment, was going to be subject to a very quick increase. And the increase after just a couple of years was generally 30 to 50 percent a month. To get out of the mortgage, the great, great majority had to pay a prepayment penalty, usually like 3 percent of the outstanding balance of the mortgage.

Now, those were not mortgages that were designed to help middle class families. Those were mortgages designed to take the equity in their home, to strip them of the equity of their home as house prices were going up. There was never any thought that they really would be able to pay off those mortgages over the course of 30 years and then invite their friends and family over to have a ceremony where they would burn their mortgages, as earlier generations of Americans had done. They were mortgages that had the effect of trapping people in debt and taking from them the equity in their home and making sure that that ended up in the pockets of the financial sector, not in the pockets of the middle class families.

Other practices in that last decade that should never have happened, overdraft fees. Now, overdraft fees serve a useful purpose. In another generation, we used the criminal laws to prosecute people who wrote bad checks. There are a lot of perfectly honest folks who got themselves in just a little bit of trouble, or didn't balance their checkbooks, who ended up with prosecutions for writing bad checks. But overdraft fees became a source of profit for banks. A typical overdraft fee would be 40 bucks. The biggest banks actually developed what was called ''fee harvesting software.''

If you had an overdraft agreement, and you had one unless you specifically asked not to have one, and you went to an ATM machine and you asked for your balance, it wouldn't actually tell how much you had in your account. It would say ''funds available.'' That meant how much your balance was plus what they would allow in overdraft fees.

And they would run the bills through in a way that would maximize your overdraft fees. So if you were like a lot of people and you got to the end of the month and there was more month than there was paycheck, and you went to the ATM, and you had a hundred bucks in your account, and you went to the ATM machine and you took out 20, and then you took out another 20, and then you made a $20 purchase, and then another $20 purchase with your debit card, and then maybe a $15 purchase, and then you wrote a $100 check or a $105 check, the banks would put the $105 check through first, putting you over your limit, charging you a $40 overdraft fee on that and the 20, the 20, the 20, the 20, and the 15. Now, that's just crooked. And that was legal.

Ms. SPEIER, my colleague from California, has pointed out the lack of prosecutions. But perhaps the greatest scandal of this financial crisis is what was legal; not that illegality was blinked at, but what was legal in all of this.

We have now passed legislation that should reform much of this, but we have to stick to it to make sure that those reforms are enforced, they are given meaning, and that the regulators do not fall into that tendency to be controlled by the people they are supposed to be looking after. They are supposed to be the cop on the block, and they have to exercise independent judgment on behalf of the American people.

We need to make sure these reforms work because we cannot allow what happened in the last decade. It truly offended Americans' sense of justice, that the people who caused it have come out unscathed. Not only have they not been criminally prosecuted, but they are now back to making the same kind of bonuses they made before. And the people who have suffered, suffered the most, are the working and middle class families who got trapped in those mortgages, or who lost their jobs, or even people who had good mortgages have now seen the value of their homes collapse. And with the loss of the value of their home, one in four people with mortgages now are underwater, owe more on their home than their home is worth.

With that, they have seen the loss of their life savings. That is the life savings for most middle class families, the equity in their home. So of course people have a knot in their stomach. They have a knot in their stomach about whether they're going to keep their jobs. They have a knot in their stomach over what they really own in the world when they have seen the value of their home collapse in the way that it has.

So I thank the gentlelady from California for organizing this Special Order so that we can call attention again to the kind of misconduct, the kind of corrupt, rent-seeking looting of the economy that we have seen in the last decade that got us to where we are.

Ms. SPEIER. I thank the gentleman. Reclaiming my time, you know, you had said earlier that our friends on the other side of the aisle were bemoaning the big government; and yet if any of the records that have been established by this commission are really studied, without the kind of government to do the kind of investigation and enforcement, then we are setting ourselves up for another financial crisis.

□ 1920

Mr. MILLER of North Carolina. I am reminded of one of my favorite quotes from Will Rogers, who is responsible for many of my favorite quotes, that in the New Deal, even after the financial collapse, even after the stock market collapse and the revelation of all of the conduct that had led to that stock market collapse, the securities industry fought tooth and nail. Wall Street fought tooth and nail the regulation of the securities markets, the stock markets.

Will Rogers said, ''The boys on Wall Street don't want a cop on their block.'' Well, they still don't. They still do not want someone standing between them and the kinds of profits that they made in the last decade.

Ms. SPEIER. You know, you are absolutely right, and so is Will Rogers. I think that it's important for us to communicate to the American people that while we don't want bloated government, we want to make sure that there is a government that has the cop on the street.

Look at the savings and loan crisis and those who were criminally charged and those who were convicted and those who went to prison. The FBI deputy director at the time, John Pistole, testified before Congress and said that there were a thousand people working on the S&L crisis at its height within the FBI, a thousand people.

That compares to about 240 agents working on the mortgage fraud cases last year. So, you see, no numbers in terms of convictions, and you can see that if you don't have cops on the beat, then you are going to have people that are going to take advantage, that are not going to follow the rules, and that, frankly, will not be charged nor convicted for their crimes.

I am reminded, too, that during much of this review by the commission they talked about the action that some regulators did take in 2005 where they weren't willing to actually take action against the banks, but they did issue what they called was a nonbinding guidance. The guidance was to recommend the banks consider a borrower's ability to make the loan payment when the rate adjusted.

What a lightbulb going off. I mean, why wouldn't that be naturally part of the process when you were going to assess whether someone could carry the loan, to see whether or not they could carry the loan after the rate adjusted? But as you pointed out, they were all interested in the yield spread. They were all interested in churning. They were all interested in securitizing these loans and making more and more money. So it wasn't about making sure people could actually pay for the loans moving forward.

I see we have been joined by another colleague. Welcome. I yield to the gentleman from New Jersey.

Mr. PASCRELL. I didn't come to speak on this issue tonight but another issue, but I can't help but look at the graphic message that's right there in front of everybody, in front of the country, about the financial, Great Recession, depression—who was charged and how many were convicted. This is a very, very, very sad omen.

If we go back into the nineties and into the first decade of this century, very, very specific, as we understood what was going to come, you need to have a Justice Department that's willing to stand up and fight the very people who many times fund our campaigns.

Now, if you can't say it, then you shouldn't be here.

AIG is a perfect example. They became the poster child of everything that was going wrong in our financial institutions. But AIG, in 2003 and 2005—rather, 2003 and 2005, got what are called deferred prosecutions. Deferred prosecutions to me are the very center, the very apex of what is corrupt about those moneylenders in the temple.

Now, what is AIG all about? They made and packaged many of these financial deals that we read about it for so many years. And people look at this and they read about it. They may not know all the specific definitions about every one of these packages, these financial products, as they were called, but they do understand that nobody ever pays for anything, and nobody ever is held accountable.

So how can people, the average person who is struggling, particularly now, see it's all right when things are going well, the AIGs become simply a fault, a sand pebble on the beach of our brains.

But the fact of the matter is, when things get tough, then you will wonder where this money is going. Because money doesn't disappear into the ocean, it doesn't disappear into the atmosphere, into the sky. It goes someplace and it winds up in someone's pocket. It's simple one-on-one mathematics, beyond the course.

When you look at deferred prosecutions and how many corporations got deferred prosecutions, where the government said, where the Justice Department said, look, if you straighten out and fly right, and we will have a Federal monitor there to make sure that you don't do the financial practices that you did before, then we will let you go. No one will be prosecuted, and no one will be taken to task, and no one will go to trial, and no one will, therefore, ever be convicted. My friend, it did not work with AIG, and it hasn't worked with any of the large corporations.

You know what? I don't blame one party for this. We were part of the situation as well, and until we stand and tell the truth about our own implications in this thing, this is never going to be changed.

People want to be confident in their government and their Justice Department, to get to those people who made money on the backs of the working men and women of this country.

Ms. SPEIER. The gentleman from North Carolina.

Mr. MILLER of North Carolina. Thank you very much. I think we all struggle with what phrase to use to describe the people that have been hurt by this. I think we use the words, the phrase working and middle class families, sometimes we say ordinary people. Sometimes we say regular people. But the phrase that keeps coming to me is people who are trying to make an honest living.

And I think my model for that was my own parents. I am a child of the middle class. My father worked for the post office. He managed, at the end of his life, he worked for the post office almost all of his life, almost all of his working life. He died in 1965. At the end of his life, when I was 12, he was a manager of a neighborhood branch of the post office.

After that I saw my mother support me on her own as a widow, when I was 12 forward. I remember my law school graduation, my mother trembling. I thought that she was overcome with pride since my generation was the first in our family to go to college. She later admitted to my sister that she had actually, after my father died, prayed that if her youngest, me, could just get through school, He could take her at any time. So she was expecting to be struck down at any moment and was trying to negotiate a new deal with God.

I am deeply offended by the suggestion that my parents, both of whom were public employees, my father worked for the post office, my mother was a bookkeeper for the local school system, were not making a contribution to society, that they were taking, that they were takers and not givers. I saw how hard they worked to do right by me and to do right by the people who were paying their salaries.

I am deeply offended by the arguments that public employees are people who are taking from our society and not giving back. The idea that they are takers, and the people who came up with this stuff, are the ones doing something useful to society, that they are the ones who are making a valuable contribution, offends me deeply.

Ms. SPEIER. It offends me as well.

As we conclude this half hour, I just want to say to our colleagues that this commission report must not gather dust. This commission report has got to be read by everyone, particularly our colleagues on the other side, and that we have got to take it to heart.

One of the points they make in this report was that $2.7 billion was spent by the financial services industry over 10 years to lobby all of us, and another $1 billion was given out in contributions to Members of Congress.

□ 1930

So, it's no surprise that the enforcement hasn't been as strong as it should be. Thank you for sharing this half hour with me, and let's hope that we can continue to shed light on this issue.

GUN VIOLENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 30 minutes.

GENERAL LEAVE

Mrs. MCCARTHY of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. MCCARTHY of New York. I want to talk tonight a little bit about, number one, why I even came to Congress and why I'm up here tonight talking about gun violence. I just want to give you a little history. On December 7, 1993, a deranged man named Colin Ferguson got on the Long Island Railroad train and changed my life and that of many others forever. As the train pulled into Merillon Avenue in Garden City, he took out a handgun and opened fire on those passengers in the train. He killed six people, including my husband. He injured 19, including my son, who was shot in the head at close range. Thankfully, my son did survive. And while it has been a difficult struggle for him, he has a rich life now with a wife and two children. I consider them my miracles. And I'm very grateful that he did survive.

What I did after that incident was become an advocate for reducing gun violence in this country, to see if I could help others not have to go through the same pain that my family and the other families of the Long Island Railroad massacre went through. As often happens when you become an advocate for a cause, any cause, that led me to work with elected officials and the government to try to change policies that I thought were hurting the American people.

And also as often happens when I discovered that there was only so much you could do outside the government, I ran for office myself. I was never a very political person, but I believed so strongly in this cause that people saw and gave me the chance to be their Congresswoman. The Members of this body embraced me also. That was in 1996. Even though I work hard on other issues like the economy and education, I'm still fighting that this struggle to reduce gun violence is the same battle I had back in 1993 and on.

So let's go fast forward now. From 1993 to January 8 of 2011, on that fateful day in Arizona, six lives were stolen from us, and 13 of our fellow Americans were injured, including one of our own,

Congresswoman GABBY GIFFORDS. Certainly it hit home for all of us, and it sends a chill down all of our spines. I know I'll never forget that day. The shootings had eerie similarities to our own incident in 1993. Six people were killed and over a dozen injured. Like my son, Gabby was shot in the head at close range. Like my son, she's looking like she's making a wonderful recovery. And we're all rooting for her.

There are a couple more similarities that bear mentioning. In both the shootings, the gunmen used high-capacity magazines that allowed them to maximize their carnage; and in both shootings, the gunman was tackled by unarmed witnesses while they stopped the shooting when he was trying to reload.

I ran for office and entered government to make a difference. I came to Congress to make our lives safer. I have a legislative proposal that I think should reduce the casualties in that supermarket parking lot on January 8.

H.R. 308 is a bill to ban high-capacity magazines like the ones used in Arizona and on the Long Island Railroad. These are devices designed to hold more than 10 rounds of ammunition and feed them into a gun. The State law in my State, New York, have already banned magazines holding more than 10 bullets, and that was also the Federal law between 1994 and 2004. So we know that there's precedent for this law on a State and a Federal level. There is no question about its constitutionality.

Unfortunately, most States, like Arizona, don't have limit on high-capacity magazines. This is what allowed the shooter to just walk into a common store and buy the weapon he did right off the shelf. This is a reasonable, commonsense bill that makes accommodations for public safety and gun owners' rights. This includes exemptions for our law enforcements and our military as well for testing purposes or for security guards looking after nuclear facilities.

As I noted, often shooters are tackled and stopped when they run out of bullets in a magazine and stop to reload. That was the case for my family in 1993, and that was the case of Arizona. Maybe if the shooter in Arizona had fewer bullets in the magazine, we wouldn't have had the carnage that we saw. Fewer people would have died. Fewer people would have been injured. We would be looking at one less funeral or a few less life-changing injuries.

Immediately after the shooting in Arizona, there was a lot of talk just about by everyone about putting partisanship and politics aside and working together for the common good. I see this bill as an opportunity to do that. This is not a partisan bill. There is no Democrat or Republican way to become a victim of gun violence. And there is no Democratic or Republican way to reduce it. In the absence of a perfect, nonviolent society, we must make laws to protect the public.

This is a very simple bill, a bill about our public health and our safety. We also have a moral imperative to protect innocent and law-abiding Americans from the threat of dangerous weapons in the wrong hands. In America, we believe in life, liberty and the pursuit of happiness. To me, life, liberty and the pursuit of happiness include being able to go grocery shopping on a Saturday or attend a public event on a Saturday afternoon without being gunned down.

This bill does not take away anyone's right to own a gun. Let me make that very, very clear. This bill does nothing to take away anyone's right to own a gun. I believe in this Second Amendment, and I support law-abiding hunters and sportsmen. But common sense dictates there is no need for the kinds of devices that this bill is addressing other than for killing as many people as possible in the shortest possible time.

Almost 100,000 people a year are shot in this country, suicides, homicides, accidental deaths and on and on. That's over 260 people a day. Every single one of those people have families and friends. Think of how many millions of Americans are affected by gun violence every single year. I want to remind us all that we can help lower these awful statistics. We can help save lives, and we can help prevent lives from being shattered.

Now, this bill is getting more and more support every single day. We have over 90 cosponsors in the House and 10 in the Senate. And every day there's another newspaper editorial or a columnist supporting this bill. There are a lot of coalitions, organizations, and leaders out there working to support this bill to reduce gun violence in our country—the Brady Campaign to Prevent Gun Violence; the Violence Policy Center; the Coalition to Stop Gun Violence; New Yorkers Against Gun Violence; New York City Mayor Michael Bloomberg; the United States Conference of Mayors; Philadelphia Mayor Michael Nutter; Richard Aborn, who was a former president of Brady; Mothers Against Guns; Faiths United to Prevent Gun Violence; States United to Prevent Gun Violence; and many, many more.

Even pro-gun conservatives like Vice President Dick Cheney say that it would be reasonable to discuss reinstating the restriction that was in the assault weapons bill and to do away with the large magazines.

□ 1940

We are also hearing word that President Obama will publicly address the issue of gun violence soon. We don't know whether he will talk about this bill or other measures that I also support, like strengthening our background check system, or closing the gun show loophole, which allows you to buy guns at gun shows without a background check.

But the good news is that people across the country are uniting in an effort to do something to reduce gun violence. I think one of the most important things I can do while I'm here with you is to ask for your help and ask the American people for their help.

We all saw recently from the world events the kind of change that you can make happen when you have the power of the people behind you. And certainly we have done this before. We have come together as a Nation, Democrat and Republican, to pass sensible gun laws in order to save lives and reduce injuries. If you are not a cosponsor on this legislation yet, please become one. If you are still not sure if you want to support this legislation or not, please feel free to talk to me or anyone on staff. Go on my Web site and read the bill. Basically, this is a very narrow bill.

Finally, no matter what we do, whether you support this bill or not, please let's look at ourselves in the mirror and ask ourselves: After the shooting in Arizona, will we sit by helplessly and do absolutely nothing or will we do everything we can to save lives and protect innocent people for the future?

I want to thank you again for listening to me tonight, and I want to say that even if we can save one life, one life, with all of our efforts, than to me it has been well worth it.

My good friend and colleague from New Jersey, BILL PASCRELL, who has been outspoken on this issue for many, many years, I appreciate him being with me tonight.

Mr. PASCRELL. I appreciate the gentlelady for yielding. Madam Speaker, it is good to see you in the seat this evening.

I support the Second Amendment. I was lucky enough to come into this Congress with my friend from New York, CAROLYN MCCARTHY. She has been a champion for the issue against gun violence.

I am proud to be here tonight supporting her legislation, H.R. 308, the Large Capacity Ammunition Feeding Device Act. The McCarthy bill will reinstate the ban on large capacity ammunition feeding devices that existed for quite some time, from 1994 to 2004, as the gentlelady from Long Island has said.

As has already been stated, this bill bans the sale or transfer of high capacity magazines, those holding more than 10 rounds, by non-law enforcement civilians. I state that right now, Madam Speaker, to make it very, very clear, this is an issue close to my heart because I came to this Congress in January 1997 pledging my support to defend law enforcement officials throughout the United States of America.

Many times those who illegally have these guns or have illegal guns, many times they are better armed than our police forces. Just think about it? When we raise our hands, if we are fortunate enough to be elected or reelected, we swear to uphold the Constitution of the United States and life,

liberty, and the pursuit of happiness, as you heard the gentlewoman just mention. Part of that pledge, or a reflection of that pledge, is how we treat our law enforcement officials besides just patting them on the back. So we want to not only have a law enforcement person, a police officer out there who is well equipped, who is well trained, but is in a better position to defend us than those who seek to destroy property or limb.

It does not make sense. The failure of Congress in recent years to shoulder the ultimate responsibility of safeguarding our communities from gun violence is inexcusable. This is not rhetoric. This is common sense. These magazines, which contain so many bullets that can kill so many people, have no place in our towns, have no place in our cities.

The tragedy in Arizona was a gut-wrenching reminder of what can happen when these weapons are legally available. We are not suggesting taking guns away from anyone who legally possesses them, and I can't emphasize that enough. And I know those who are very close to the gun community are very suspect of anything that will lead to a graduated taking of guns away from the people. That has never been the intent of the gentlelady from Long Island, and certainly that is not my intent whatsoever. And that is not simply an assuaging of the argument; that is the fact. This is not about guns. This is about reason. This is about sanity. This is about peace of mind.

That tragedy will always remain in our minds. Our sister is hurting, and we pray for her recovery. The perpetrator of that heinous crime fired 32 bullets in only 16 seconds. He killed 6 people and injured 13. That did not happen that long ago, and yet, it is out of the country's culture mind. It is not there. It is not discussed. It is almost as if it didn't happen.

Some people have said that it is not the gun but the person who commits the act of violence. While that may be the case, the shooter was taken down while reloading his weapon after those 32 bullets. If there had been fewer bullets in the magazine, he may have been thwarted earlier, saving other lives.

So we are talking about this magazine that we want to take out of anyone's hands. We are talking about potential. We are talking about possibilities. We are talking about risk, and giving more of a chance to protect ourselves. And for a police officer, if a police officer was there, could have been in the crowd, should have been—all valued lives. And those are not the only numbers that are chilling.

Nearly 100,000 people are killed by guns every year. Over 260 people will be killed today by a gun. This results in $100 billion annually in medical, security, and criminal justice costs. There is a reason that local enforcement and the U.S. Conference of Mayors supports this legislation: Because the ban worked when it was in effect for those 10 years. If it didn't work, we wouldn't be here tonight. Records show that while the Federal assault weapons ban was in effect, the number of high capacity magazines collected by police fell dramatically.

This is a return to the same standard we have in many States, including my home State of New Jersey, and the law of the land from 1994 to 2004. There is no question that it is constitutional. This is not a Republican or a Democratic issue. Let's not make it that. This is not about taking all guns away from law-abiding citizens. It has nothing to do with that, either. This is about saving lives. And right now we pray for our own buddy, our own sister, who was just here not too long ago. Where is she? I didn't see her the last few days. She's healing. We thank God she is in the position to heal.

We can do something about this reckless nonsense without violating the Constitution of the United States of America which we have all pledged to adhere to.

I yield back to the gentlelady from Long Island, and I thank you, Madam Speaker.

Mrs. McCARTHY of New York. And I thank my good friend.

You know, a lot of times there is a lot of propaganda out there that gun owners don't want to go anywhere with this, but the support for this bill and gun restrictions in general, from organizations and members of the media, are also reflected in public polls.

The Mayors Against Illegal Guns showed that almost 60 percent of all Americans and even 49 percent of gun owners support this bill.

A public policy poll found that 55 percent of the people in Arizona, a State where gun rights are dearly cherished, support more restrictions on guns.

A USA Today poll found that a majority of Americans do support stricter gun controls.

Here is one of the issues that we face all of the time: That the American people support what we are trying to do, but we are not hearing their voices. And I think that is something that the American people can do to make a difference.

I also want to note that Arizona and the Long Island Railroad are not the only recent incidents in which high capacity magazines were used. In Manchester, Connecticut, at a beer distributor, on August 3, 2010, a shooter with a large magazine killed eight and wounded two.

Fort Hood, we all remember that day: November 5, 2009. The shooter killed 13 and wounded 34.

□ 1950

Northern Illinois University on February 14, 2008: The shooter killed five and wounded 21.

Virginia Tech, right here in our neighborhood, on April 16: The shooter killed 32 and wounded 17.

We can go on and on and on, all the way back to Columbine High School, where the shooter killed 13—13 students and teachers—and wounded 23.

Going back to California, a shooter killed eight and wounded six. At Luby's Cafeteria in Texas, the shooter killed 23 and wounded 20.

These were all done by large capacity clips.

My colleague, Congressman PASCRELL, talked about health care. My son was shot 17 years ago. His medical bills within a couple of years were over $1 million, but there is the pain that he still has to go through every single day, which our friend GABBY is going to have to go through just to be able to do normal day things: tie your shoes, get dressed. My colleague mentioned $100 billion a year in health care costs.

We know that we can't save every life. I know that. I spent over 30 years as a nurse. I couldn't save every life, but we sure did our best to do everything that we possibly could to make a difference. That's why I stand here tonight and talk about why I feel so passionately about this. Unless you're a victim, unless you're a family member or a friend who has lost a loved one or someone who was injured, it's very hard to describe the pain that goes on for many, many, many years. For those who survive, there is not only the mental trauma that they go through; there is also the physical trauma that they go through, which some will carry for the rest of their lives.

Again, I say there are supporters, and I want to read off a few. They're mainly from newspapers across the country. Here in Congress, everybody talks about red States and blue States. Yet these are States that have people in them. We can disagree, certainly, on where we're going on certain issues, but there are newspapers around the country and editorial boards, which usually would not support any kind of gun legislation, that say it's time, that it's time to have a debate on how we reduce gun violence in this country.

The New York Times reads: As lawmakers in Washington engage this week in moments of silence and tributes to Representative GIFFORDS and the other casualties, they should realize that they have the power—we have the power—to reduce the number of these sorts of horrors and the pain and suffering.

The Daily News noted that the shooter in Arizona squeezed the trigger again, again, again, and again—over 32 times—and that's just the half of it—as blood flowed and as people screamed and dropped to the ground.

Where I live on Long Island, we have gun violence. It's a suburban area, but unfortunately so many guns and large magazine clips are coming into our communities, and they're bringing with them death and pain. I know gun control of any sort is a tough sell in Congress these days, but commonsense restrictions should be enacted as such large capacity clips play such an obvious role in turning angry outbreaks of violence into massacres.

The Washington Post reads: Lawmakers should also endorse the sensible legislation introduced by myself to outlaw the sales of high-capacity ammunition clips that enabled Mr. Loughner to shoot some 30 bullets in a matter of seconds. A drug abuse history or not, no one, in my opinion, should be able to have the possession of a weapon that could so easily and senselessly be used to slaughter so many of our citizens, our neighbors, in such a short period of time.

The Seattle Times, The Denver Post, The Salt Lake Tribune, the Charlotte Observer, the Louisville, Kentucky Courier-Journal, and The Tennessean are all basically saying it's time to look at reducing the violence that is in our cities, our communities, our towns. One of the ways we can do that is by getting rid of the large capacity clips.

The Arizona Daily Star noted that no one outside of law enforcement and the military needs to fire 30-plus rounds without interruption. Hunters do not. Neither do target shooters or those who carry guns for self-defense.

Let me remind people that a gun that anyone uses that has a clip will still have 10 bullets and one in the chamber. That's 11 bullets that someone can use for self-defense. There is no question that fewer people would have been killed and injured on January 8 if the shooter had possessed a magazine with a capacity of just 10 rounds.

Gail Collins said Congress should have an actual debate about Representative MCCARTHY's bill to reduce gun violence.

Even traditional, conservative, pro-gun advocate Nick Kristof talks about the contrast of guns with automobiles. He turned it upside down to argue that, in reality—and this is true—for a long time, motor vehicles were dangerous, but slowly, slowly we made them quite safe. The trade-off is that we have modestly curbed individual freedom, but we can save tens of thousands of lives every year. That's a model for how we should approach guns and a public health concern.

I talked about individual leaders who support H.R. 308. It is a long list, and many people have stood up: Mayor Bloomberg from New York City, my great city; Philadelphia Mayor Michael Nutter, another member of Mayors Against Illegal Guns, also expressed support; I had mentioned Vice President Dick Cheney, of all people, who said it would be appropriate to reinstate a ban on high-capacity magazines like we had before.

Other public officials and individuals around the country also support this bill: The New York Police Department said that a legislative solution to eliminating extended magazines would be best; the President of the Alabama Sheriffs' Association is a supporter; the Minneapolis police chief is a supporter; the Palm Beach County commissioner; the Montana Secretary of State; President Bob Brown, an NRA member and hunter who owns 18 guns, supports my legislation; the nurse who treated Ronald Reagan after he was shot supports this; the fiancee and family of Gabe Zimmerman, one of our own staffers who was killed in Arizona, support this bill.

You mentioned our police officers, BILL. If anybody would be interested, we've had more police officers killed since January of this year until now than we've had in the last number of years. We say that we are there for our police officers. You were a mayor, and I know you stood by your police officers. I know that police officers around the country know when they're facing these large capacity clips and they're outgunned, as they were when we passed the assault weapons bill.

So, BILL, I know you are where I am, and I thank you for the support that you have given me, because we did come in together, but it's people like yourself who are willing to speak out.

Mr. PASCRELL. Will the gentlelady yield?

Mrs. MCCARTHY of New York. Please.

Mr. PASCRELL. Madam Speaker, I would like you to take back to your side—and I'll take back to my side—that I know this has been a great leverage issue for the Republican Party. It has been a third rail for the Democratic Party. We were told basically, in so many words, to stay away from it. Look, let's lay our cards on the table.

I think that this is something we can agree to come together on common ground and be a little bit more reasonable about our approach.

I thank you, Congresswoman MCCARTHY, for leading the way, as usual. You know I will always be there in support of what I think is very important legislation for the sanity of our country.

Mrs. MCCARTHY of New York. And I thank you again.

I just want to remind the American people who might be listening tonight, I need your help. I can do the battles here. It's so easy to email your Member of Congress or your Senator to say it's time to get rid of the large magazines, because there is no place in America anymore that is safe. This can happen anytime, any place. So I thank you for listening to me tonight, and I thank my friend for standing here with me and talking about it.

I will say, in closing, it's 17 years since the incident happened to my family. There is not a day that goes by that I don't remember what happened, and that's why I continue to fight for this issue. I don't want another family to go through the pain. I don't want to see another person die. I don't want to see someone injured for the rest of their life, and to fight those battles.

Ms. ESHOO. Madam Speaker, in the wake of the horrible tragedy in Arizona, Members of Congress were united in condemning the violence. We expressed our prayers and hopes for the recovery of our colleague, Congresswoman GABRIELLE GIFFORDS, and the others injured in the attack, and we praised the heroic actions of ordinary Americans on that day.

But for our words to have meaning, Madam Speaker, we also must act.

I'm proud to join Representative CAROLYN MCCARTHY in introducing the Large Capacity Ammunition Feeding Device Act, to eliminate access to clips that enable the kind of shooting spree that took place in Arizona. No one can say that the ability to shoot more than ten times—without pausing to reload—makes our cities or our citizens any safer. The Assault Weapons Ban of 1994 addressed this issue, but perversely, by allowing it to expire in 2004, we lost critical ground.

The importance of the ban was tangible in each of our communities. When I first came to Congress, East Palo Alto, a city in my district, bore the awful distinction of being the "Murder Capital of the Country." Today, the crime rate has subsided. The ability to take these murderous assault weapons off the street played a major role in that turnaround, and we should not turn back the clock.

Madam Speaker, we all honor our Constitution and the Second Amendment. I, however, see no connection between the primitive muskets our Founding Fathers contemplated and the sophisticated, deadly weapons that plague our streets today. The United States continues to have the most per-capita gun deaths of any developed nation. This is not a symbol of our freedom. It's a capacity to kill, and this must not eclipse our capacity to care. I urge my colleagues to join me in supporting this sensible gun legislation which we are grateful to Representative MCCARTHY for authoring to better protect our communities.

Mr. VAN HOLLEN. Madam Speaker, I rise to join the vast majority of Americans, on both sides of the gun debate, who want a safe and sensible gun policy for their families and for the United States of America.

In the aftermath of the recent tragedy in Tucson, one eminently reasonable place to start—one place where gun rights advocates and gun control advocates should be able to find common ground—is the Large Capacity Ammunition Feeding Device Act (H.R. 308), introduced by my colleague Rep. CAROLYN MCCARTHY (D–NY).

H.R. 308 is not about gun control. Instead, it's about commonsense ammunition control. The Large Capacity Ammunition Feeding Device Act sets aside all of the historically contentious debate around gun ownership and instead asks every American a very simple question: Is it really necessary for non-law enforcement civilians to have access to high capacity, 33-round magazines like the one Jared Lee Loughner used to shoot our colleague GABBY GIFFORDS and his other victims in Tucson?

I would submit that it is not. And I would further submit that the overwhelming majority of Americans and law abiding gun owners would agree that it is not. Consistent with that commonsense conclusion, the Large Capacity Ammunition Feeding Device Act would simply ban the sale or transfer of high-capacity magazines holding more than ten rounds. Law enforcement records show that the number of high capacity magazines retrieved by police at crime scenes dropped significantly the last time this kind of restriction was in effect, and common sense tells you that smaller magazines with less bullets will lead to less fatalities and injuries during these kinds of horrific attacks.

Madam Speaker, this is not a partisan issue. This is an American issue. The Large

Capacity Ammunition Feeding Device Act is a commonsense step all of us can and should take to eliminate the senseless threat posed by these high capacity magazines while protecting the legitimate rights of law-abiding gun owners.

I thank Congresswoman MCCARTHY for her leadership on this issue.

Mrs. MCCARTHY of New York. Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARCHANT (at the request of Mr. CANTOR) for today on account of personal reasons.

SENATE BILL REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 8. Concurrent resolution recognizing women serving in the United States Armed Forces; to the Committee on Armed Services.

ADJOURNMENT

Mrs. MCCARTHY of New York. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 2, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

597. A letter from the Regulatory Officer, Department of Agriculture, transmitting the Department's final rule — Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2010 Tariff-Rate Quota Year received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

598. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mefenoxam; Pesticide Tolerances [EPA-HQ-OPP-2009-0713; FRL-8855-1] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

599. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-7913] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

600. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-7917] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

601. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — List of Communities Eligible for the Sale of Flood Insurance [Docket No.: FEMA-7784] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

602. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-7915] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

603. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No.: FEMA-D-7581] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

604. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No.: FEMA-P-7650] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

605. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

606. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligiblity [Docket No.: FEMA-7933] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

607. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-7923] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

608. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No.: FEMA-7921] received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

609. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

610. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

611. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received January 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

612. A letter from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Orderly Liquidation Authority Provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

613. A letter from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Deposit Insurance Regulations; Unlimited Coverage for Noninterest-Bearing Transaction Accounts; Inclusion of Interest on Lawyers Trust Accounts (RIN: 3064-AD37) received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

614. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Designated Reserve Ratio (RIN: 3064-AD69) received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

615. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Uniform Compliance Date for Food Labeling Regulations [Docket No.: FDA-2000-N-0011] received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

616. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of One-year Extension for Attaining the 1997 8-Hour Ozone Standard for the New Jersey Portion of the Philadelphia-Wilmington-Atlantic City Moderate Nonattainment Area [EPA-R02-OAR-2010-0688; FRL-9255-5] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

617. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of One-year Extension for Attaining the 1997 8-Hour Ozone Standard for the Delaware, Maryland, and Pennsylvania Portions of the Philadelphia-Wilmington-Atlantic City Moderate Nonattainment Area [EPA-R03-OAR-2010-0574; FRL-9251-7] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

618. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Notice of Re-Issuance of the Prevention of Significant Deterioration Applicability Determination for the Carlsbad Energy Center Project, Carlsbad, CA [EPA-R09-OAR-2011-0024; FRL-9256-9] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

619. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Particulate Matter Standard [EPA-R05-OAR-2009-0731; FRL-9250-6] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

620. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisons to Regulation 1 [EPA-R08-OAR-2007-1033; A-1-FRL-9209-3] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

621. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Lead Standards and Related Reference Conditions, and Update of Appendices [EPA-R03-OAR-2010-0882; FRL-9255-9] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

622. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's

final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adoption of Control Techniques Guidelines for Flat Wood Paneling Coatings [EPA-R03-OAR-2010-2010-0788; FRL-9256-2] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

623. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Simplified Network Application Processing System, On-line Registration and Account Maintenance [Docket No.: 100826397-1059-02] (RIN: 0694-AE98) received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

624. A letter from the Assistant Director for Policy, Department of the Treasury, transmitting the Department's final rule — Iranian Human Rights Abuses Sanctions Regulations received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

625. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Thresholds for Section 8 of the Clayton Act received February 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

626. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Revised Jurisdictional Thresholds for Section 7a of The Clayton Act received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

627. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Charter Rules for Foreign Direct Air Carriers [Docket No.: OST-2002-11741] (RIN: 2105-AD38) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

628. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Canadian Charter Air Taxi Operators [OST Docket No.: 2006-25691] (RIN: 2105-AD58) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

629. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Debarment and Suspension (Nonprocurement) Requirements [Docket No.: OST-2005-22602] (RIN: 2105-AD46) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

630. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Review of Data Filed by Certificated or Commuter Air Carriers to Support Continuing Fitness Determinations Involving Citizenship Issues [Docket No.: OST-2003-15759] (RIN: 2105-AD25) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

631. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Display of Joint Operations in Carrier-Owned Computer Reservations Systems Regulations (Part 256) [Docket No.: OST-2005-20826] (RIN: 2105-AD44) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

632. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Transportation for Individuals With Disabilities; Adoption of New Accessibility Standards [Docket No.: OST-2006-26035] (RIN: 2105-AC86) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

633. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Disadvantaged Business Enterprise: Program Improvements [Docket No.: OST-2010-0118] (RIN: 2105-AD75) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

634. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Update of Regulatory References to Technical Standards [Docket No.: PHMSA-05-21253; Amdt. Nos. 192-103, 193-19, and 195-86] (RIN: 2137-AD68) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

635. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Integrity Management Program Modifications and Clarifications [Docket No.: PHMSA-04-18938; Amdt. Nos. 192-104, 195-87] (RIN: 2137-AE07) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

636. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs [Docket No.: OST-2010-0021] (RIN: 2105-AD76) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

637. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket: OST-2008-0184] (RIN: 2105-AD67) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

638. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs: State Laws Requiring Drug and Alcohol Rule Violation Information [Docket: OST-2008-0184] (RIN: OST 2105-AD67) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

639. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Clean Fuels Grant Program [Docket No.: FTA-2006-24708] (RIN: 2132-AA91) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

640. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Procedures for Non-Evidential Alcohol Screening Devices [Docket: OST-2007-26828] (RIN: 2105-AD64) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

641. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket: OST-2007-26828] (RIN: 2105-AD64) received February 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

642. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Information Technology (IT) Security (RIN: 2700-AD46) received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

643. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Department's final rule — Government Property (RIN: 2700-AD37) received January 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

644. A letter from the Director, Regulations Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Disclosure of Medical Information to the Surrogate of a Patient Who Lacks Decision-Making Capacity (RIN: 2900-AN88) received February 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

645. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Time for Payment of Certain Excise Taxes, and Quarterly Excise Tax Payments for Small Alcohol Excise Taxpayers [Docket No.: TTB-2011-0001; T.D. TTB-89; Re: Notice No. 115; T.D. ATF-365; T.D. TTB-41; ATF Notice No. 813 and TTB Notice No. 56] (RIN: 1513-AB43) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

646. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Revision of American Viticultural Area Regulations [Docket No.: TTB-2007-0068; T.D. TTB-90; Re: Notice Nos. 78 and 80] (RIN: 1513-AB39) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

647. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Technical Corrections to the TTB Regulations [Docket No.: TTB-2011-0003; T.D. TTB-91] (RIN: 1513-AB69) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

648. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Correction to Revenue Procedure 2011-8 User Fee Schedule (Announcement 2011-8) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

649. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Repub. Rev. Proc. 2010-8 (Rev. Proc. 2010-8) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

650. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2011 [Notice 2011-8] received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

651. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Time and Manner for Electing Capital Asset Treatment for Certain Self-Created Musical Works [TD 9514] (RIN: 1545-BG34) received February 7, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

652. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Biodiesel and Alternative Fuels; Claims for 2010; Excise Tax [Notice 2011-10] received January 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

653. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Repub. Rev. Proc. 2010-6 (Rev. Proc. 2011-6) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

654. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Repub. Rev. Proc. 2010-5 (Rev. Proc. 2011-5) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

655. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Repub. Rev. Proc. 2010-4 (Rev. Proc. 2011-4) received February 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

656. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Land Border Carrier Initiative Program [Docket No.: USCBP-2006-0132] (RIN: 1651-AA68) received February 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

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. SESSIONS: Committee on Rules. House Resolution 128. A resolution providing for consideration of the bill (H.R. 662) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs (Rept. 112–20). Referred to the House Calendar.

Mr. SCOTT of South Carolina: Committee on Rules. House Resolution 129. A resolution providing for consideration of the bill (H.R. 4) to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes (Rept. 112–21). 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. REHBERG:

H.R. 845. A bill to prohibit the further extension or establishment of national monuments in Montana, except by express authorization of Congress, and for other purposes; to the Committee on Natural Resources.

By Mr. LABRADOR:

H.R. 846. A bill to prohibit the further extension or establishment of national monuments in Idaho, except by express authorization of Congress, and for other purposes; to the Committee on Natural Resources.

By Ms. JENKINS (for herself, Mr. POMPEO, Mr. YODER, Mr. SCHIFF, Mr. ROSKAM, Mr. HUELSKAMP, Mr. TIBERI, Mrs. CAPITO, and Mr. PLATTS):

H.R. 847. A bill to amend the Communications Act of 1934 to require a provider of a commercial mobile service or an IP-enabled voice service to provide call location information concerning the user of such a service to law enforcement agencies in order to respond to a call for emergency services or in an emergency situation that involves risk of death or serious physical harm; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ALEXANDER:

H.R. 848. A bill to require the Forest Service to accommodate, to the extent consistent with the management objectives and limitations applicable to the National Forest System lands at issue, individuals with mobility disabilities who need to use a power-driven mobility device for reasonable access to such lands; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN (for herself, Mr. LAMBORN, Mr. PAUL, Mr. POE of Texas, and Mr. BROUN of Georgia):

H.R. 849. A bill to provide for the repeal of the phase out of incandescent light bulbs unless the Comptroller General makes certain specific findings; to the Committee on Energy and Commerce.

By Mrs. BACHMANN (for herself, Mr. DUFFY, and Mr. KIND):

H.R. 850. A bill to facilitate a proposed project in the Lower St. Croix Wild and Scenic River, and for other purposes; to the Committee on Natural Resources.

By Mr. BRALEY of Iowa:

H.R. 851. A bill to amend the Internal Revenue Code of 1986 to extend certain renewable fuel tax incentives and to repeal fossil fuel subsidies for large oil companies; to the Committee on Ways and Means.

By Mr. BURGESS (for himself and Mr. CULBERSON):

H.R. 852. A bill to authorize the issuance of United States War Bonds to aid in funding of the operations in Iraq and Afghanistan; to the Committee on Ways and Means.

By Mr. CARSON of Indiana:

H.R. 853. A bill to amend the Elementary and Secondary Education Act of 1965 to award grants to eligible entities to establish, expand, or support school-based mentoring programs to assist at-risk middle school students with the transition from middle school to high school; to the Committee on Education and the Workforce.

By Mr. FARR (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Ms. BORDALLO, Mrs. CAPPS, Mr. CAPUANO, Mr. CONNOLLY of Virginia, Mr. CONYERS, Mr. COSTA, Mr. COURTNEY, Mr. DEFAZIO, Ms. EDWARDS, Mr. GARAMENDI, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HIMES, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. JACKSON of Illinois, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mrs. MALONEY, Mr. MARKEY, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MORAN, Mr. MURPHY of Connecticut, Mr. PAYNE, Mr. PETRI, Ms. PINGREE of Maine, Mr. PLATTS, Mr. PRICE of North Carolina, Ms. RICHARDSON, Mr. SABLAN, Ms. SCHAKOWSKY, Mr. STARK, Mr. TIERNEY, Mr. TOWNS, Ms. WOOLSEY, Ms. CLARKE of New York, Ms. ESHOO, Ms. MATSUI, Mr. FRANK of Massachusetts, Ms. NORTON, Mr. DREIER, Ms. MOORE, Mr. FATTAH, Mr. OLVER, Ms. ZOE LOFGREN of California, and Mrs. DAVIS of California):

H.R. 854. A bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 855. A bill to withdraw the Tusayan Ranger District and Federal land managed by the Bureau of Land Management in the vicinity of Kanab Creek and in House Rock Valley from location, entry, and patent under the mining laws, and for other purposes; to the Committee on Natural Resources.

By Mr. HELLER (for himself and Mr. HECK):

H.R. 856. A bill 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, and for other purposes; to the Committee on Natural Resources.

By Ms. HIRONO:

H.R. 857. A bill to amend title XIX of the Social Security Act to provide 100 percent FMAP under Medicaid for medical assistance provided to Native Hawaiians by a Native Hawaiian health care system or a federally-qualified health center; to the Committee on Energy and Commerce.

By Ms. HIRONO:

H.R. 858. A bill to provide for the conversion of a temporary judgeship for the district of Hawaii to a permanent judgeship; to the Committee on the Judiciary.

By Ms. HIRONO:

H.R. 859. A bill to amend part B of title XVIII of the Social Security Act to provide coverage for the shingles vaccine under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut (for himself, Mr. REICHERT, and Ms. BERKLEY):

H.R. 860. A bill to amend the Internal Revenue Code of 1986 to promote charitable donations of qualified vehicles; to the Committee on Ways and Means.

By Mr. GARY G. MILLER of California (for himself, Mr. BACHUS, Mrs. BIGGERT, and Mr. GARRETT):

H.R. 861. A bill to rescind the third round of funding for the Neighborhood Stabilization Program and to terminate the program; to the Committee on Financial Services.

By Mr. MURPHY of Connecticut (for himself and Mr. WEINER):

H.R. 862. A bill to apply to the justices of the Supreme Court the Code of Conduct for United States Judges, to establish certain procedures with respect to the recusal of justices, and for other purposes; to the Committee on the Judiciary.

By Mr. PIERLUISI (for himself and Mr. DIAZ-BALART):

H.R. 863. A bill to amend title II of the Elementary and Secondary Education Act of 1965 to authorize State educational agencies and local educational agencies to carry out teacher exchanges; to the Committee on Education and the Workforce.

By Mr. VAN HOLLEN:

H.R. 864. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

By Mr. WALZ of Minnesota (for himself and Mr. ROE of Tennessee):

H.R. 865. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WHITFIELD (for himself and Mr. PALLONE):

H.R. 866. A bill to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act; to the Committee on Energy and Commerce.

By Mr. BACA:

H. Res. 130. A resolution expressing support for designation of the fourth Friday of March as ''Cesar E. Chavez Day''; to the Committee on Education and the Workforce.

By Mr. BONNER:

H. Res. 131. A resolution providing amounts for the expenses of the Committee on Ethics in the One Hundred Twelfth Congress; to the Committee on House Administration.

By Mrs. CHRISTENSEN:

H. Res. 132. A resolution expressing the need to raise awareness and promote capacity building to strategically address the lionfish invasion in the Atlantic Ocean; to the Committee on Natural Resources.

By Mrs. DAVIS of California (for herself and Mrs. BIGGERT):

H. Res. 133. A resolution encouraging Americans to recognize March 2, 2011 as ''Read Across America Day''; to the Committee on Education and the Workforce.

By Mr. DOLD (for himself, Mr. LIPINSKI, and Mr. SHERMAN):

H. Res. 134. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Affairs.

By Mr. PETERS (for himself and Mr. HIMES):

H. Res. 135. A resolution requiring the posting of information on the disbursements made during each session of Congress from the Members' Representational Allowance on official public Internet sites of the House of Representatives, and for other purposes; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. REHBERG:

H.R. 845.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

The specific Constitutional Authority cited here is not intended and should not be construed to be exclusive of any other general or specific Constitutional Authority that is otherwise applicable.

By Mr. LABRADOR:

H.R. 846.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

The specific Constitutional Authority cited here is not intended and should not be construed to be exclusive of any other general or specific Constitutional Authority that is otherwise applicable.

By Ms. JENKINS:

H.R. 847.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ALEXANDER:

H.R. 848.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mrs. BACHMANN:

H.R. 849.

Congress has the power to enact this legislation pursuant to the following:

This bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Mrs. BACHMANN:

H.R. 850.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BRALEY of Iowa:

H.R. 851.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BURGESS:

H.R. 852.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation, the United States War Bonds Act of 2011, falls within Congress' enumerated power to raise revenue for the common defense of the nation pursuant to Article I, Section 8, Clause 1.

By Mr. CARSON of Indiana:

H.R. 853.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article I of the Constitution, Clause 1 of Section 8 of Article I of the Constitution, and Clause 18 of Section 8 of Article I of the Constitution.

By Mr. FARR:

H.R. 854.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Article IV, Section 3.

By Mr. GRIJALVA:

H.R. 855.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. HELLER:

H.R. 856.

Congress has the power to enact this legislation pursuant to the following:

Article IV. Section 3: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Ms. HIRONO:

H.R. 857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 18: ''The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. HIRONO:

H.R. 858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 9: Article I: ''The Congress shall have Power to constitute Tribunals inferior to the supreme Court.''

Article III, Section 1: ''The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.''

By Ms. HIRONO:

H.R.859.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

Article I, Section 8, Clause 3: ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. LARSON of Connecticut:

H.R. 860.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—Powers of Congress: The Congress shall have Power To lay and

collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

By Mr. GARY G. MILLER of California:

H.R. 861.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the general welfare of the United States); and Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. MURPHY of Connecticut:

H.R. 862.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8.

By Mr. PIERLUISI:

H.R. 863.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18.

By Mr. VAN HOLLEN:

H.R. 864.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. WALZ of Minnesota:

H.R. 865.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. WHITFIELD:

H.R. 866.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which grants Congress the power to regulate commerce with foreign nations, among the several States, and with the Indian tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. OLSON and Mr. KINZINGER of Illinois.

H.R. 23: Ms. ESHOO, Mr. MICA, and Mr. HONDA.

H.R. 24: Mr. MCINTYRE, Mr. MORAN, Mr. MCCAUL, Ms. LEE of California, Mr. VAN HOLLEN, Ms. WOOLSEY, Mrs. BACHMANN, Mr. BUTTERFIELD, Mr. BRALEY of Iowa, Mr. CASSIDY, Mr. CARSON of Indiana, Mr. COFFMAN of Colorado, Mr. BUCHANAN, Mr. GRAVES of Missouri, Ms. HIRONO, Mr. KIND, Mr. KISSELL, Mr. TURNER, Ms. NORTON, Mr. PAUL, Mr. AUSTRIA, Mr. MICHAUD, Mr. POSEY, Mr. RUSH, Mr. HONDA, Mr. WOLF, and Mr. LATTA.

H.R. 58: Mr. DIAZ-BALART and Mr. WITTMAN.

H.R. 91: Mr. GOODLATTE, Mr. REED, Mr. SENSENBRENNER, and Mr. MURPHY of Pennsylvania.

H.R. 100: Mr. MARCHANT and Mr. ROYCE.

H.R. 127: Mr. LANKFORD.

H.R. 140: Mr. GRAVES of Missouri.

H.R. 198: Mr. HUNTER.

H.R. 217: Mr. ROGERS of Michigan.

H.R. 303: Mr. DOYLE, Mr. WITTMAN, Mr. BARTLETT, Mr. GOODLATTE, and Mr. PETERSON.

H.R. 308: Mr. PALLONE, Ms. LORETTA SANCHEZ of California, and Mr. JOHNSON of Georgia.

H.R. 329: Mr. OWENS.

H.R. 333: Mr. JONES.

H.R. 358: Mr. LANDRY.

H.R. 399: Mr. ROSKAM.

H.R. 402: Mr. HINCHEY.

H.R. 412: Mr. LANDRY and Mr. RIBBLE.

H.R. 436: Mr. BUCSHON, Mr. HECK, Mr. MARINO, and Mr. WHITFIELD.

H.R. 452: Mr. CAPUANO and Mr. GRIMM.

H.R. 456: Mr. ROGERS of Alabama.

H.R. 459: Mr. GOODLATTE and Mr. GIBSON.

H.R. 476: Mr. HASTINGS of Washington, Mr. CULBERSON, Mr. MCCOTTER, and Mrs. NOEM.

H.R. 483: Mr. SHULER.

H.R. 487: Ms. LINDA T. SÁNCHEZ of California and Mr. KILDEE.

H.R. 495: Mr. GRIMM.

H.R. 509: Mr. LATTA and Mr. PAULSEN.

H.R. 544: Ms. BROWN of Florida, Mr. WALZ of Minnesota, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 546: Mr. AUSTRIA, Mr. YOUNG of Alaska, Mr. WALDEN, Mr. SHUSTER, Mrs. BACHMANN, Mr. ISRAEL, Mr. GRAVES of Missouri, and Ms. SEWELL.

H.R. 547: Mr. DUNCAN of Tennessee and Mr. MCKINLEY.

H.R. 548: Mr. GOODLATTE.

H.R. 595: Mr. WALBERG, Mr. GRIMM, and Mr. MILLER of Florida.

H.R. 615: Mr. MCCOTTER.

H.R. 634: Mr. BURTON of Indiana.

H.R. 657: Mr. GINGREY of Georgia.

H.R. 672: Mr. MILLER of Florida, Mr. POSEY, Mr. SULLIVAN, and Mr. GOHMERT.

H.R. 674: Mr. HELLER, Mr. YOUNG of Alaska, Mr. GERLACH, Mr. JONES, Mr. GRAVES of Missouri, Mr. CANSECO, Mr. FORTENBERRY, Mr. MCCOTTER, and Mr. ROSS of Florida.

H.R. 675: Mrs. BLACK and Mr. BECERRA.

H.R. 690: Mr. LANDRY.

H.R. 692: Mr. MARCHANT, Mr. KING of Iowa, and Mr. JONES.

H.R. 695: Mr. CAMPBELL.

H.R. 706: Mr. ISRAEL and Mr. KING of New York.

H.R. 735: Mr. KING of Iowa, Mr. COBLE, Mr. HERGER, Mr. DUNCAN of Tennessee, and Mr. CANSECO.

H.R. 755: Mr. CONYERS.

H.R. 759: Mr. REHBERG.

H.R. 764: Mr. LEWIS of California, Mr. SAM JOHNSON of Texas, and Mr. OLSON.

H.R. 769: Mr. JACKSON of Illinois, Ms. SCHAKOWSKY, and Ms. BORDALLO.

H.R. 772: Mr. WATT and Mr. MCGOVERN.

H.R. 798: Mr. JACKSON of Illinois, Mr. FILNER, Ms. HIRONO, and Mr. ISRAEL.

H.R. 801: Mrs. BACHMANN.

H.R. 808: Mr. HONDA and Ms. JACKSON LEE of Texas.

H.R. 819: Mr. PETERS, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. DEFAZIO, and Mr. LOEBSACK.

H.R. 820: Ms. ROYBAL-ALLARD, Mr. PETERSON, Mr. CARNAHAN, Mr. MATHESON, Mr. JACKSON of Illinois, Ms. NORTON, and Mr. RAHALL.

H.R. 837: Mr. CUELLAR.

H.J. Res. 2: Mr. PALAZZO.

H.J. Res. 37: Mr. GRIFFITH of Virginia, Mr. CARTER, Mr. BUCHANAN, Mr. PAUL, Mr. BURTON of Indiana, Mr. WESTMORELAND, and Mr. HARPER.

H. Con. Res. 3: Mr. YODER.

H. Res. 20: Ms. ROYBAL-ALLARD.

H. Res. 44: Mr. BOREN, Mr. SIMPSON, and Mr. TIPTON.

H. Res. 46: Ms. MCCOLLUM.

H. Res. 81: Mr. FILNER.

H. Res. 86: Mr. DENHAM.

H. Res. 106: Mr. SCHOCK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. MICA

The amendment I will offer to H.R. 662, the Surface Transportation Extension Act of 2011, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, MARCH 1, 2011 No. 29

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of time and eternity, we come to You not because we are perfect but because we trust Your mercy and kindness. By Your grace, we are able to triumph over evil, living no longer for ourselves alone but for You. Give our Senators a vision of the goals that produce righteousness, honor, justice, understanding, and peace. Empower them to serve the less fortunate, to bear the burdens of freedom, and to labor for Your glory. Lord, help them to know the constancy of Your presence, to give primacy to prayer as they work. Give them the gifts of Your light and love.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 1, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for an hour. Senators will be permitted to speak for up to 10 minutes each during that period of time. The majority will control the first 30 minutes and the Republicans will control the final 30 minutes. Following morning business, the Senate will resume consideration of S. 23, the patent reform bill. The Senate will recess from 12:30 until 2:15 to allow for our weekly caucus meetings. Senators should expect rollcall votes in relation to amendments to the patent reform bill throughout the day.

ORDER OF PROCEDURE

I ask unanimous consent that Senator TOOMEY of Pennsylvania be permitted to speak as in morning business at 2:15 p.m. today for up to 15 minutes in order to deliver his maiden speech in the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—H.R. 1

Mr. REID. Madam President, I understand that H.R. 1 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 1) making appropriations for the Department of Defense and other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

Mr. REID. I object to any further proceedings on H.R. 1 at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

ISSUES OF THE DAY

Mr. REID. Madam President, we have before us today an extremely important piece of legislation. It is called the America Invents Act of 2011. The reason I emphasize 2011 is because it has been almost 60 years since we had the last meaningful reforms of the Nation's patent system. We have tried on many occasions in recent years to get this bill on the Senate floor. The Judiciary Committee has reported out a number of bills over the years, and we have taken no action here on the Senate floor for a number of reasons. But it is now on the floor. There are a couple of issues to which our attention will be directed.

I have received calls from a number of Senators who have amendments they want to offer that are in relation to this bill, only two of which I think are really meaningful, but I am sure there are others. I hope we can move through this. One of the first amendments filed is one that has nothing to do with patent reform, and we will dispose of that.

I think it is important to understand that this bill, if we do it right, will create millions of jobs. Some estimates suggest literally millions of new jobs could be created through this reform. Not every patent creates a job or generates economic value. Some are worth

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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thousands of jobs. Jack Kilby's 1959 patent for the semiconductor is an example of that, as well as Steve Wozniak's patent for a personal computer in 1979. So it is impossible to predict how many new jobs or even industries may lie buried within the Patent Office backlog, but there are thousands of backlogged patent applications there that we have to dispose of. I hope we can work toward getting this done.

We have issues the Republican leader and I have worked on to move forward, and the first issue at hand that deals with funding the government is the CR. We are looking to try to figure out a way to do the short-term CR. The President has said—and we will hear this from him rather than from us—that we can't continue to have these short-term CRs, so we are working to see if we can find a way of funding the government in the foreseeable future. The way that is going to be done is on a bipartisan basis. We hope that will be the case. No one benefits from a shutdown of the government, partial or otherwise.

I look forward to our work on this bill. Until we have something to work on—the House is going to pass a short-term CR today. Until we actually have something to work on, we need to focus our attention on this patent bill which is so very important. I have introduced a revenue measure that we could work off of. We also have—and I just rule XIV'd—a second reading on a matter for the continuing resolution. It is H.R. 1, the one that comes from the House. I think it is pretty clear that won't pass, but it shows we are trying to move forward. The House is going to act on something today. I have placed my revenue measure on the floor, indicating to the Republican leader my intentions of moving forward on that. So it is important that we work together to get this done. The current funding for the government runs out this Friday.

I look forward to everyone working hard on the patent bill. When we are in a position to move forward on funding the government past March 4, we will move forward on that just as rapidly as we can, and we know we have to do it this week.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PLAYING BY THE RULES

Mr. MCCONNELL. Madam President, later today the House of Representatives will take an important vote. At bottom, it is a vote on whether lawmakers in Washington should continue to be exempt from the rules.

Over the past 2 years, millions of Americans have lost jobs and homes. Tragically, many have stopped looking for work altogether. They think the situation won't improve. When one considers how Democrats in Washington have responded to this historic jobs crisis, it is no wonder. For 2 years, Democrats in Washington have pushed one proposal after another that has kept the economy from growing and stifled the creation of good private sector jobs. They have tried to tax energy consumption. They have picked winners and losers in industry. They have handcuffed small business owners with a mountain of stifling regulations, including a health care bill that nonpartisan experts predict could lead to hundreds of thousands of more lost jobs. Earlier this month, at a time when economists say rising gas prices could delay an economic recovery even longer, Democrats proposed—get this—a change in the current tax laws that would amount to a new tax on everyone who drives a car or truck in America—a minivan tax.

While the American people have been begging lawmakers to remove the burdens of government so they can do the work of growing the economy and creating private sector jobs, Democrats in Washington have been focused single-mindedly on growing government instead. In order to do it, they have basically exempted themselves from the rules. They have said that while the rest of the country has had to tighten its belt in a down economy, Washington can continue on its spending binge in order to grow the government. They have said that while American families have had to pay off their credit cards, Washington can continue to rack up debt. They have said that while most Americans struggle to make ends meet, they don't have to. That is what this afternoon's vote in the House is all about.

This bill should not be controversial. It has only become controversial because Democratic leaders in Congress have resisted every effort—every effort—to rein in their spending bills. This bill proposes to cut spending for the next 2 weeks by $4 billion, and they have fought it tooth and nail. They refuse to admit that Washington has a spending problem. But the verdict is in. For 2 years, Democrats in Washington have spent trillions more than we had in the Treasury. And if expanding the size and scope of government was the goal, it was a big success. But if helping the economy and helping people find jobs was the goal, it has been a disaster. What has $3 trillion more in debt gotten us? Three million more lost jobs.

Tonight's vote is an opportunity for House Democrats to admit the status quo isn't working. It is a chance to take a small first step toward growing the economy and helping create jobs. Then, later this week, Democrats in the Senate will have the same opportunity to show that they get it. Americans are watching. They want us to acknowledge that we need to play by the same rules they do. They want us to tighten our belts, too, and show we are in this together.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from California.

ECONOMIC RECOVERY

Mrs. BOXER. Thank you very much. Senator REID has told me I have 30 minutes, so I will start that at this time.

We are in a very difficult time right now because we are getting out of the deepest recession since the Great Depression. If we go back and look at the headlines when our President was inaugurated, we see the pace of job loss and we see what happened to credit and we see what happened to the auto industry and we see what happened to the stock market—we eventually lost about 50 percent from its highs. We are now in a situation where we have this economic recovery starting, but the jobs are not coming as fast as we want.

We don't want to do anything which threatens that economic recovery, which threatens our families and threatens the middle class. This is not the time to hurt the middle class. What we see in Wisconsin is the middle class finally saying to the Governor there: Look, be fair to us. We are willing to give up pay, we are willing to pay more for our benefits, but don't destroy our ability to have a say in our lives.

So as this economic recovery plays out, we have to deal with deficits that have come about because of this terrible recession, fewer revenues coming in to the Federal Government, more people calling on programs to help them with unemployment insurance and food stamps and things they need to stay alive. We have to deal with our deficit, there is no question about that. We have to do it like grownups. We

have to do it with common sense. We don't want to take a meat ax to this recovery and wind up losing jobs, jobs, jobs.

This last election was all about jobs. I was out there, so I can tell you. My Republican opponent, every day, said: Senator BOXER, where are the jobs? Where are the jobs? That was a legitimate question. I answered it this way: It is taking too long to get these jobs back where they should be, but I am going to fight every day for jobs. When I see a proposal that will threaten jobs, I am going to talk about it.

I am going to get to the Republican proposal for the rest of this year, the 2011 budget proposal, which experts such as Mark Zandi, a Republican expert who advised Republican candidates—he advised JOHN MCCAIN. He said, as well as Goldman Sachs, that if you pass the Republican budget plan, you endanger 700,000 jobs. So what do we do? We have to cut spending, yes. We have to do it wisely. We have to sit together and discuss it, not say: My way or the highway; here is the bill, don't talk to me.

I think it is important, as we hear the majority leader address his comments to the Democratic side, to address some comments to the Republican side. When George Bush was elected President, President Bill Clinton handed him a $236 billion budget surplus. I am proud to say I served at that time, and I voted for the Democratic budget, the Clinton budget. What did it accomplish? Quite a bit. Not only a balanced budget but a surplus. There were those on the other side calling for an amendment to the Constitution for a balanced budget. We said: We don't need an amendment; we just need to balance the budget in a wise way, and we did it. We cut out unnecessary spending, but we invested where it created jobs. Guess what. We said to the upper income people of $1 million or more: You have to pay your fair share. They were willing and able to do it, and we created not only surpluses in the Federal Government but 23 million new jobs.

Let me say that again. We created a surplus—not only a balanced budget surplus but 23 million new jobs. Now the Republicans take over, and when George Bush leaves office, he created 1 million jobs in 8 years, compared to 23 million. Guess what. He left us a $1.3 trillion deficit. I say to my friends here, he left the wars off budget, so it was even way higher than that. He didn't put the two wars on the budget.

President Obama, last year, created more jobs than George Bush did. President Obama created, in 2010, 1.1 million new jobs. So the new jobs under President Obama in 2010 equal the net jobs of George Bush after 8 years. President Obama inherited a $1.3 trillion deficit from George Bush, who created that from a surplus. It is important we follow this. George Bush created 1 million jobs net compared to 23 million jobs under Bill Clinton, and President Obama inherited the worst recession since the Great Depression—700,000 jobs a month lost, panic on Wall Street, you name it, the auto industry going out. We would have been the only leader in the industrialized world not to have an auto industry.

It is fair to say things have stabilized. The auto industry had the best year in a long time. The money we loaned to the banks has been paid back. But we have more to do. The deficit is up to $1.6 trillion now because the wars are now on the budget, because we still haven't made up for the revenues we lost, and the jobs are coming back too slowly.

This is where we stand. We have to pass a budget for the remainder of this year, and Democrats are saying let's do it wisely. We will cut, cut, cut, and we have a list of cuts we can go over. We cut $40 billion from the President's 2011 budget. The Republicans cut $100 billion from the President's budget. So, surely, between the 40 we cut and the $100 billion they cut, we can meet and solve this problem. I would like us to do it right now—sit down in good faith and get it done and scratch any of the cuts that hurt our children, scratch the cuts that hurt our women's health, scratch the cuts that are essentially political—I will go into those later—and come up with the cuts that don't threaten hundreds of thousands of jobs.

Here is the deal. There is still talk and fear about a government shutdown. Every time we think we have passed the point, there comes another article. Today in the Washington Post there is this article. I ask unanimous consent to have this printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 1, 2011]

WITH GOVERNMENT SHUTDOWN LOOMING, FRESHMEN ARE THE WILD CARDS

(By David A. Fahrenthold and Philip Rucker)

In just two months, a freshman class of Republicans has found a way to run the House.

These 87 new members—who otherwise might have become foot soldiers for party bosses, or jittery pawns of their home-town tea party groups—have instead coalesced into a bloc with its own ideas and a headstrong sense of its muscle.

As Republicans and Democrats try to cut a short-term budget deal this week—and a more permanent one in coming weeks—the freshmen are the wild card. They have the power to derail the whole process. Again.

But even their own leaders don't know if they will.

The freshmen's willingness to do things their way stems from their hyper-confident vision of themselves, revealed in interviews in recent days with more than 30 members of the group. Many described their job as a ''calling,'' a sense that their grandchildren, their country or their God needed them to make hard decisions to right the government's finances.

''We may be the last opportunity,'' said Rep. Michael G. Grimm (N.Y.), a former FBI agent.

But now, the difficult part.

In the escalating budget fight—and other battles to come—the freshmen will face the capital's hardest kind of decision: how to compromise on the issue they care about the most.

How much ground will the freshmen give before they defy the Senate and risk a government shutdown?

''I don't know,'' Rep. Joe Walsh (Ill.) said when asked how the newcomers would react if the Democratic-controlled Senate offered a spending bill with fewer cuts than theirs. 'I don't know. I don't know. And I think most freshmen don't know.''

This class of Republican freshmen—the largest for either party in at least six decades—includes nine women and 78 men. Their views are not all the same: Some have called for a more nuanced approach to spending cuts, while others have insisted that the House's bare-bones budget was not bare enough.

Many can recount the moment they realized they were mad enough to run for Congress.

Rep. Alan Nunnelee (Miss.) said that he was happy as a state legislator, and that he had resisted previous efforts to draft him as a candidate. Then, on March 27, 2009, he learned he was going to be a grandfather.

''What I saw happening in Washington really was endangering the freedom'' his new grandson would have,Nunnelee said. ''I had a moral obligation to do something about it.''

Rep. Blake Farenthold (Tex.) was a talk-radio host, one of more than three dozen freshmen who had never held an elected office.

''I really feel like I was called to run for office at this time,'' he said. ''A whole bunch of things all came together at once. . . . I can't credit that to anything but divine intervention.''

With that kind of back story, the freshmen said they wouldn't play the role of Congress's rookies. Instead of being taught by longtime lawmakers, many said, they wanted to teach.

''When you say, 'We need to listen to the American people,' that's us,'' said Rep. Kevin Yoder (Kan.), a former state legislator.

This group—which represents about one-third of the Republicans in the House—showed its muscle last month, in a series of private meetings with House Speaker John A. Boehner (Ohio) and other GOP leaders.

At issue was how deep to cut spending in a ''continuing resolution'' to fund the government for the remaining seven months of this fiscal year. During the midterm campaign, Republicans had pledged to cut $100 billion over a year.

But the leadership presented a number equal to seven-twelfths of $100 billion.

The math worked. But, freshmen say, the politics didn't.

''We felt like we told the people that we would do $100 billion,'' said Rep. Trey Gowdy (S.C.), a former prosecutor. ''And when you start using the words 'pro-rata' or 'There's seven months left in the budget'—as a prosecutor, when you're explaining, you're losing.''

The leadership agreed, without much of a fight, and went back to make additional reductions. In Congress's world of tradition and seniority, the tail had officially wagged the dog.

But from here on out, it will be harder to be Congress's heroes.

Many of the freshmen say they want to consider changes to Medicare, Social Security and other entitlement programs, which have been political land mines in the past. And Senate Democrats and the White House probably will stop many of their proposals cold.

''We may not make it. Honestly. It may blow up in our face as well,'' said Rep. James

Lankford (Okla.), who previously directed a Christian youth camp. ''At some point, somebody's going to stand up and say, 'We cannot keep doing this.' ''

This is a key part of the story the freshmen tell about themselves: that they don't mind turning some people off, or even losing reelection.

''I cannot tell you how liberating it is,'' Gowdy said. ''The job just doesn't mean that much to me. I'm loyal to my word, and in the end I think that's what I'll be judged on.''

But the election is still 21 months away. In that time, historians say, the freshmen will find it more and more difficult to hold on to their sense of exceptionalism—that they can be in Washington, but not of it.

''Their principal vulnerability is that—having been elected—they will be seen as politicians. No matter what. By definition, they are politicians,'' said Ross K. Baker of Rutgers University. Baker said that means making complicated decisions that are hard to explain to voters.

''The alternative, of course, is to be voices in the wilderness,'' Baker said—uncompromised, but also irrelevant.

But the fallout from their hard decisions will not come just at the election.

Last week, as freshmen went home to their districts for town hall meetings, Rep. Robert T. Schilling (Ill.) could already feel it in the pit of his stomach.

''He who turns a blind eye will get many a curse,'' said an angry Clara Caldwell, 81, quoting Proverbs at Schilling's town hall meeting in Moline, Ill. She was criticizing him for voting to cut funding for Head Start programs.

Last year, Schilling was making pies at Saint Giuseppe's Heavenly Pizza, the restaurant he owns just a few blocks away. On this night, he received applause and criticism from a standing-room crowd. Schilling tried reasoning with the critics: ''Lots of people say, 'We need cuts.' But everybody in the room says, 'Don't cut my stuff.' ''

He tried conciliation, on the subject of an Amtrak project in the district, which he'd voted to cut. ''The Amtrak will probably end up happening someday,'' Schilling said.

And he tried, in a quiet way, to ask for sympathy. ''The stress that's out there is just unbelievable,'' he said, meaning in Washington.

It isn't just in Washington. ''Your stomach kind of knots. Your mouth's dry. I went through a whole bottle of water in there,'' Schilling said after the town hall meeting, walking to his car. Good to get used to it, he said. ''It's not going to get any better. We're on a mission.''

Mrs. BOXER. It says this on the front page: ''With shutdown looming, GOP freshmen are wild cards.'' When you ask the Republican Members of the House where this is going, they say they don't know. The government could shut down; we don't know. Later, I will go into what happened the last time the government shut down. I will not do that at this moment.

I talked to Senator CASEY, my good colleague and a great leader in the Senate, about an anomaly in the law that protects Members of Congress from getting their pay shut down in the case of a government shutdown, when the vast majority of Federal workers will not get paid. He and I agree there is something wrong with this system. It is not fair. If we fail to keep this government operating, which is our basic responsibility, to keep the checks flowing to Social Security recipients, to veterans with disabilities, to make sure we don't harm the private sector contractors and workers—if we don't do that, we don't deserve to get our pay.

We put together a bill that says, in the case of a government shutdown, Members of Congress and the President must be treated the same way as other Federal employees—and, by the way, not get back our pay retroactively. It touched a chord with several colleagues. We have the bill written, and we have sent it to the Republican side and the Democratic side. My understanding is, it has passed the Democratic side via hotline, and the Republicans are looking at it now. The cosponsors are Senators BOXER, CASEY, MANCHIN, TESTER, NELSON of Nebraska, BENNET, WARNER, WYDEN, COONS, HARKIN, HAGAN, MENENDEZ, STABENOW, MERKLEY, and ROCKEFELLER.

We feel we have the support of the people. We are hopeful we will avert a government shutdown because it is bad for our country, bad for our families, bad for our States, and there is no need to have one. But if we do have one, we don't want to have Members of Congress go home, get their pay, and not even have to pay a price or sacrifice or anything else while other families are sacrificing. We hope our Republican friends will agree with us and, if they do, we are going to send it over tonight. We are not asking unanimous consent now, but we will at 4 o'clock. If they can go forward, we will send this over to Speaker BOEHNER in the hopes it will breeze through the House.

In case of a government shutdown, which we hope will be averted, we hope we are treated the same as Federal employees and that we are not getting our paychecks when others are not.

With that, I will yield the floor to Senator CASEY for as long as he would like.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized.

Mr. CASEY. Madam President, I wish to take a couple moments to express my gratitude, and I think people across the country—if we can get this done—will express their gratitude as well. At a time when the economy is still recovering—and there is good news that the recovery is moving at a faster rate than it was 1 year ago or certainly than 6 months ago. I wish to talk about that for a moment.

I express my gratitude to Senator BOXER for her leadership on this issue. All we are saying together—as she did in the mid-1990s, when this came up at the time of that shutdown—is, Members of Congress have to play by the same rules as everyone else who depends upon the Federal Government for a program or their pay; that we will play by the same rules. I commend Senator BOXER for her leadership, as she demonstrated all those years ago, when at the time it passed, but it was taken out in a conference committee. I believe, if Members of Congress are going to be deciding whether the government continues to operate or whether it shuts down, they have to play by the same set of rules.

I mentioned the economy because this has a direct connection to why we are discussing this today. We have, as I said, a recovering economy. In Pennsylvania, there is data to show that. I know in California the unemployment rate has been high. It was high for a long period of time in Pennsylvania. It is still high but, in a relative sense, lower than a lot of places. We are at 8.5 percent in our State. That translates into 538,000 people out of work, which is an incredibly high number. I will say this. That number was higher this past summer. We were approaching 600,000 people out of work. We were below 540,000 at last count. I hope we are still moving in that direction when we see the monthly numbers again.

We have a recovering economy. We also have very high deficits and debt. The American people are worried about that, justifiably. I have no doubt that when we continue to work together in the Senate—and I hope it happens in the House as well—we can come to a consensus about the 2011 budget, which is where most of the attention is now, and the 2012 budget but also, longer term, about how we pay for essential services, create jobs, and reduce deficit and debt.

Along the way, if Members of Congress are going to vote for a shutdown, they should not be paid their salary while that shutdown is in effect. It is about basic values such as accountability, not having one set of rules for Members of Congress and another set of rules for the American people. It is also about playing by the rules. We have to play by the same rules that we vote to attach to what happens in the Federal Government. Finally, I think it is about restoring or beginning to restore some of the basic trust we hope the American people will have in their government. That trust, that faith that keeps our democracy together, can be badly broken if we have Members of Congress who vote for a shutdown but are still getting their pay after the shutdown is in effect.

Finally, it is about a basic value called fairness. People expect us to be fair. We cannot say to the American people that a Member of Congress is voting to shut down the government, with all the implications of that and the instability that would create, but then in the same breath say we still want to get the pay we have as Federal employees. So it is good accountability, trust, and fairness.

I commend Senator BOXER for, once again, showing the leadership she demonstrated in the mid-1990s on this issue and again making it very clear we are going to do everything we can to live by the same rules. If there is a shutdown, our pay should be shut down.

With that, I yield the floor.

Mrs. BOXER. Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. Twelve minutes 45 seconds remain.

Mrs. BOXER. I thank the Senator from Pennsylvania for working hard on this piece of legislation. It is very simple.

No budget, no pay. That is it. We cannot have no function of government more important than passing a budget and keeping us going. The people have a right to expect that we will do our work.

Social Security checks, if there is a shutdown, may not arrive on time. Veterans may not receive the benefits they have earned. Passports may not be issued. Superfund sites will not be cleaned up, and those are dangerous. Oil wells should be inspected. We see what happens when we do not do the functions of government; we pay, our people pay. Export licenses must be granted. Troops must be paid. Failing to keep the government open because of politics or because no one wants to listen to the other side and meet in the middle is a failure. All we are saying is treat Members of Congress and the President the same as other Federal employees. And no retroactive, back pay either.

The bigger issue is the one I touched on; that is, what is the right way to approach this deficit problem. Clearly, we have to do it responsibly. Clearly, the American people want us to reduce this deficit. I want to reduce it. I have to say very proudly, not only did we reduce it under Bill Clinton but we had surpluses. This is the only time we ever had a surplus—a Democratic administration. OK? That is it. I do not need lectures from the other side of the aisle. Show me a time when they balanced the budget. They do not have one to show me.

They can show me the record under George W. Bush and George Herbert Walker Bush: deficits, deficits, deficits, deficits. And under George Bush, job losses. Over the entire 8 years, there were 1 million net new jobs compared to 23 million under Bill Clinton. What a record.

Let's do this the way we know it should be done, which is a balanced approach. Cut spending where it is wasteful, where it is useless, where it is dumb to spend money. Spend it where it makes sense—on our kids.

The things my colleagues in the House did without one Democratic vote are shocking. The experts tell us we could lose between 700,000 and 1 million jobs—between 700,000 and 1 million jobs—if we go with their package. They need to sit and talk with us. Let's reason together.

They cut $100 billion off the President's budget. We have already cut $40 billion. Let's meet in the middle. But let's not threaten as many as 1 million jobs.

Moody's estimates their budget would destroy 700,000 jobs. Goldman Sachs says their plan would cut economic growth by as much as 2 percent by the end of the year. It is inconceivable, after they ran around in this last election saying: Where are the jobs? Where are the jobs?—that is all I heard. And it was a good point. But it is inconceivable they would turn their backs on jobs and now focus on the deficit as if that is the only issue we have to worry about.

Again, when President Obama took office, the economy was heading off a cliff. I will never forget the Republican Secretary of the Treasury, Hank Paulson, looking straight in my eyes—and that was hard because he is 7 feet tall and I am a little under 5 feet; he is not 7 feet tall, but to me he looks like 7 feet tall—and saying: Senator, capitalism is on the brink of collapse. We may see the collapse of capitalism.

I remember back to the debates when one of my Republican colleagues suggested nationalizing the banks. President Obama said: No, we are not going there. We are going to have to figure out a way. Yes, we did lend them money and it was an awful vote and I hated every minute of it. The banks paid back every penny.

The auto industry—oh, my colleagues said, we cannot help the auto industry. Oh, yes, we did. We did not want to be the only Western Power that did not have an automobile industry. It is important to our national defense. We stabilized the auto industry, we have stabilized the financial industry, we approved tax cuts for the middle class, and we made investments in infrastructure.

Yes, it is true, George Bush took a big surplus and turned it into a $1.3 trillion deficit. The deficit now is $1.6 trillion as we struggle out of this economic mire and put the wars on the budget.

By the way, ending the wars in Afghanistan and Iraq over 10 years could get us $1.1 trillion. I have not heard any of my Republican friends go there at all with that. We need to do that. They are just looking at one small part of the budget.

I have to tell you from my heart what I think they did over there. They cut $100 billion off the President's budget. We cut $41 billion off the President's budget. This is what they did: I believe they used deficit reduction as an excuse to carry out political vendettas against the Environmental Protection Agency. They not only took a meat axe to that budget, but they ordered the EPA—they said they cannot protect families from pollution from cement plants. They cannot do that. That means our people will be exposed to mercury. They said they cannot enforce the Clean Air Act when it comes to carbon pollution. Imagine, they do not dare just come here and say: Let's repeal the Clean Air Act. They go around the back door using the budget as a political vendetta tool.

They said: Let's stop our improvements in food safety. I have to say, not one person in my home State ever came up to me—I do not care if they are Republican, Independent, or Democrat—and said: Senator, the two things I want when you get back is to give me dirty air and give me poisoned food. I need more contamination in my food.

I cannot believe this. We just did a great bill, and they slashed the money for food safety. Tell me how that makes America stronger. Tell me, when we know how many people die of illness from contaminated food.

They did a political vendetta against family planning, which is going to lead to more abortions if it goes through. It is not going to go through because we are not going to let them stop ensuring that American women in this day and age—they are not going to tell my people in California they cannot have access to contraception. Yet they cut every penny from Planned Parenthood in a clear, I believe, unconstitutional political vendetta.

Madam President, 5 million men and women get the services of Planned Parenthood. They get tested for STDs, AIDS, cancer screenings—all of that. And a lot of women use Planned Parenthood clinics as their first line of health care. This is 2011. We are not going back to the dark days when women died because they did not have health care. We cannot. We cannot do it.

Drop the political vendettas. Come to the table and let's find the cuts that make sense. Put a little more faith in your Democratic colleagues since we are the only ones who balanced the budget and created a surplus and 23 million jobs. I do not need to hear lectures about that. They can talk all they want. The last balanced budget was under Bill Clinton. The last surplus was under Bill Clinton. The last great economic growth was under Bill Clinton.

Our President gets it. That is why he tackles this deficit over a period of time and gets it down to $600 billion by 2015. Maybe we can do more. I am ready to do more, and we will do more if we have an economic recovery. We will not if we lose another 1 million jobs and have another 1 million people getting help from us rather than having jobs and keeping their homes.

What other vendettas? This one, the Corporation for Public Broadcasting. Somebody said that 4 hours of the war in Afghanistan would be equal to the cut they made to public broadcasting—4 hours of the war in Afghanistan. America should be proud of the Corporation for Public Broadcasting. We go toe to toe with the BBC. Great Britain funds 100 percent of the BBC. We fund 15 percent of public broadcasting. But now they want to zero it out. A vendetta against Elmo.

They have a vendetta against health reform. The President is right. In our bill we say the States can do another plan. Let's push that up to 2014. Do not go back to the days when 62 percent of all bankruptcies were linked to a health care crisis.

Madam President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. There is 1 minute 45 seconds remaining.

Mrs. BOXER. Madam President, they have a vendetta against clean energy. I guess they want to keep dependence on foreign oil. I do not and my people do not. We do not enjoy $5-a-gallon gas, which is where it is heading maybe because of the unrest in the Middle East. We need alternatives—clean cars, cars that go 50, 60 miles a gallon or do not need any gas at all. Oh, they cut that.

They cut Head Start. Our little kids will not have Head Start. What are they doing? It makes no sense. Every dollar we put into early childhood education saves $10. What are they doing? And Pell grants.

There are so many other ways to proceed. Do you know, if we just looked at the tax loopholes given to corporations who ship jobs overseas, it is over $140 billion over 10 years? Let's take a look at that. Let's take a look at the billionaires. Why do we have to ask little kids to give up a slot in Head Start and get that Head Start they need? Why do we have to ask our teenagers to give up on going to college? That is what their budget does for no reason at all.

Let's avert a government shutdown by coming together. I am willing to move in their direction. They have to be willing to move to mine. Again, they cut $100 billion off the President's budget. We cut $40 billion. Let's meet in the middle.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. BOXER. Madam President, I ask unanimous consent for 30 more seconds, and then I will yield to my friend.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, in conclusion, let's meet in the middle. Let's put this 2011 budget issue behind us quickly. Let's move on to long-term deficit reduction and job creation. If we fail, let's not get paid for our work here.

This afternoon I will be back to ask unanimous consent: No budget, no pay.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I appreciate the comments of my friend, the Senator from California. We have to be serious about the country's debt. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, says the debt is our biggest national security threat.

Anyone in my State who looks at what we are spending in Washington is astonished. We are spending, this year, $3.7 trillion. We are collecting $2.2 trillion. The House of Representatives has said: Let's take a step—a serious step—toward dealing with that debt. I applaud them for that. That number is a number that we on the Republican side try to support in the Senate. We might have our own priorities within that reduced number, but we need to get serious about the entire problem of America's debt.

It also goes directly to the problem of jobs we have in our country today. The last Democratic Congress and the President's policies have thrown a big wet blanket on private sector job creation in America. One of the biggest parts of the wet blanket is the big debt. According to economists, it costs us 1 million jobs a year. The big debt creates the potential for higher interest rates. That makes it harder to create jobs. It soaks up capital. It could be used to create jobs. It creates uncertainty. It creates a lack of confidence.

There is a lot of spirit in this Senate to find a consensus on how to deal with the debt. I want to be one who does that. I look forward to a serious discussion of those efforts.

A NEW MARSHALL PLAN FOR THE MIDDLE EAST

Mr. ALEXANDER. Madam President, in Jerusalem last week during a private meeting with U.S. Senators, the Prime Minister of Israel suggested creating a new Marshall Plan to help the people of Middle Eastern countries who are struggling to gain more freedom. I was one of the Senators in that meeting.

In one important way, Prime Minister Benjamin Netanyahu's proposal is different from the plan that helped rebuild Western Europe after World War II. Its funding would not come from the U.S. Government but from private gifts and foundations worldwide. Instead of the money going for rebuilding bombed out industrial plants and roads as it did after World War II, it would more likely be spent in the Middle East now on schools, on health clinics, and on clean water.

Fundamentally, though, the plans are very similar. Both GEN George C. Marshall in 1947 and Prime Minister Netanyahu today proposed helping adversaries as well as allies. Both aim to relieve hunger, poverty, desperation, and chaos. Both proposals are based squarely on self-interest, as antidotes to the spread of philosophies unfriendly to democracy: communism in the case of postwar Europe and militant Islam in the Middle East today.

In both cases, applicants for the money would write their own plans. In 1948, 16 nations met in Paris to develop the Marshall plan. President Truman then submitted it for approval to the Congress. Most of the money was distributed by grants that did not have to be repaid.

The first Marshall plan was short term, from 1948 to 1952, and so should be this new Marshall plan. The goal is not to create dependencies but to help people stand on their own.

There are some important differences between the idea of the Marshall plan after World War II and Prime Minister Netanyahu's proposal for the Middle East. The new Middle East Marshall plan would cost much less. The original Marshall plan spent between $115 billion and $130 billion in today's dollars over those 4 years. If a Middle Eastern plan carefully distributed a few billion dollars over 5 years it could have an enormous impact.

The Marshall plan started out after World War II buying food and fuel and ended up rebuilding bombed-out industrial plants, roads, and other infrastructure. In addition to schools and clinics, a Middle Eastern Marshall plan is more likely to spend money on, for example, a corps of young people who are paid a subsistence wage to strengthen their own country.

Marshall plan money went to 16 European governments. Money for a Middle Eastern plan should probably be distributed through non-governmental organizations.

After World War II, there was a clear effort to impose on Europe and Japan the American model. We should have learned by now that the path to democracy in the Middle East is more likely to be uniquely Middle Eastern. The original Marshall plan was paid for mostly by United States taxpayers. Money for this new plan should come from around the world, mostly from private gifts.

The first Marshall plan was used mostly for purchase of goods from the United States. Today, those goods would be purchased from around the world.

What are the next steps? First, a coalition of foundations should step forward and announce its willingness to consider proposals from Egypt and other Middle Eastern countries that would assist a transition to a more democratic form of government.

Second, the first grants should be quickly approved, probably to non-governmental organizations already in place. The original Marshall plan moved slowly. In this age of instant communication, freedom fighters expect immediate results. Some evidence of improvement in their lives could help sustain a movement toward democracy against the lure of militant Islam.

An early State Department memorandum compared General Marshall's proposal to a flying saucer: ''Nobody knows what it looks like, how big it is, or whether it really exists.'' Prime Minister Netanyahu's proposal also is usefully vague, with details to be filled in later by applicants for grants. But shouldn't it be enough simply to propose helping people struggling for freedom based upon the hard-eyed belief that their success will benefit other Democratic countries, including the United States and Israel?

TRIBUTE TO DAVID KEARNS

Mr. ALEXANDER. Madam President, in Rochester, NY, today and tomorrow, family and friends are celebrating the life of David Kearns, who died a few days ago at age 80.

David Kearns was the former chief executive officer of the Xerox Corporation who, during the 1980s, led that corporation to win back the copying market from the Japanese. Along the way, he found time to become America's most effective business leader who was a champion of education reform, especially for pushing new technology into schools. He served as Deputy Education Secretary under the first President Bush while I was the Secretary of Education in 1991, 1992 and 1993.

I remember first meeting David Kearns in 1990, when I was president of the University of Tennessee and had my office in Knoxville. He came into my office, and on the way he said hello to every single person in the outer office, and every single other person he met while I was there. And he remembered every single one of their names. I didn't forget that, and they didn't forget him. When David Kearns left the University of Tennessee from that visit I bought his book about education reform and read it.

Later that year, President Bush called me and asked me to become his Education Secretary. I asked the President if I could put together my own team, subject to his approval, and then if we could put together our own plan, subject to his approval. Those were two of the smartest questions I ever asked, because that meant I didn't have to go through the White House staff to get the team cleared or the policy cleared. I could go directly to the President. And as soon as I had that permission, I called David Kearns and asked him if he would be willing to be the Deputy Secretary of Education in the U.S. Department of Education.

I knew it would be hard to persuade him to do so. He was at the peak of his career. He had just retired as one of America's best known business leaders. His friends said: Why in the world would you go into the government and subject yourself to all that abuse and take a secondary position in a minor department? I asked President Bush to call David Kearns and recruit him, and he did, appealing to his patriotism. They both served in World War II.

David had such a passion for education, he came on board, and it was terrific that he did. It was a privilege to work with such an accomplished executive. Employees in the Department of Education loved having him around. Having him there helped recruit a distinguished team of leaders for the Department and we put together what we thought, over 2 years, was a pretty impressive program working with President Bush.

Some of the ideas sound very familiar today, especially to former Governors. One idea was break-the-mold schools. Today we call them charter schools, or start-from-scratch schools. The thought was to have one in each congressional district—535 of them—funded by $1 million of seed money from the Federal Government.

To support those schools, we created a new American Schools Development Corporation, and with David's leadership raised $70 million in private capital for that. That attracted hundreds of design teams from around the country with ideas for how to create better schools. President Bush hosted a number of America's business leaders at Camp David to help make that happen.

We worked with Diane Ravitch to create an effort to implement standards for the national education goals that President Bush had helped to set in 1987 with the Nation's Governors. These were the goals for math, science, history, English, and geography, and we took important steps toward that. Today, the common standards States are adopting owe some of their beginnings to those efforts.

We established commissions to look at extending the school day. We pushed for technology in the schools. The President proposed in 1992 a GI bill for kids, which would give scholarships to poor kids so they could choose any school, public or private or religious, so they could have more of the same choices of good schools that kids with money had.

By the time we left in 1993, every State in America had their own version of America 2000—it was Tennessee 2000 or New Hampshire 2000 or Kansas 2000—moving toward the educational goals community by community. None of that would have happened without David Kearns' enthusiasm, skill, and leadership.

In 1992, during a riot over Rodney King in Los Angeles, President Bush sent David to represent him. David had a strong background in civil rights. While he was there, he telephoned me and said: This is the hardest phone call I have ever had to make. I have cancer. He had just discovered he had cancer of the sinus. When he came back, he had an operation and the operation gradually destroyed his eyesight.

That was 20 years ago, but it didn't stop David Kearns. During that time, he created the Kearns Center for Leadership at the University of Rochester, where he graduated and served as trustee for many years. Then to help him get around, because he couldn't see, or could barely see, he invited a young man each year to go with him and help him see and do what he needed to do. For those young men—nearly 20 over the last 20 years—that has been a remarkable opportunity to be in the presence of one of America's great mentors at an early stage in their lives.

Everyone who knew David Kearns admired him and loved him. A few days ago, I spoke with Shirley Kearns, David's wife of 56 years, and reminded her of what she already knows: how much David's friendship meant to me. Honey and I will be thinking of them today and tomorrow in Rochester. We will be thinking about Shirley, their 4 daughters, 2 sons, and 18 grandchildren.

For me, one story sums up David Kearns' life better than others. I think back to 1995, when I was in Utah. I was trying to persuade Republicans that I was their natural nominee for President of the United States. I wasn't successful in that, but I was enthusiastic about it. I had made to a Republican group what I thought was an especially good speech. During the speech, I talked about my work in the U.S. Department of Education and I talked about David Kearns—about his leadership and about how he helped do all the things I have just mentioned. After the speech, an enthusiastic Republican lady came up to me and said: That was a wonderful speech. Thank you very much, I said. Now I know who should be President, she said. Well, thank you, I said. She smiled and said: David Kearns. That was the opinion that she and I and almost everyone who met him had of David Kearns, whose 80 years in this country have been very special.

I thank the Presiding Officer, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Madam President, are we in morning business?

The ACTING PRESIDENT pro tempore. We are.

Mr. BURR. I thank the Presiding Officer.

REMEMBERING FRANK BUCKLES

Mr. BURR. Madam President, I wish to take a moment in this Chamber to honor the passing of the last doughboy, Mr. Frank Buckles, the last of those World War I veterans. Mr. Buckles was America's last living World War I veteran and he died Sunday in West Virginia. His death came 1 month after his 110th birthday, which he celebrated on February 1 with his family.

Frank Buckles was dedicated to serving his country at all cost. He enlisted in the U.S. Army when he was only 16 years old. Throughout the Great War, Mr. Buckles proved himself to be a brave soldier. He served on the RMS *Carpathia*, drove ambulances and motorcycles in France and England, and escorted prisoners of war back to Germany.

Mr. Buckles lived to see our country at war several more times in his life. He even survived as a prisoner of war during World War II. He had been captured while working for a shipping company in the Philippines.

As a soldier and as a civilian, Mr. Buckles lived a life defined by hard work, love of country, and a sense of duty to his fellow citizens. His passing marks the loss of a generation that shared those same values, a generation that built America into the country it is today. My thoughts go out to his family.

It is also important we recognize that Mr. Buckles' death is an important moment for all of America. Our country should come together to honor Mr. Buckles and an entire generation that has done so much to build a world where democracy and freedom are celebrated values. This is the reason that I

cosponsor, with my colleague from West Virginia, Senator ROCKEFELLER, a resolution I hope our colleagues will support unanimously, to allow this last in a generation of heroes to be recognized by the Congress of the United States, either in a service or by lying in honor in the Rotunda, a privilege that is held for very few but one that I think rises to the occasion of the last hero of a generation, an individual and a generation that played such a part in the values of this country. We will have an opportunity to celebrate the life of this man, but, more importantly, to cherish the fruits of his commitment to those freedoms and those liberties that are protected still today.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

PATENT REFORM ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 23, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 23) to amend title 35, United States Code, to provide for patent reform.

Pending:

Leahy amendment No. 114, to improve the bill.

Vitter/Toomey amendment No. 112, to require that the government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

Bennet amendment No. 116, to reduce the fee amounts paid by small entities requesting prioritized examination under Three-Track Examination.

Bennet amendment No. 117, to establish additional USPTO satellite offices.

Lee amendment No. 115, to express the sense of the Senate in support of a balanced budget amendment to the Constitution.

Mr. LEAHY. Madam President, yesterday the Senate began debating the America Invents Act. We adopted the committee amendments, and we proceeded to have five additional amendments offered to the bill. This morning I will be offering a managers' amendment, along with the distinguished Senator from Iowa, Mr. GRASSLEY, that incorporates additional improvements being made at the suggestions of Senator COBURN, Senator SCHUMER, Senator COONS, Senator BENNET, and others.

When we adopt this managers' amendment, I believe we will move very close to a consensus bill the Senate can and should pass to help create good jobs, encourage innovation, and strengthen our recovery and economy.

I ask unanimous consent to have printed in the RECORD the Statement of Administration Policy from the Obama administration and the Edward Wyatt article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF ADMINISTRATION POLICY

S. 23—PATENT REFORM ACT OF 2011

(Sen. Leahy, D–Vermont, and 11 cosponsors, Feb. 28, 2011)

The Administration supports Senate passage of S. 23. As a whole, this bill represents a fair, balanced, and necessary effort to improve patent quality, enable greater work sharing between the United States Patent and Trademark Office (USPTO) and other countries, improve service to patent applicants and the public at the USPTO, and offer productive alternatives to costly and complex litigation.

By moving the United States to a first-to-file system, the bill simplifies the process of acquiring rights. This essential provision will reduce legal costs, improve fairness, and support U.S. innovators seeking to market their products and services in a global marketplace. Further, by providing authority for the USPTO to establish and adjust its fees to reflect changes in costs, demand, and workload, the bill would enhance productivity—reducing delay in the patent application process—and ensure full cost recovery at no taxpayer expense. Senate passage of this bill is consistent with the Administration's commitment to support and encourage innovation that leads to improved competiveness, economic prosperity, and job growth—without adding a penny to the deficit.

Finally, the Administration understands that several stakeholders have suggested that the provisions on damages and venue are no longer needed in the legislation in light of recent court decisions in these areas. The Administration would not object to removal of these provisions from the final version of the legislation.

The Administration looks forward to continuing to work with the Congress to craft patent reform legislation that reflects sound policy and meets the needs of the Nation's innovators.

U.S. SETS 21ST-CENTURY GOAL: BUILDING A BETTER PATENT OFFICE

(By Edward Wyatt, Feb. 20, 2011)

WASHINGTON.—President Obama, who emphasizes American innovation, says modernizing the federal Patent and Trademark Office is crucial to ''winning the future.'' So at a time when a quarter of patent applications come from California, and many of those from Silicon Valley, the patent office is opening its first satellite office—in Detroit.

That is only one of the signs that have many critics saying that the office has its head firmly in the 20th century, if not the 19th.

Only in the last three years has the office begun to accept a majority of its applications in digital form. Mr. Obama astonished a group of technology executives last year when he described how the office has to print some applications filed by computer and scan them into another, incompatible computer system.

''There is no company I know of that would have permitted its information technology to get into the state we're in,'' David J. Kappos, who 18 months ago became director of the Patent and Trademark Office and undersecretary of commerce for intellectual property, said in a recent interview. ''If it had, the C.E.O. would have been fired, the board would have been thrown out, and you would have had shareholder lawsuits.''

Once patent applications are in the system, they sit—for years. The patent office's pipeline is so clogged it takes two years for an inventor to get an initial ruling, and an additional year or more before a patent is finally issued.

The delays and inefficiencies are more than a nuisance for inventors. Patentable ideas are the basis for many start-up companies and small businesses. Venture capitalists often require start-ups to have a patent before offering financing. That means that patent delays cost jobs, slow the economy and threaten the ability of American companies to compete with foreign businesses.

Much of the patent office's decline has occurred in the last 13 years, as the Internet age created a surge in applications. In 1997, 2.25 patents were pending for every one issued. By 2008, that rate had nearly tripled, to 6.6 patents pending for every one issued. The figure fell below six last year.

Though the office's ranks of patent examiners and its budget have increased by about 25 percent in the last five years, that has not been enough to keep up with a flood of applications—which grew to more than 2,000 a day last year, for a total of 509,000, from 950 a day in 1997.

The office, like a few other corners of the government, has long paid its way, thanks to application and maintenance fees. That income—$2.1 billion last year—has made it an inviting target for Congress, which over the last 20 years has diverted a total of $800 million to other uses, rather than letting the office invest the money in its operations.

Applications have also become far more complex, said Douglas K. Norman, president of the Intellectual Property Owners Association, a trade group mainly of large technology and manufacturing companies.

''When I was a young patent lawyer, a patent application would be 20 to 25 pages and have 10 to 15 claims,'' Mr. Norman said. A claim is the part of the patent that defines what is protected. ''Now they run hundreds of pages, with hundreds, and sometimes thousands, of claims.''

Lost in the scrutiny of the office's logjam, however, was the fact that the number of patents issued reached a record last year—more than 209,000, or 29 percent more than the average of 162,000 a year over the previous four years. Rejections also hit a high of 258,000—not a measure of quality, Mr. Kappos said, but a sign of greater efficiency.

Between the backlog of 700,000 patents awaiting their first action by an examiner and the 500,000 patents that are in process, a total of 1.2 million applications are pending.

Sitting in his suburban Virginia office, not far from a model of the light bulb Edison presented for patent in November 1879 (which was approved two and a half months later), Mr. Kappos proudly ticked off figures that he said proved the agency was heading in the right direction.

The backlog has actually declined about 10 percent from a peak of 770,000 at the end of 2008.

''We were able to work a 13-month year last year,'' he said, referring to the productivity increase in 2010 over 2009. ''We are processing a far larger workload with the same number of examiners.''

Still, Mr. Kappos wants to add more than 1,000 examiners in each of the next two years, a 30 percent increase. Mr. Obama's 2012 budget calls for a 28 percent increase in spending, to $2.7 billion, over 2010. In two consecutive sessions, Congress has defeated a

bill that would allow the patent office to keep all of the fees it collects. While another similar effort is under way, a big staffing increase will not be easy in a climate of cuts.

Mr. Kappos, a former electrical engineer and lawyer who joined the patent office in 2009 after 27 years at I.B.M., has improved relations with the union representing patent examiners. He and the union agreed on performance evaluation measures last year, the first time in 5o years that the yardsticks had been revised.

''I give David Kappos a good deal of credit for seeing where the problems have been and being willing to address them,'' said Robert D. Budens, president of the union, the Patent Office Professional Association. ''I think it's a little early to see the full extent of the changes. But we have seen an increase in morale and a decrease in attrition, which is now almost the lowest it's been since I came here'' in 1990.

Patent applications come from all over the United States, and the office has forgone satellite offices—until now. Last year, the office announced it would put about 100 examiners in Detroit. Some prominent lawmakers from Michigan have worked on patent issues, including Representative John Conyers Jr., a Detroit Democrat who, when the decision was made, was chairman of the House Judiciary Committee, which oversees patents.

Mr. Kappos said he chose Detroit because it had large communities of patent lawyers and agents, nearby universities and transportation centers, and relatively low costs of living and real estate. ''Detroit has long been an innovation center,'' he said. ''It's undervalued, and that is where we want to invest.'' He said it would also attract a work force with more varied skills.

Mr. Kappos is also pushing an initiative that would charge patent applicants a higher fee to guarantee that their applications will receive a ruling within a year. But that initiative and others are not enough, said Paul R. Michel, who recently retired as chief judge for the United States Court of Appeals for the Federal Circuit in Washington, the main forum for patent appeals.

''The office can't be made efficient in 18 months without a vast increase in finances,'' said Mr. Michel, who has made evangelizing for an overhaul of the office a pet cause. ''Small efficiency improvements will only make a small difference in the problem.''

Mr. LEAHY. I thank all of those with the administration who worked on the matter, and particularly Secretary Locke, Director Kappos of the Patent and Trademark Office, and former Secretary Daley, now Chief of Staff at the White House.

The statement describes the bill as representing a fair, balanced, and necessary effort to improve patent quality. It concludes: ''Senate passage of this bill is consistent with the Administration's commitment to support and encourage innovation that leads to improved competitiveness, economic prosperity, and job growth—without adding a penny to the deficit.''

It also notes that transition to a first-to-file system simplifies the process of acquiring rights and describes it as an ''essential provision [to] reduce legal costs, improve fairness, and support U.S. innovators seeking to market their products and services in a global marketplace.''

I agree. I believe it should help small and independent inventors. On President's Day, just over a week ago, the New York Times included an article on its front page entitled ''U.S. Sets 21st-Century Goal: Building a Better Patent Office.''

That is what we are trying to do with our bill, the bipartisan Leahy-Grassley-Hatch Patent Reform Act or, as it has become known, the America Invents Act. We have to reform our patent office and our patent laws. They have not been updated for 60 years. We have to help to create good jobs, encourage innovation, and strengthen our economy.

The reporter notes the growth in patent applications to more than 2,000 a day last year. That is not a typographical error—2,000 a day last year. A record 209,000 patents were issued in 2010. But there remains a backlog of 700,000 patents awaiting initial action at the U.S. Patent and Trademark Office, and another 500,000 being processed. That is 1.2 million applications in the pipeline. Among them could be the next medical miracle, the next energy breakthrough, the next leap in computing ability, the next killer app. We should all do what we can to help PTO Director Kappos and the dedicated women and men of the PTO to modernize and reform.

It makes no sense that it takes 2 years for an inventor to get an initial ruling on his or her patent application, then another year or more to get the patent.

As New York Times reporter Edward Wyatt notes:

> The delays and inefficiencies are more than a nuisance for inventors. . . . [P]atent delays cost jobs, slow the economy, and threaten the ability of American companies to compete with foreign businesses.

We are not going to be the leader we are today if we allow that to continue. But the Senate has before it bipartisan legislation that can lead to long-needed improvements in our patent laws and system. We should be focused on it and moving ahead to pass it without delay. It is a measure that can help facilitate invention, innovation, and job creation, and do so in the private sector. This can help everyone from startups and small businesses to our largest cutting-edge companies.

This is the time for the Senate to serve the interests of the American people by concentrating on the important legislation before us. We should not be distracted. It is a bipartisan bill. We should not be diverted into extraneous issues but focus our debate on those few amendments that Senators feel need to be debated to perfect this bill and which are germane to this bill.

I mentioned in my opening statement the anticipated amendment on fee diversion. I appreciate the efforts of the Senator from Oklahoma to end patent fee diversion. It is a reform that Senator HATCH and I have long supported. I appreciated him working with me and withholding his amendment during committee consideration. So we are incorporating his amendment in the managers' amendment.

We also incorporate in the managers' amendment an amendment from Senator SCHUMER that concerns business method patents. We provide a process for their reexamination by the Patent and Trademark Office. This would also improve patent quality.

We incorporate suggestions from Senator BENNET and Senator COONS to remove certain damages and venue provisions that are no longer necessary in light of recent court decisions. The administration noted in its statement that it would not object to the removal of these provisions.

Senator BENNET came forward last night with sound amendments that he explained. They are included in this amendment, along with the change to the definition of a ''microentity'' made at the suggestion of the majority leader, and my amendment to conform the name of the legislation to the America Invents Act. I hope we adopt this amendment without delay.

I understand there may be Senators who do not agree with the first-to-file reform to update and simplify our system. If they intend to bring an amendment, they should do so without delay. We should be able to complete action on this bill today or tomorrow. Then the Senate can turn its full attention to another important matter, the funding resolution needed to be enacted this week by Congress. What we should not do is delay or sacrifice the job-creating potential of this bill to a side debate about the debt limit or whether we amend the Constitution of the United States. Those are debates I will be happy to have in their own right. We must not allow other countries around the world to have such a competitive advantage because we are too slow in moving on this bill.

The bipartisan American Invents Act is too important to be turned into a mere vehicle to launch speeches and debates about pet causes. It is not the bill to have debates about whether if the United States were to reach its debt ceiling, the government should favor paying creditors such as China before meeting its other obligations to the American people.

That theoretical debate has nothing to do with the patent reforms in this bill, and there will be a bill that you can have the debate on if you want. In fact, this bill is one that does not spend taxpayers' money or raise the debt one dollar. Accordingly, I will ask the support of our lead Republican sponsors and the bipartisan Senate leadership to promptly table extraneous amendments so we can complete our work on this legislation and serve the interests of the American people.

I have a managers' amendment. I described part of it already. I will send it to the desk and ask unanimous consent that the pending amendments be set aside and this be considered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

AMENDMENT NO. 121

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself, Mr. GRASSLEY and Mr. KYL, proposes an amendment numbered 121.

Mr. LEAHY. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. LEAHY. I ask for agreement on the managers' amendment.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. TESTER.) The Senator from South Carolina.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection——

Mr. LEAHY. Reserving the right to object—I would ask if the distinguished Senator could hold off——

The PRESIDING OFFICER. The Senator cannot reserve.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I understand Senator DEMINT will be offering an amendment in the first degree which will require setting aside the managers' amendment. My understanding is, once he has done that, we will then set aside his amendment and go back to the managers' amendment.

I yield to the distinguished Senator.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 113, AS MODIFIED

Mr. DEMINT. Mr. President, I ask unanimous consent that the pending amendment be set aside so I can call up amendment No. 113, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT], for Mr. VITTER, proposes an amendment numbered 113, as modified.

Mr. DEMINT. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that the Government give equal priority to payment of social security benefits and payment of all obligations on the debt held by the public in the event that the debt limit is reached)

At the appropriate place add the following:

(c) PRIORITIZE PAYMENT OF SOCIAL SECURITY BENEFITS.—Notwithstanding subsection (b), in the event that the debt of the United States Government, as so defined, reaches the statutory limit, the authority described in subsection (b) and the authority of the Commissioner of Social Security to pay monthly old-age, survivors', and disability insurance benefits under title II of the Social Security Act shall be given equal priority over all other obligations incurred by the Government of the United States.

Mr. DEMINT. I yield the floor.

Mr. LEAHY. Mr. President, I ask unanimous consent that the pending amendment now be set aside and that the managers' amendment be the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I rise today to speak to the America Invents Act. To put it simply, this bill, the America Invents Act, is about creating jobs. It is about protecting and promoting American ingenuity and giving American ideas the opportunity to become American products. The America Invents Act is about restoring American competitiveness and leadership in our global economy.

America has been at the forefront of global innovation throughout our Nation's great history. We invented the lightning rod, the cotton gin, the mechanical reaper and thresher. Thomas Edison, perhaps the most noted American inventer, invented the electric light, electric power transmission, the motion picture camera, the phonograph, and x-ray photography. The transistor, carbon fiber, GPS, Kevlar, recombinant DNA, the personal computer, and the Internet are all American inventions as well. Even more recently, American companies have invented the iPod and the iPhone and the Segway.

Inventors in Delaware and across America are right now working on critical advances in wind turbines, fuel cell technology, and electric cars. These technical innovations and so many others have improved our standard of living and spurred job growth, giving rise to entire industries that would not have been possible without the advancements of applied science.

I believe innovation will be key to reigniting the American manufacturing sector as well.

As low-skilled jobs have moved offshore, the only solution is to create highly skilled jobs here to replace them. These jobs will be founded on American ideas and advancements.

In today's high tech world, however, the cost of innovation can be high. In my home State of Delaware, DuPont invests about $1.3 billion annually in research and development. Nationwide, according to the Organization for Economic Cooperation and Development, U.S. companies invest over $370 billion in R&D each year. In the pharmaceutical industry, which is also important to my home State, experts estimate that each new drug requires an initial investment of between $800 million and $2 billion.

Innovation is absolutely critical to the continued growth of our Nation.

Our Founding Fathers recognized that investment in innovation will not occur without a system of patent rights to allow inventors to reap the fruits of their labor, and they placed with the Congress the authority to provide for the issuance of patent rights.

Article 1, section 8, clause 8 states that Congress shall have the power:

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

However complicated applied sciences were in 1836, when Congress established the forerunner to the U.S. Patent and Trademark Office, they are infinitely more complicated today. Never has PTO been more central to ensuring that the system of nationwide patents contemplated by our Founding Fathers is possible today. PTO must have clear, objective guidelines that enable an applicant to predict whether his or her application will be approved. That application process must move expeditiously. At the end of that process, when PTO issues a patent, the inventor and the industry must have confidence that the patent is of good quality and will provide good defense against future challenges.

In recent years, however, PTO has fallen short of these objectives. Today, a patent applicant must wait over 2 years before an examiner first picks up that application. Two years. At this moment, more than 700,000 applications simply sit at PTO awaiting consideration. Each one of those applications represents an idea that could create a job or 10 jobs or 100 or 1,000. If you file a patent application at PTO today, you can expect to wait just over 3½ years for an initial disposition. Should PTO make an error in their examination, it would take about 3 more years to appeal it.

In a world in which startup companies depend on patents to secure venture capital and other funding, these times are just too long. While PTO Director Kappos has achieved some success and has begun to right the ship at PTO, he simply cannot accomplish acceptable reform without our action.

The America Invents Act takes a number of steps to improve the efficiency with which this country handles

patents, all of them designed to make the U.S. more competitive in the global economy.

First, the America Invents Act will give PTO the tools it needs to address the unacceptably long backlog of patent applications. In February 2009, despite an increasing need for qualified patent examiners, PTO instituted a hiring freeze. PTO is a user-fee supported organization and so it should be able to pass through the costs of staffing needs to patent applicants. This bill would finally give the PTO the authority to set its own fees rather than having to wait for an act of Congress to do so.

Another source of the backlog is the issue of patent fee diversion. Currently, the fees paid by applicants for the purpose of funding the costs of patent examination can be diverted away from PTO to the Treasury without justification. Patent fee diversion cripples the ability of PTO to do its job and is essentially a tax on innovation. In the past 20 years, more than $800 million have been diverted from PTO and though in recent years almost no money has been diverted thanks to the determined leadership of my colleague, Senator MIKULSKI, PTO funding should never depend on shifting political fortunes. Even in times of political favor, the mere possibility of fee diversion is harmful because it robs PTO of the ability to plan with confidence that a varying workload will be matched by funding.

This bill does not currently address the issue of patent fee diversion, but that is something that I and others are working to change. Ending fee diversion is perhaps the single most effective thing that we can do to empower PTO to reduce the patent backlog over the long term. That is why I look forward to supporting Dr. COBURN's amendment, which would ensure that PTO has access to the fees that it charges, subject to continuing congressional oversight, of course.

The second thing the America Invents Act does to make the United States more competitive is to improve the predictability and accuracy of the patent examination process. By transitioning to a ''first to file'' system, this bill brings the U.S. into line with the rest of the world. Under ''first to file,'' PTO's task of determining the priority of a patent application will be more straightforward because patent priority will depend on objective, public facts, rather than on secret files. To smaller inventors who are concerned that ''first to file'' will allow large companies to beat them out in a race to the patent office, this bill contains important protections for all inventors. Even under ''first to file,'' an inventor's patent priority is protected for a year if he or she is the first to publicly disclose an invention.

Not only does the America Invents Act make the patent process fairer to inventors, but it will actually improve the quality of patents issued by the PTO by leveraging the knowledge of outside parties. This bill permits third parties to provide submissions regarding prior art before a patent is issued, enhancing the ability of examiners to determine whether an application is for a truly innovative idea worthy of the protection of a patent.

The bill takes another step toward improving patent quality by changing the way the issuance of patents can be challenged. The America Invents Act introduces a 9-month post-grant review process during which third parties can challenge a patent on any grounds. When you combine the new pre-issuance submission process and the new post-grant review process, what you get is a more rigorous and more thorough vetting of patent applications.

We will get stronger, higher quality patents because of the America Invents Act.

Chairman LEAHY, along with his Republican cosponsors Senators HATCH, KYL and SESSIONS, deserve enormous credit for the bill that was reported unanimously by the Judiciary committee just 4 weeks ago. The America Invents Act reflects years of hard-fought negotiations between the affected stakeholders.

At a time when bipartisanship is too frequently a platitude than actual process, it should be noted that the America Invents Act shares wide bipartisan support. Senators from both parties worked together on the bill we consider today, and both sides of the aisle should be proud of what we accomplished.

I applaud Leaders REID and MCCONNELL for their commitment to the open amendment process. Despite the broad agreements that have been reached so far, the Senate can and should consider suggestions to change the bill. I know that I will support Dr. COBURN'S amendment on fee diversion. I also hope that the Senate will accept an amendment that I have filed which would remove the section of the bill dealing with venue.

While venue-shopping is a serious problem, the current language in the bill risks stunting the development of case law, which has begun to address the problem of plaintiffs' manufacturing venue in districts that have a reputation of being hospitable for patent suits. In fact, companies such as Oracle and HP, while they initially supported legislative reform of venue, now fear that this provision will do more harm than good. I look forward to debating all of these amendments in the future.

Let me conclude my remarks on S. 23 by renewing my call to my fellow Senators to carefully consider and support this legislation. The America Invents Act is complicated and the subject matter may seem daunting, but I believe it is critical to protecting American innovation and defending American competitiveness.

The playing field for economic innovation has never been more crowded. The United States faces rivals growing in strength and number, which is why our government should be encouraging innovation, not stifling it.

The America Invents Act will create jobs in Delaware and throughout the United States by removing some of the administrative roadblocks currently preventing inventors from becoming successful entrepreneurs. This bill will improve the speed, quality and reliability of the Patent and Trademark Office and it will ensure that America retains its place in the world as the leader of invention and innovative thinking.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 123

Mr. KIRK. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the Kirk-Pryor amendment No. 123.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, reserving the right to object, and I do not intend to object, my understanding is the Senator from Illinois will offer his amendment and then will not object to his amendment then being set aside and we go back to the managers' amendment; is that correct?

Mr. KIRK. That is correct.

Mr. LEAHY. I will not object.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK], for himself and Mr. PRYOR, proposes an amendment numbered 123.

Mr. KIRK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a fast lane for small businesses within the U.S. Patent and Trademark Office to receive information and support regarding patent filing issues)

On page 104, between lines 22 and 23, insert the following:

SEC. 18. PATENT OMBUDSMAN PROGRAM FOR SMALL BUSINESS CONCERNS.

Subject to available resources, the Director may establish in the United States Patent and Trademark Office a Patent Ombudsman Program. The duties of the Program's staff shall include providing support and services relating to patent filings to small business concerns.

Mr. KIRK. Mr. President, the Kirk-Pryor amendment seeks to assist some of our greatest innovators by providing a fast lane within the U.S. Patent and Trademark Office for small businesses to receive information and assistance regarding their patent applications.

Small businesses are the economic engine of the American economy. According to the Small Business Administration, small businesses employ just over half of all private sector employees and create over 50 percent of our nonfarm GDP. Illinois alone is home to 258,000 small employers and more than 885,000 self-employers.

Small businesses are helping to lead the way on American innovation. These firms produce 13 times more patents per employee than large patenting firms, and their patents are twice as likely to be among the most cited among all patents. Small business breakthroughs led to the development of airplanes, FM radio, and the personal computer. Unfortunately, the share of small-entity patents is declining, according to a New York University researcher.

While S. 23 takes great strides in reforming our patent system, it can still be daunting for a small business owner or inventor to obtain a patent. In many instances, the value of a patent is what keeps that new small business afloat.

It is vital for America's future competitiveness, her economic growth, and her job creation that these innovators spend their time developing new products and processes that will build our future, not wading through government redtape. Our amendment would help small firms navigate the bureaucracy by establishing the U.S. Patent and Trademark Office Ombudsman Program to assist small businesses with their patent filing issues. The provision was first conceived as part of the Small Business Bill of Rights, which I introduced in the House, to expand employment and help small businesses grow. The Small Business Bill of Rights and this amendment are endorsed by the National Federation of Independent Business. I am proud to have this as part of a 10-point plan to be considered here in the Senate.

I wish to thank Senator MARK PRYOR of Arkansas, who is the lead Democratic cosponsor of this amendment. He is a strong and consistent supporter of small business, and I appreciate his partnership on this important program. I also thank Chairman LEAHY and Ranking Member GRASSLEY and their staffs for working with us on this amendment and for preserving this critical legislation.

Our Founding Fathers recognized the importance of a strong patent system that protects and incentivizes innovators. I look forward to supporting S. 23, which will provide strong intellectual property rights to further our technological advancement.

In sum, we should help foster innovation by protecting innovators, especially small business men and women, and I urge adoption of the amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 121

Mr. LEAHY. Mr. President, I thank the Senator from Illinois for his contribution to this effort.

I ask unanimous consent that we set aside the Kirk-Pryor amendment and go back to the pending business, which is the managers' amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I understand there will be another Senator who will come down and speak, and in the meantime I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the distinguished Senator from Michigan, Ms. STABENOW, be recognized as though in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

(The remarks of Ms. STABENOW are printed in today's RECORD under "Morning Business.")

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

PATENT REFORM ACT OF 2011—Continued

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, it is a great privilege and honor for me to be able to represent the big, wonderful, diverse Commonwealth of Pennsylvania in the Senate. Pennsylvania is a wonderful State. It has a terrific range of great attributes. It has big, bustling cities such as Philadelphia and Pittsburgh at opposite ends; has all throughout the Commonwealth beautiful, historical boroughs such as Emmaus and Gettysburg. We go from the banks of the Delaware all the way to the shores of Lake Erie.

In a State this big, of course, we have a wide range of very vital industries. We have old industries that we have had for a long time and are still very important employers: agriculture, coal, steel, and many others. We are a big manufacturing State, manufacturing goods of all kinds. We have a huge service sector, especially in the fields of education, medicine, finance, tourism, and many others. We have some relatively new and very exciting industries in our Commonwealth that I am very hopeful will lead to an acceleration of job growth soon. I am thinking in particular of the natural gas and the Marcellus shale. I am thinking of the life sciences, all across the Commonwealth, especially in greater Philadelphia and greater Pittsburgh as well as in points in between. The medical device sector and pharmaceutical industries are offering some of the most exciting opportunities for economic growth anywhere in the Commonwealth.

So when I think about the diversity and the strength of our Commonwealth, I am convinced that Pennsylvania's best days are ahead of us.

That said, despite all of the underlying strengths and advantages we have, we have an economy that is struggling. We have job creation that is far too slow. As I said repeatedly throughout my campaign for the Senate seat and as I have said since then, I think there are two vital priorities that we need to focus on first and foremost here in Washington. The first is economic growth and the job creation that comes with it, and the second is restoring fiscal discipline to a government that has lost all sense of fiscal discipline. These two, of course, are closely related. We will never have the kind of job growth we need and we deserve until we get our fiscal house in order.

But I look at them as separate issues. I think they should be at the top of our priority list. I am absolutely convinced we can have terrific economic growth, terrific job growth. We can have the prosperity we have been looking for.

In fact, it is actually inevitable if the Federal Government follows the right policies, remembering first and foremost that prosperity comes from the private sector, it does not come from government itself, but that government creates an environment in which the private sector can thrive and create the jobs we so badly need. I would argue that the government does that by doing four things and doing them well.

The first is to make sure we have a legal system that respects property rights, because the clear title and ownership and ability to use private property is the cornerstone of a free enterprise system.

It requires, second, that the government establish sensible regulations that are not excessive, because excessive regulation—and frankly we have seen a lot of excessive regulation recently—too much regulation always has unintended consequences that curb our ability to create the jobs we need.

A third thing a government always needs to do is provide a stable currency, sound money, because debasing one's currency is the way to ruin, not the way to prosperity.

Fourth, governments need to live within their means. They cannot be spending too much money and they cannot have taxes at too high a level.

It is so important that government spending remain limited and, frankly,

much less than we have today, for several reasons. One, of course, government spending is the political allocation of capital rather than the allocation of free people and a free economy. The political allocation is always less efficient than that of men and women engaging in free enterprise.

Secondly, the reason too much spending is problematic is because it ultimately always has to be paid for with higher taxes. Higher taxes clearly impede economic growth and prevent job creation. They do that in many ways, not the least of which is diminishing the incentives to make investments, to take risks, to launch new enterprises, to hire new workers.

I would argue that of these four priorities, the government is not doing such a great job. The failure is most egregious when it comes to the level of spending that has recently developed in this town. The recent surge in spending amounts to about a 25-percent increase in the size of the government virtually overnight.

The government is now spending—this Federal Government alone—fully 25 percent of our entire economic output. Frankly, this huge surge in spending has not worked. The unemployment rate has stayed near to 10 percent, our deficits are now over $1½ trillion in a single year. That is more than 10 percent of our entire economy.

Of course, when you run annual deficits where you are spending more than you bring in, that shortfall is made up for with new borrowings. So we have been adding to our debt at what I think is an alarming pace. I would argue that this mounting debt is already today costing us job growth. It is costing us jobs because it creates a tremendous uncertainty in our economic future when we are not on a sustainable fiscal path. That uncertainty itself discourages entrepreneurs and job creators from doing the kinds of things we need.

The risks are very real. History is replete with examples of countries that have accumulated too much debt. Frankly, it never ends well. Very often it leads to very high rates of inflation. It can lead to much higher interest rates, which can have a crippling effect on job growth. It can even lead to financial disruptions which can be very harmful, as we have recently seen.

With the recent acceleration in the size of our deficits and the increase in our debts, we are now rapidly closing in on the statutory limit to the amount of money that the Federal Government is permitted to borrow under law. That is an amount of over $14 trillion, but the truth is we are rapidly closing in on that limit. We will get there fairly soon.

The administration has suggested that we ought to, here in Congress, vote to raise that limit with no conditions attached. I have to tell you I think it is a very bad idea. This brings to mind the case of a family that is routinely living beyond their means. They routinely are spending more than their income and making up for the difference by running up to the limit on their credit cards. When this family reaches the limit on all of the credit cards they have, who thinks it is a good idea to give them another credit card?

I think most folks in Pennsylvania think it is probably time to reexamine the spending and look at the real problem that has gotten the family in this situation. I think that is where we are as a government. I think we need to fundamentally reexamine the spending we have been engaged in.

I will say clearly, I think failure to raise the debt limit promptly upon reaching it is not optimal and it would be very disruptive. I hope that does not come to pass. But I happen to think the most irresponsible thing we could do is simply raise this debt limit and run up even more debt without making changes to the problems that got us into this fix.

Specifically what I think we need to do is have real cuts in spending—now, not later, not at some distant hypothetical point in time in the future but now. That is one.

Second, I think we need real reform in the spending process, reform in the way Congress goes about its business, because the process is part of what has gotten us here.

I wish to see a balanced budget amendment, one with real teeth, one that requires our books to be balanced, one that limits the total spending to a reasonable percentage of our economy, and one that makes it harder to raise taxes. I think that would be a very good development. But that will take several years, at best, if we can get that implemented. Of course, all of the States have to agree.

In the meantime, I would hope we could have statutory spending caps, limits to how much the Federal Government can spend, and a mechanism that would redress the problem if for some reason we exceeded those limits.

As we have had this debate over whether we should attach these conditions to raising the debt limit, some have suggested this is a very dangerous discussion to have, because failure to immediately raise the debt limit, some have suggested, amounts to a default on our Treasury securities, on the borrowings we have already incurred.

That is not true. I think it is irresponsible to suggest that. The fact is the ongoing revenue from taxes that will be collected whether or not we immediately raise the debt limit—the ongoing revenue is more than 10 times all the money needed to stay current on our debt service. In fact, in the last 20 years, there have been four occasions when we have reached the debt limit without immediately raising it, and we never defaulted on our debt. This country never will. So I do not think we should have a discussion about something that is not going to happen. But since some in the administration have raised the specter of a default, I have introduced legislation that would clearly take that risk off the table entirely. My bill is called the Full Faith and Credit Act. It simply says, in the event we reach the debt limit without having raised it, it instructs the Treasury to make sure the debt service is the top priority. This guarantees that we would not default on our Treasuries, we would not create a financial crisis of any kind, and maybe, more importantly, it would be a great reassurance to the millions of Americans who have lent this government their money, the millions of Americans who hold Treasury bonds in their IRAs, their 401(k)s, their pension plans.

The retirees who live in Allentown, PA, who have lived modestly, saved money, and with their retirement savings have invested in the U.S. Treasury, I think those folks deserve the peace of mind of knowing that the first priority is going to make sure we honor the obligations and stay current on our debts.

I want to take a moment to thank Senator VITTER, because yesterday he came down to the floor and introduced my legislation as an amendment to the current patent reform bill. I hope we will be able to soon pass my amendment. I hope we will soon get to a vote here on the Senate floor. The real reason is, I want to remove this false specter of a default on our debt, so we can have an honest debate over how we are going to get spending under control—what kind of spending cuts we are going to have right now, and what kind of reforms we are going to make to the process going forward.

I do not think we can kick this can down the road anymore. We have been doing that for a long time. As I said earlier, it never ends well when governments continue taking on too much debt. Nobody here that I know wants to see a government shutdown. Nobody wants to see the disruption that would come from failing to raise the debt limit at some point. But nor can we proceed with business as usual.

All across Pennsylvania I hear every day when I am back home how important it is that this government learn to live within its means as Pennsylvania businesses and families have done.

Let me close by saying I still remain absolutely convinced we can have a terrific economic recovery. We can have a booming economic growth and the tremendous job creation that goes with it. It is overdue, but it can still arrive if we pass the kind of policies that create the right environment.

I am convinced the 21st century will be another great American century and Pennsylvania will be at the forefront.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I want to extend my congratulations to the Senator from Pennsylvania for his initial speech, including his comments about his important amendment, which is actually pending to the patent bill

which hopefully we will have an opportunity to vote on in the very near future.

I yield the floor.

Mr. ALEXANDER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I am soon going to ask for a vote on the Leahy-Grassley-Kyl managers' amendment. It resolves a number of issues in the bill, including fee diversion and business method patents damages, venue issues. Senators COBURN, SCHUMER, BENNET, WHITEHOUSE, COONS, and others worked with us on those issues. I would like to vote on that and then go to the amendment offered yesterday by Senator BENNET on satellite patent offices, with a modification, as well as the modified amendment offered by Senator KIRK and Senator PRYOR on ombudsman. If we can do that, we can get much of this finished. But while I am waiting for the—just so everybody will know, I am going to ask for a vote on that very soon. But I am waiting for the ranking member to come back.

I see the distinguished senior Senator from Minnesota, and I yield to her.

Ms. KLOBUCHAR. Mr. President, first, I commend Chairman LEAHY and the entire Judiciary Committee for their work on this bill. The chairman has endured so many ups and downs and different versions, and we would not be here today if not for him.

I rise to speak in support of the America Invents Act, a bill to overhaul our patent system, which plays such a critical role in our economy. It is one of the main reasons America has been able to maintain its competitive edge.

The Commerce Department estimates that up to 75 percent of the economic growth in our Nation since World War II is due to technological innovation—innovation made possible by a patent system that protects the rights to that innovation.

I have seen the importance and success of the patent system firsthand in Minnesota, which has brought the world everything from the pacemaker to the Post-it note. In Minnesota, we know how important the patent system is to our economy. We rank sixth in the Nation in patents per capita and have the second highest number of medical device patents over the last 5 years. Companies such as 3M, Ecolab, and Medtronic are well-known leaders in innovation, but Minnesota also supports innovative small businesses such as NVE Corporation and Arizant Healthcare. We are now first per capita, in fact, for Fortune 500 companies in our State, and that is in large part because of innovation. So many of these companies started small, invented products, and got patents which were protected. People weren't copying their products, and they were able to grow and produce jobs in our country.

Having a patent system that works for small business is particularly critical to creating jobs in America. But our patent laws haven't had a major update since 1952. The system is outdated and has become a burden on our innovators and entrepreneurs. Because of these outdated laws, the Patent and Trademark Office faces a backlog of over 700,000 patent applications and too often issues low-quality patents. One of these 700,000 patents may be the next implantable pacemaker or new therapy for fighting cancer, but it just sits in that backlog.

Our current system also seems stacked against small entrepreneurs. I have spoken to small business owners and entrepreneurs across our State of Minnesota who are concerned with the high cost and uncertainty of protecting their inventions. For example, under the current system, when two patents are filed around the same time for the same invention, the applicants must go through an arduous and expensive process called an interference to determine which applicant will be awarded the patent. Small inventors rarely, if ever, win interference proceedings because the rules for interference are often stacked in favor of companies with deep pockets. This needs to change.

Our current patent system also ignores the realities of the information age in which we live.

In 1952, back when the patent bill came about, the world wasn't as interconnected as it is today. There was no Internet. People didn't share information the way they do in this modern age. They had party telephone lines then. In 1952, most publicly available information about technology could be found in either patents or scientific publications. So patent examiners only had to look to a few sources to determine if the technology described in a patent application was both novel and nonobvious.

Today, as we all know, there is a vast amount of information readily available everywhere you look.

It is unrealistic to believe a patent examiner would know all of the places to look for this information, and even if the examiner knew where to look, it is unlikely he or she would have the time to search all of these nooks and crannies. The people who know where to look are the other scientists and innovators who also work in the field. But current law doesn't allow participation by third parties in the patent application process despite the fact that third parties are often in the best position to challenge a patent application. Without the benefit of this outside expertise, an examiner might grant a patent for technology that simply isn't a true invention—it is simply not an actual invention—and these low-quality patents clog the system and hinder true innovation.

Our Nation can't afford to slow innovation anymore. While China is investing billions in its medical technology sector, we are still bickering about regulations. While India encourages invention and entrepreneurship, we are still giving our innovators the runaround, playing a game of red light/green light with the R&D tax credit.

America can no longer afford to be a country that churns money and shuffles paper, a country that consumes, imports, and spends its way through huge trade deficits. We need to be a nation that makes things again, that invents stuff, that exports to the world, a country where you can walk into any store on any street in any neighborhood, purchase the best goods, and be able to turn it over and see the words ''Made in the USA.''

In the words of New York Times columnist and Minnesota native Tom Friedman, we need to be focusing on ''nation building in our own Nation.'' Well, as innovators and entrepreneurs across Minnesota have told me, our country needs to spawn more of them. The America Invents Act would do just that.

First, the American Invents Act increases the speed and certainty of the patent application process by transitioning our patent system from a first-to-invent system to a first-inventor-to-file system. This change to a first-inventor-to-file system will increase predictability by creating brighter lines to guide patent applicants and Patent Office examiners. By simply using the filing date of an application to determine the true inventor, the bill increases the speed of the patent application process, while rewarding novel, cutting-edge innovations.

To help guide investors and inventors, this bill allows them to search the public record to discover with more certainty whether their idea is patentable, helping eliminate duplication and streamlining the system. At the same time, the bill still provides a safe harbor of a year for inventors to go out and market their inventions before having to file for their patents. This grace period is one of the reasons our Nation's top research universities, such as the University of Minnesota, support this bill. The grace period protects professors who discuss their inventions with colleagues or publish them in journals before filing their patent application. The grace period will encourage cross-pollination of ideas and eliminate concerns about discussing inventions with others before a patent application is actually filed.

Moreover, this legislation helps to ensure that only true inventions receive protection under our laws. By allowing third parties to provide information to the patent examiner, the America Invents Act helps bridge the information gap between the patent application and existing knowledge.

The legislation also provides a modernized, streamlined mechanism for third parties who want to challenge recently issued, low-quality patents that

should never have been issued in the first place. Eliminating these potentially trivial patents will help the entire patent system by improving certainty for both users and inventors.

The legislation will also improve the patent system by granting the U.S. Patent and Trademark Office the authority to set and adjust its own fees. Allowing the Office to set its own fees will give it the resources to reduce the current backlog and devote greater resources to each patent that is reviewed to ensure higher quality patents.

The fee-setting authority is why IBM, one of the most innovative companies around—by the way, the host of the ''Jeopardy''-winning Watson—well, the IBM facility there that actually developed Watson was in Rochester, MN. In fact, IBM, which has its facilities in Rochester and the Twin Cities, as well as many other places in this country, was granted a record 5,896 patents in 2010. IBM supports this bill. It allows the Patent Office to set its own fees and run itself like a business, and that is good for companies such as IBM, as well as for small entrepreneurs.

Mr. President, as chair of the Subcommittee on Competitiveness, Innovation, and Export Promotion, I have been focused on ways to promote innovation and growth in the 21st century. Stakeholders from across the spectrum agree that this bill is a necessary step to ensure that the United States remains a world leader in developing innovative products that bring prosperity and happiness to those in our country. Globalization and technological advancement have changed our economy. This legislation will ensure that our patent system truly rewards innovation in the 21st century. Our patent system has to be as sophisticated as those who are inventing these products and those who at times are trying to steal their ideas. That is what this is about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

AMENDMENT NO. 121, AS MODIFIED

Mr. LEAHY. Mr. President, we have the Leahy-Grassley managers' amendment at the desk. I have a modification to it. I ask that the amendment be so modified.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, is as follows:

On page 1, strike line 5, and insert the following: '''America Invents Act' ''.

On page 9, line 8, strike ''1 year'' and insert ''18 months''.

On page 32, strike line 12 and all that follows through page 35, line 2, and insert the following:

SEC. 4. VIRTUAL MARKING AND ADVICE OF COUNSEL.

On page 37, line 1, strike ''(b)'' and insert ''(a)''.

On page 37, line 20, strike ''(c)'' and insert ''(b)''.

On page 38, line 3, strike ''(d)'' and insert ''(c)''.

On page 38, line 13, strike ''(e)'' and insert ''(d)''.

On page 57, strike lines 17 through 23, and insert the following:

''(b) PRELIMINARY INJUNCTIONS.—If a civil action alleging infringement of a patent is filed within 3 months of the grant of the patent, the court may not stay its consideration of the patent owner's motion for a preliminary injunction against infringement of the patent on the basis that a petition for post-grant review has been filed or that such a proceeding has been instituted.''.

On page 59, strike lines 13 through 19.

On page 59, line 20, strike ''(g)'' and insert ''(f)''.

On page 65, line 21, strike ''18 months'' and insert ''1 year''.

On page 66, line 3, strike ''18 months'' and insert ''1 year''.

On page 66, lines 4 and 5, strike ''and shall apply only to patents issued on or after that date.'' and insert ''and, except as provided in section 18 and in paragraph (3), shall apply only to patents that are described in section 2(o)(1).''.

On page 66, line 8, after the period insert the following: ''During the 4 year period following the effective date of subsections (a) and (d), the Director may, in his discretion, continue to apply the provisions of chapter 31 of title 35, United States Code, as amended by paragraph (3), as if subsection (a) had not been enacted to such proceedings instituted under section 314 (as amended by subsection (a)) or under section 324 as are instituted only on the basis of prior art consisting of patents and printed publications.''.

On page 69, line 2, strike ''18 months'' and insert ''1 year''.

On page 69, line 14, strike ''18 months'' and insert ''1 year''.

On page 74, line 22, strike ''18 months'' and insert ''1 year''.

On page 75, line 16, strike ''18 months'' and insert ''1 year''.

On page 75, line 22, strike ''18 months'' and insert ''1 year''.

On page 76, line 5, strike ''18 months'' and insert ''1 year''.

On page 77, strike line 23 and all that follows through page 78, line 6.

On page 78, line 7, strike ''(b)'' and insert ''(a)''.

On page 78, line 20, strike ''(c)'' and insert ''(b)''.

On page 79, strike lines 1 through 17, and insert the following:

(1) IN GENERAL.—The Director shall have authority to set or adjust by rule any fee established, authorized, or charged under title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 et seq.), notwithstanding the fee amounts established, authorized, or charged thereunder, for all services performed by or materials furnished by, the Office, provided that patent and trademark fee amounts are in the aggregate set to recover the estimated cost to the Office for processing, activities, services, and materials relating to patents and trademarks, respectively, including proportionate shares of the administrative costs of the Office.

On page 79, lines 19–21, strike ''filing, processing, issuing, and maintaining patent applications and patents'' and insert: ''filing, searching, examining, issuing, appealing, and maintaining patent applications and patents''.

On page 86, between lines 8 and 9, insert the following:

(i) REDUCTION IN FEES FOR SMALL ENTITY PATENTS.—The Director shall reduce fees for providing prioritized examination of utility and plant patent applications by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code, so long as the fees of the prioritized examination program are set to recover the estimated cost of the program.

On page 86, line 9, strike ''(i)'' and insert ''(j)''.

On page 91, between lines 14 and 15, insert the following:

(b) NO PROVISION OF FACILITIES AUTHORIZED.—The repeal made by the amendment in subsection (a)(1) shall not be construed to authorize the provision of any court facilities or administrative support services outside of the District of Columbia.

On page 91, line 15, strike ''(b)'' and insert ''(c)''.

On page 91, line 23, strike ''under either subsection'' and all that follows through ''shall certify'' on page 92, line 2.

On page 92, line 7, before the semicolon insert the following: '', not including applications filed in another country, provisional applications under section 111(b), or international applications filed under the treaty defined in section 351(a) for which the basic national fee under section 41(a) was not paid''.

On page 92, between lines 7 and 8, insert the following:

''(3) did not in the prior calendar year have a gross income, as defined in section 61(a) of the Internal Revenue Code (26 U.S.C. 61(a)), exceeding 3 times the most recently reported median household income, as reported by the Bureau of Census; and''.

On page 92, strike lines 8 through 25.

On page 93, line 1, strike ''(3) has not assigned, granted, conveyed, or is'' and insert ''(4) has not assigned, granted, conveyed, and is not''.

On page 93, lines 4 and 5, strike ''has 5 or fewer employees and that such entity has'' and insert ''had''.

On page 93, line 7, strike ''that does'' and all that follows through line 11, and insert the following: ''exceeding 3 times the most recently reported median household income, as reported by the Bureau of the Census, in the calendar year preceding the calendar year in which the fee is being paid, other than an entity of higher education where the applicant is not an employee, a relative of an employee, or have any affiliation with the entity of higher education.''.

On page 93, strike lines 12 through 17, and insert the following:

''(b) APPLICATIONS RESULTING FROM PRIOR EMPLOYMENT.—An applicant is not considered to be named on a previously filed application for purposes of subsection (a)(2) if the applicant has assigned, or is under an obligation by contract or law to assign, all ownership rights in the application as the result of the applicant's previous employment.

''(c) FOREIGN CURRENCY EXCHANGE RATE.—If an applicant's or entity's gross income in the preceding year is not in United States dollars, the average currency exchange rate, as reported by the Internal Revenue Service, during the preceding year shall be used to determine whether the applicant's or entity's gross income exceeds the threshold specified in paragraphs (3) or (4) of subsection (a).''.

On page 94, between lines 18 and 19, insert the following:

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to imply that other business methods are patentable or that other business-method patents are valid.

On page 94, line 19, strike ''(c)'' and insert ''(d)''.

On page 103, between lines 11 and 12, insert the following:

''(c) DERIVATIVE JURISDICTION NOT REQUIRED.—The court to which a civil action is removed under this section is not precluded from hearing and determining any claim in such civil action because the State court from which such civil action is removed did not have jurisdiction over that claim.''.

On page 103, line 12, strike ''(c)'' and insert ''(d)''.

On page 105, between lines 22 and 23, insert the following:

SEC. 18. TRANSITIONAL PROGRAM FOR COVERED BUSINESS-METHOD PATENTS.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section language is expressed in terms of a section or chapter, the reference shall be considered to be made to that section or chapter in title 35, United States Code.

(b) TRANSITIONAL PROGRAM.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall issue regulations establishing and implementing a transitional post-grant review proceeding for review of the validity of covered business-method patents. The transitional proceeding implemented pursuant to this subsection shall be regarded as, and shall employ the standards and procedures of, a post-grant review under chapter 32, subject to the following exceptions and qualifications:

(A) Section 321(c) and subsections (e)(2), (f), and (g) of section 325 shall not apply to a transitional proceeding.

(B) A person may not file a petition for a transitional proceeding with respect to a covered business-method patent unless the person or his real party in interest has been sued for infringement of the patent or has been charged with infringement under that patent.

(C) A petitioner in a transitional proceeding who challenges the validity of 1 or more claims in a covered business-method patent on a ground raised under section 102 or 103 as in effect on the day prior to the date of enactment of this Act may support such ground only on the basis of—

(i) prior art that is described by section 102(a) (as in effect on the day prior to the date of enactment of this Act); or

(ii) prior art that—

(I) discloses the invention more than 1 year prior to the date of the application for patent in the United States; and

(II) would be described by section 102(a) (as in effect on the day prior to the date of enactment of this Act) if the disclosure had been made by another before the invention thereof by the applicant for patent.

(D) The petitioner in a transitional proceeding, or his real party in interest, may not assert either in a civil action arising in whole or in part under section 1338 of title 28, United States Code, or in a proceeding before the International Trade Commission that a claim in a patent is invalid on any ground that the petitioner raised during a transitional proceeding that resulted in a final written decision.

(E) The Director may institute a transitional proceeding only for a patent that is a covered business-method patent.

(2) EFFECTIVE DATE.—The regulations issued pursuant to paragraph (1) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply to all covered business-method patents issued before, on, or after such date of enactment, except that the regulations shall not apply to a patent described in the first sentence of section 5(f)(2) of this Act during the period that a petition for post-grant review of that patent would satisfy the requirements of section 321(c).

(3) SUNSET.—

(A) IN GENERAL.—This subsection, and the regulations issued pursuant to this subsection, are repealed effective on the date that is 4 years after the date that the regulations issued pursuant to paragraph (1) take effect.

(B) APPLICABILITY.—Notwithstanding subparagraph (A), this subsection and the regulations implemented pursuant to this subsection shall continue to apply to any petition for a transitional proceeding that is filed prior to the date that this subsection is repealed pursuant to subparagraph (A).

(c) REQUEST FOR STAY.—

(1) IN GENERAL.—If a party seeks a stay of a civil action alleging infringement of a patent under section 281 in relation to a transitional proceeding for that patent, the court shall decide whether to enter a stay based on—

(A) whether a stay, or the denial thereof, will simplify the issues in question and streamline the trial;

(B) whether discovery is complete and whether a trial date has been set;

(C) whether a stay, or the denial thereof, would unduly prejudice the nonmoving party or present a clear tactical advantage for the moving party; and

(D) whether a stay, or the denial thereof, will reduce the burden of litigation on the parties and on the court.

(2) REVIEW.—A party may take an immediate interlocutory appeal from a district court's decision under paragraph (1). The United States Court of Appeals for the Federal Circuit shall review the district court's decision to ensure consistent application of established precedent, and such review may be de novo.

(d) DEFINITION.—For purposes of this section, the term ''covered business method patent'' means a patent that claims a method or corresponding apparatus for performing data processing operations utilized in the practice, administration, or management of a financial product or service, except that the term shall not include patents for technological inventions. Solely for the purpose of implementing the transitional proceeding authorized by this subsection, the Director shall prescribe regulations for determining whether a patent is for a technological invention.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as amending or interpreting categories of patent-eligible subject matter set forth under section 101.

SEC. 19. TRAVEL EXPENSES AND PAYMENT OF ADMINISTRATIVE JUDGES.

(a) AUTHORITY TO COVER CERTAIN TRAVEL RELATED EXPENSES.—Section 2(b)(11) of title 35, United States Code, is amended by inserting '', and the Office is authorized to expend funds to cover the subsistence expenses and travel-related expenses, including per diem, lodging costs ,and transportation costs, of non-federal employees attending such programs'' after ''world''.

(b) PAYMENT OF ADMINISTRATIVE JUDGES.—Section 3(b) of title 35, United States Code, is amended by adding at the end the following:

''(6) ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES.—The Director has the authority to fix the rate of basic pay for the administrative patent judges appointed pursuant to section 6 of this title and the administrative trademark judges appointed pursuant to section 17 of the Trademark Act of 1946 (15 U.S.C. 1067) at not greater than the rate of basic pay payable for Level III of the Executive Schedule. The payment of a rate of basic pay under this paragraph shall not be subject to the pay limitation of section 5306(e) or 5373 of title 5.''.

SEC. 20. PATENT AND TRADEMARK OFFICE FUNDING.

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Patent and Trademark Office.

(2) FUND.—The term ''Fund'' means the public enterprise revolving fund established under subsection (c).

(3) OFFICE.—The term ''Office'' means the United States Patent and Trademark Office.

(4) TRADEMARK ACT OF 1946.—The term ''Trademark Act of 1946'' means an Act entitled ''Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (15 U.S.C. 1051 et seq.) (commonly referred to as the ''Trademark Act of 1946'' or the ''Lanham Act'').

(5) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Intellectual Property.

(b) FUNDING.—

(1) IN GENERAL.—Section 42 of title 35, United States Code, is amended—

(A) in subsection (b), by striking ''Patent and Trademark Office Appropriation Account'' and inserting ''United States Patent and Trademark Office Public Enterprise Fund''; and

(B) in subsection (c), in the first sentence—

(i) by striking ''To the extent'' and all that follows through ''fees'' and inserting ''Fees''; and

(ii) by striking ''shall be collected by and shall be available to the Director'' and inserting ''shall be collected by the Director and shall be available until expended''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the later of—

(A) October 1, 2011; or

(B) the first day of the first fiscal year that begins after the date of the enactment of this Act.

(c) USPTO REVOLVING FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the ''United States Patent and Trademark Office Public Enterprise Fund''. Any amounts in the Fund shall be available for use by the Director without fiscal year limitation.

(2) DERIVATION OF RESOURCES.—There shall be deposited into the Fund on or after the effective date of subsection (b)(1)—

(A) any fees collected under sections 41, 42, and 376 of title 35, United States Code, provided that notwithstanding any other provision of law, if such fees are collected by, and payable to, the Director, the Director shall transfer such amounts to the Fund, provided, however, that no funds collected pursuant to section 9(h) of this Act or section 1(a)(2) of Public Law 111-45 shall be deposited in the Fund; and

(B) any fees collected under section 31 of the Trademark Act of 1946 (15 U.S.C. 1113).

(3) EXPENSES.—Amounts deposited into the Fund under paragraph (2) shall be available, without fiscal year limitation, to cover—

(A) all expenses to the extent consistent with the limitation on the use of fees set forth in section 42(c) of title 35, United States Code, including all administrative and operating expenses, determined in the discretion of the Under Secretary to be ordinary and reasonable, incurred by the Under Secretary and the Director for the continued operation of all services, programs, activities, and duties of the Office relating to patents and trademarks, as such services, programs, activities, and duties are described under—

(i) title 35, United States Code; and

(ii) the Trademark Act of 1946; and

(B) all expenses incurred pursuant to any obligation, representation, or other commitment of the Office.

(d) ANNUAL REPORT.—Not later than 60 days after the end of each fiscal year, the Under Secretary and the Director shall submit a report to Congress which shall—

(1) summarize the operations of the Office for the preceding fiscal year, including financial details and staff levels broken down by each major activity of the Office;

(2) detail the operating plan of the Office, including specific expense and staff needs for the upcoming fiscal year;

(3) describe the long term modernization plans of the Office;

(4) set forth details of any progress towards such modernization plans made in the previous fiscal year; and

(5) include the results of the most recent audit carried out under subsection (f).

(e) ANNUAL SPENDING PLAN.—

(1) IN GENERAL.—Not later than 30 days after the beginning of each fiscal year, the Director shall notify the Committees on Appropriations of both Houses of Congress of the plan for the obligation and expenditure of the total amount of the funds for that fiscal year in accordance with section 605 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2334).

(2) CONTENTS.—Each plan under paragraph (1) shall—

(A) summarize the operations of the Office for the current fiscal year, including financial details and staff levels with respect to major activities; and

(B) detail the operating plan of the Office, including specific expense and staff needs, for the current fiscal year.

(f) AUDIT.—The Under Secretary shall, on an annual basis, provide for an independent audit of the financial statements of the Office. Such audit shall be conducted in accordance with generally acceptable accounting procedures.

(g) BUDGET.—The Fund shall prepare and submit each year to the President a business-type budget in a manner, and before a date, as the President prescribes by regulation for the budget program.

On page 105, line 23, strike ''**SEC. 18.**'' and insert ''**SEC. 21.**''.

At the end, add the following:

SEC. 22. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Mr. LEAHY. Mr. President, we are prepared to go to a rollcall vote on this right now. I don't see the ranking member. As a courtesy, I am willing to wait a few more minutes before calling for the vote. While we are waiting for my friend, the distinguished Senator from Iowa, I will note that what we are talking about is bipartisan legislation; it is supported by both business and labor.

People ask whether Congress can work together and whether, with all the problems facing America, Republicans and Democrats can come together to get work done, make things work, and do things that can make America stronger and more competitive in the world. This is a bill that does that. That is why we have a broad group of cosponsors in both parties across the political spectrum. It enables us to actually do something.

We have a decades-old patent system, which may have made sense in the time when you had patents that might not be superseded by new inventions for years. Now they can be superseded the day they come in. That is why we have 700,000 patents applications waiting to be processed. It is also why countries such as China and others are beginning to surpass us in their innovation, because we have been slow to catch up. We are in a situation where we are unable to compete with the rest of the industrialized nations. Their patent laws are ahead of ours. So this is a case where we in America have a chance to catch up. We do it without adding a cent to the deficit, but we also create jobs. Every major manufacturer in this country and inventors have said this is where we will create jobs.

I look at it, of course, with the point of view that my little State of Vermont on a per capita basis has more patents than any other State. We even had more than some States larger than ours. The distinguished Presiding Officer comes from a State that has spent a great deal of time and effort on innovation and is one of the leaders in the number of patents, especially in the high-tech area, in this country. But the patents don't help us compete unless we are able to move with them. We in Vermont have a long history of innovation and invention. The first patent in the United States was signed by George Washington after being cleared by Thomas Jefferson and granted to a Vermonter.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN). Without objection, it is so ordered.

Mr. LEE. Mr. President, I rise to speak on an issue that is very important to me. The immediate subject I am going to address is an amendment I am going to propose to our pending patent reform legislation. This amendment calls upon the Senate to get the sense of the Senate that we need a balanced budget amendment to the U.S. Constitution.

As I prepared for this day, I reviewed the maiden speeches of a number of Senators who served in this august body, and I have seen a consistent theme in the speeches that have been given over the course of the last 50 or 60 years. Over and over, they address spending. These issues have spilled over, Congress after Congress, until the point we have reached today, the point at which our national debt stands at an astounding figure, close to $15 trillion.

As I like to say, $15 trillion is a lot of money. A lot of people do not make $15 trillion in a whole year. Even when you divide $15 trillion by 300 million Americans, you are left with a figure of about $50,000 a head. This is not an inconsequential number.

This is not a problem any of us created. It is a problem each of us inherited. Yet it is a problem I think none of us wants to leave to our successors. It is a problem that requires us to do something different than we have done in the past, and by this I mean I think we need procedural, structural, and indeed constitutional reform. We need to put Congress in a straitjacket because we have been unwilling or unable in the past to make the difficult spending decisions that have to be made.

In the past, there has been a great debate between, on the one hand, some Republicans who have been unwilling to cut some programs, to consider in any context cuts in the area of, say, national defense; you have had others, perhaps from the other party, who have been unwilling to consider any cuts to any entitlement program. But we are now faced with a scenario in which both sides of the aisle can understand that our perpetual deficit spending habit places in jeopardy every single aspect of the operations of the Federal Government.

To paint one scenario, I would like to point out that the budget projections produced by the White House just a couple weeks ago predicted, based on a fairly optimistic set of projections, that over the next 10 years we will acquire enough new debt that, when added to our existing debt, will cause us to be spending almost $1 trillion every single year just on interest on our national debt. To put that in perspective, $1 trillion is more than we currently spend on Social Security in an entire year. It is more than we currently spend on Medicare and Medicaid combined in an entire year. It is significantly more than we spend on national defense in any year. This $1 trillion number is one that could actually be much larger if some of these projections turn out not to be correct.

We now face a moment when both liberals and conservatives, Republicans and Democrats, regardless of what they most want to protect in their Federal Government, have to realize that what we most want to protect is placed in grave jeopardy by our current spending practices.

I am troubled by the fact that as we approach debate surrounding a continuing resolution this week, a continuing resolution that is likely to operate for just a few weeks to keep the Government funded, we are still talking about adding, on an annualized basis, to our national debt at a rate exceeding $1.5 trillion a year. I think the American people deserve better. I know they demand better.

Some of the things we saw in the 2010 election cycle portend something much greater for what we are going to see in the 2012 election cycle. The polls support the fact that what we can see from the 2010 election cycle is that Americans want Congress to balance its budget. They want us to do something more than just talking about it. They want us to put ourselves in a straitjacket.

Benjamin Franklin used to say: He will cheat without scruple who can without fear. I think the congressional corollary to that might be that Congress, which can continue to engage in perpetual deficit spending, will continue to do so unless or until they are held accountable by the people or required by that Congress to put itself in a straightjacket. That is the straightjacket we need. That is why I am proposing this amendment so, at a minimum, before this patent reform legislation, which I support wholeheartedly, moves forward, we can all agree as Members of this body that we need a constitutional amendment to keep us from doing what is slowly killing the economy of the United States and gradually mounting a severe challenge, an existential threat to every Federal program that currently exists.

I invite each of my colleagues to vote for and support this amendment and to support S.J. Res. 5, a constitutional amendment I have proposed that would put Congress in this type of straitjacket.

Here is, in essence, what S.J. Res. 5 says: If adopted by Congress by the requisite two-thirds margins in both Houses and approved by the States, three-fourths of them as required by article V of the Constitution, it would tell Congress it may not spend more than it receives in a given year, it may not spend more than 18 percent of GDP in a year, it may not raise taxes, and it may not raise the national debt ceiling without a two-thirds supermajority vote in both Houses of Congress. That is the kind of permanent binding constitutional measure I think we need in order to protect the government programs we value so highly and upon which 300 million Americans have come to depend, in one way or another.

I urge each of my colleagues to support this amendment and to support S.J. Res. 5.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. KYL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I rise today to speak on the Patent Reform Act of 2011, which I understand will be retitled as the ''America Invents Act.''

When this bill was marked up in the Judiciary Committee in 2007 and again in 2009, I voted against it, and I submitted minority views to the committee report for the bill. In the 2009 committee report, Senators Russ Feingold and TOM COBURN joined me in identifying a set of issues that we felt needed to be addressed before the bill was ready for consideration by the full Senate. Chief among these were concerns about the bill's system of postissuance administrative review of patents. Senior career staff at the Patent Office had expressed deep misgivings about the office's ability to administer this system. In response, at the conclusion of the 2009 mark up, Chairman LEAHY pledged to invite the Patent Office to work with the committee to address these concerns and to try to develop a system that the office would be able to administer.

Chairman LEAHY carried through on his pledge and held those meetings later that year. As a result, important changes were made to the bill, eventually resulting in a managers' amendment that was announced in 2010 by Chairman LEAHY and then-Ranking Member SESSIONS. The 2010 managers' amendment, which is also the basis of the present bill, substantially addressed all of the concerns that Senators Feingold and COBURN and I raised in the 2009 Minority Report. As a result, I became a cosponsor of that amendment, and am proud to cosponsor and support the bill that is before us today.

I will take a few moments today to describe the key changes that led to the 2010 breakthrough on this bill. But first, I would like to address an important aspect of the bill that has recently become the subject of some controversy. This is the bill's change to a first-inventor-to-file patent system.

About two-thirds of the present bill has never been controversial and has been included in all of the various iterations of this bill ever since the first patent reform act was introduced in 2005 by Mr. LAMAR SMITH, who was then the chairman of the House Intellectual Property Subcommittee. Mr. SMITH's 2005 bill, H.R. 2795, included the following proposals: it switched the United States from a first-to-invent patent system to a first-inventor-to-file system. The Smith bill enacted chapter 32 of title 35, creating a first-window, post-grant opposition procedure. It authorized third parties to submit and explain relevant prior art to the Patent Office with respect to an application before a patent is issued. The Smith bill amended the inventor's oath, and expanded the rights of assignees to prosecute a patent application under section 118. And it also eliminated subjective elements from the patent code, and included the first proposal for creating derivation proceedings. All of these elements of Mr. SMITH's original 2005 bill are retained in the bill that is before us today, and are, in fact, the most important parts of the bill. And, until recently, these provisions had not proven controversial.

After the announcement of the 2010 managers' amendment, however, members of the Judiciary Committee began to hear more from critics of the bill's move to a first-to-file system. Under current law's first-to-invent system, a patent applicant or owner has priority against other patents or applications, or against invalidating prior art, if he conceived of his invention before the other inventor conceived of his invention or before the prior art was disclosed. Under the first-to-file system, by contrast, the same priority is determined by when the application for patent was filed. Whichever inventor files first has priority, and third-party prior art is measured against the filing date, and is invalidating if it disclosed the invention before the date when the application was filed, rather than the date when the invention was conceived.

In commentary that was published on Sunday, February 27, Mr. Gene Quinn, the writer of the IP Watchdog Web site, made some worthy points about the present bill's proposed move to a first-to-file system. Responding to critics of first to file, Mr. Quinn first noted that: in practical effect, we already have a first inventor to file system. For example, since the start of fiscal year 2005 on October 1, 2004, there have been over 2.9 million patent applications filed and only 502 Interferences decided. An Interference Proceeding occurs when multiple inventors file an application claiming the same invention, and is the hallmark of a first to invent system . . . . On top of the paltry 502 Interferences over nearly 7 years, a grand total of 1 independent inventor managed to demonstrate they were the first to invent, and a grand total of 35 small entities were even involved in an Interference.

In other words, as Mr. Quinn notes, although the first-to-invent system is supposed to help the little guy, over the last seven years, only one independent inventor has managed to win an interference contest and secure the benefits of the first to invent system. And again, this is out of nearly 3 million patent applications filed over this period.

Mr. Quinn's comments also debunk the notion that an interference proceeding is a viable means of securing first-to-invent rights for independent and other small inventors. He notes that:

> On top of this, the independent inventors and small entities, those typically viewed as benefiting from the current first to invent system, realistically could never benefit from such a system. To prevail as the first to invent and second to file, you must prevail in an Interference proceeding, and according to 2005 data from the AIPLA, the average cost through an interference is over $600,000. So let's not kid ourselves, the first to invent system cannot be used by independent inventors in any real, logical or intellectually honest way, as supported by the reality of the numbers above. . . . [F]irst to invent is largely a ''feel good'' approach to patents where the underdog at least has a chance, if they happen to have $600,000 in disposable income to invest on the crap-shoot that is an Interference proceeding.

Obviously, the parties that are likely to take advantage of a system that costs more than half a million dollars to utilize are not likely to be small and independent inventors. Indeed, it is typically major corporations that invoke and prevail in interference proceedings. The very cost of the proceeding alone effectively ensures that

it is these larger parties that benefit from this system. In many cases, small inventors such as start ups and universities simply cannot afford to participate in an interference, and they surrender their rights once a well-funded party starts such a proceeding.

Mr. Quinn's article also responded to critics who allege that the present bill eliminates the grace period for patent applications. The grace period is the one-year period prior to filing when the inventor may disclose his invention without giving up his right to patent. Mr. Quinn quotes the very language of this bill, and draws the obvious conclusion:

> Regardless of the disinformation that is widespread, the currently proposed S. 23 does, in fact, have a grace period. The grace period would be quite different than what we have now and would not extend to all third party activities, but many of the horror stories say that if someone learns of your invention from you and beats you to the Patent Office, they will get the patent. That is simply flat wrong.

Mr. Quinn is, of course, referring to the bill's proposed section 102(b). Under paragraph (1)(A) of that section, disclosures made by the inventor, or someone who got the information from the inventor, less than 1 year before the application is filed do not count as prior art. And under paragraph (1)(B), during the 1-year period before the application is filed, if the inventor publicly discloses his invention, no subsequently disclosed prior art, regardless of whether it is derived from the inventor, can count as prior art and invalidate the patent. This effectively creates a ''first to publish'' rule that protects those inventors who choose to disclose their invention. An inventor who publishes his invention, or discloses it at a trade show or academic conference, or otherwise makes it publicly available, has an absolute right to priority if he files an application within one year of his disclosure. No application effectively filed after his disclosure, and no prior art disclosed after his disclosure, can defeat his application for patent.

These rules are highly protective of inventors, especially those who share their inventions with the interested public but still file a patent application within a year. These rules are also clear, objective, and transparent. They create unambiguous guidelines for inventors. An inventor who wishes to keep his invention secret must file an application promptly, before another person discloses the invention to the public. And an inventor can also share his invention with others. If his activities make the invention publicly available, he must file an application within a year, but his disclosures also prevents any subsequently disclosed prior art from taking away his right to patent. The bill's proposed section 102 also creates clear guidelines for those who practice in a technology. To figure out if a patent is valid against prior art, all that a manufacturer needs to do is look at the patent's filing date and figure out whether the inventor publicly disclosed the invention. If prior art disclosed the invention to the public before the filing date, or if the inventor disclosed the invention within a year of filing but the prior art predates that disclosure, then the invention is invalid. And if not, the patent is valid against a prior-art challenge.

Some critics of the first-to-file system also argue that it will be expensive for inventors because they will be forced to rush to file a completed application, rather than being able to rely on their invention date and take their time to complete an application. These critics generally ignore the possibility of filing a provisional application, which requires only a written description of the invention and how to make it. Once a provisional application is filed, the inventor has a year to file a completed application. Currently, filing a provisional application costs $220 for a large entity, and $110 for a small entity.

One of Mr. Quinn's earlier columns, on November 7, 2009, effectively rebuts the notion that relying on invention dates offers inventors any substantial advantage over simply filing a provisional application. As he notes:

> If you rely on first to invent and are operating at all responsibly you are keeping an invention notebook that will meet evidentiary burdens if and when it is necessary to demonstrate conception prior to the conception of the party who was first to file. . . .
>
> [Y]our invention notebook or invention record will detail, describe, identify and date conception so that others skilled in the art will be able to look at the notebook/record and understand what you did, what you knew, and come to the believe that you did in fact appreciate what you had. If you have this, you have provable conception. If you have provable and identifiable conception, you also have a disclosure that informs and supports the invention. . . . [And] [i]f the notebook provably demonstrates conception, then it can be filed as a provisional patent application at least for the purpose of staking a claim to the conception that is detailed with enough specificity to later support an argument in a first to invent regime.

In other words, the showing that an inventor must make in a provisional application is effectively the same showing that he would have to make to prove his invention date under the first-to-invent system. A small inventor operating under first-to-invent rules already must keep independently-validated notebooks that show when he conceived of his invention. Under first-to-file rules, the only additional steps that the same inventor must take are writing down the same things that his notebooks are supposed to prove filing that writing with the Patent Office, and paying a $110 fee.

Once the possibility of filing a provisional application is considered, along with this bill's enhanced grace period, it should be clear that the first-to-file system will not be at all onerous for small inventors. And once one considers the bill's clean, clear rules for prior art and priority dates, its elimination of subjective elements in patent law, its new proceeding to correct patents, and its elimination of current patent-forfeiture pitfalls that trap legally unwary inventors, it is clear that this bill will benefit inventors both large and small.

Allow me to also take a moment to briefly describe the concerns that Senators Feingold and COBURN and I raised in our 2009 Minority Report, and how the present bill addresses those concerns.

Senators Feingold and COBURN and I proposed that the bill impose a higher threshold showing for instituting an inter partes, or post-grant review. This had long been a top priority for the Patent Office, both under the previous administration and under the current one. The Patent Office made clear that a higher threshold is necessary to weed out marginal challenges and preserve the office's own resources, and that a higher threshold would also force parties to front-load their cases, allowing these proceedings to be resolved more quickly. The present bill imposes higher thresholds, requiring a reasonable likelihood of invalidity for inter partes review, and more-likely-than-not invalidity for post-grant review.

Senators Feingold and COBURN and I also recommended that the Patent Office be allowed to operate inter partes reexamination as an adjudicative proceeding, where the burden of proof is on the challenger and the office simply decides whether the challenger has met his burden. The present bill makes this change, repealing requirements that inter partes be run on an examinational model and allowing the PTO to adopt an adjudicative model.

The 2009 Minority Report also recommended that the bill restrict serial administrative challenges to patents and require coordination of these proceedings with litigation. We also called for limiting use of ex parte reexamination to patent owners, noting that allowing three different avenues for administrative attack on patents invites serial challenges. The present bill does coordinate inter partes and post-grant review with litigation, barring use of these proceedings if the challenger seeks a declaratory judgment that a patent is invalid, and setting a time limit for seeking inter partes review if the petitioner or related parties is sued for infringement of the patent. The present bill does not, however, bar the use of ex parte reexamination by third parties. The Patent Office and others persuaded me that these proceedings operate reasonably well in most cases and are not an undue burden on patent owners. The present bill does, however, impose limits on serial challenges that will also restrict the use of ex parte reexamination. The bill's enhanced administrative estoppel will effectively bar a third party or related parties from invoking ex parte reexamination against a patent if that third party has already employed post-grant or inter partes review against that patent.

Also, the bill allows the Patent Office to reject any request for a proceeding, including a request for ex parte reexamination, if the same or substantially the same prior art or arguments previously were presented to the Office with respect to that patent.

Senators Feingold and COBURN and I also recommended that the PTO be allowed to delay implementation of post-grant review if the office lacks the resources to implement that new proceeding. The present bill includes a number of safeguards that are the product of discussions with the PTO. Among other things, the present bill authorizes a ramp-up period, allowing the office to limit the number of proceedings that can be implemented during the first 4 years after the new proceeding becomes effective.

The 2009 Minority Report also recommended that treble damages be preserved as a meaningful deterrent to willful or calculated infringement of a patent. The present bill does so, eliminating the restrictive three-buckets approach and broad safe harbors that appeared in the bill in 2009. The report also recommended that the bill remove subjective elements from patent law, such as the various deceptive-intent elements throughout the code and the patent-forfeiture doctrines. The present bill effectively makes both changes. In fact, the 2007 bill had already been modified in mark up to eliminate the patent forfeiture doctrines, a point elucidated in that year's committee report and confirmed by a review of the relevant caselaw.

This last point should also help address a question that Mr. Quinn raised in his column on Sunday regarding proposed section 102(b)'s use of the word ''disclosure,'' and whether it covers public use or sale activities of the inventor. I would have thought that the meaning of the word would be clear: a disclosure is something that makes the invention available to the public—the same test applied by section 102(a) to define the scope of relevant prior art. And ''available to the public'' means the same thing that ''publicly accessible'' does in the context of a publication. Subject matter makes an invention publicly accessible or available if an interested person who is skilled in the field could, through reasonable diligence, find the subject matter and understand the invention from it. Obviously, Congress would not create a grace period that is narrower in scope than the relevant prior art. Thus for example, under this bill, any activity by the inventor that would constitute prior art under section 102(a)(1) would also invoke the grace period under section 102(b)(1). As a result, the inventor would be protected against his own activities so long as he files within a year, and under the bill's ''first to publish'' provisions, he would also be protected by any other person's disclosure of the invention, regardless of whether he could prove that the other person derived the invention from him.

The present bill is the product of almost a decade of hard work, including three Judiciary Committee mark ups, and the untold hours of work by Mr. SMITH and other members of the House of Representatives that led to the introduction of the Patent Reform Act of 2005, the foundation of today's bill. This is a bill that will protect our heritage of innovation while updating the patent system for the current century. It will fix problems with current administrative proceedings, create new means for improving patent quality, and will generally move us toward a patent system that is objective, transparent, clear, and fair to all parties. I look forward to the Senate's passage of this bill and its enactment into law.

I ask unanimous consent that Mr. Gene Quinn's columns of February 27, 2011, and November 7, 2009, with corrections of a few typos and enhancements of punctuation, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE TO VOTE ON PATENT REFORM, FIRST TO FILE FIGHT LOOMS

(By Gene Quinn, President & Founder of IPWatchdog, Inc., Feb. 27, 2011)

It appears as if the time has finally arrived for an up or down vote on patent reform in the United States Senate. It has been widely reported that the full Senate will take up patent reform upon returning from recess this week, and it is now believed by many on the inside that the Senate will take up patent reform on Monday, February 28, 2011, the first day back. Some are even anticipating that the Senate will vote on patent reform bill S. 23 late in the day on Monday, February 28, 2011. See ''Crunch Time: Call Your Senators on Patent Reform.'' That would seem exceptionally quick, particularly given the rancorous issues and Amendments still to be presented, but nothing will surprise me.

As we get closer to a vote in the Senate the rhetoric of those for and against patent reform is heating up to a fever pitch. The big fight, once again, is over first to file, with battle lines drawn that run extremely deep. Senator Diane Feinstein (D–CA) is expected to file an Amendment stripping the first to file provisions, which could be supported by Senate Majority Leader Harry Reid (D–NV).

Before tackling the first to file issue I would like to point out that regardless of whether first to file is supported or opposed, everyone, and I do mean everyone, unanimously agrees that the USPTO should be allowed to keep the fees it collects to reinvest in the agency and to do the work promised. An overwhelming majority also seem to support giving the USPTO fee setting authority. Fee setting authority is present in S. 23 (see Section 9) and Senator Tom Coburn plans to introduce an Amendment that would once and for all eliminate fee diversion and let the USPTO keep the fees it collects. So while there is argument about first to file, hopefully we won't lose sight of the fact that most everyone is on the same team relating to fixing the USPTO.

With respect to first to file, in practical effect, we already have a first inventor to file system. For example, since the start of fiscal year 2005 on October 1, 2004, there have been over 2.9 million patent applications filed and only 502 Interferences decided. An Interference Proceeding occurs when multiple inventors file an application claiming the same invention, and is the hallmark of a first to invent system because it is possible in the United States to file a patent application second and then be awarded the patent if the second to file can demonstrate they were the first to invent. On top of the paltry 502 Interferences over nearly 7 years a grand total of 1 independent inventor managed to demonstrate they were the first to invent, and a grand total of 35 small entities were even involved in an Interference. A small entity can be an independent inventor, university, non-profit or a company with 500 or fewer employees. Thus, we have a de facto first to file system and the ''first to invent'' system that supposedly favors independent inventors is overwhelmingly dominated by large companies with over 500 employees. See chart below.

	2005	2006	2007	2008	2009	2010	2011*	Total
Filings	381797	417453	468330	496886	486499	509367	153997	2914329
Allowances	151077	162509	184376	182556	190122	233127	93390	1197157
Interferences decided	96	107	95	74	63	50	17	502
Junior party winners	18	15	21	25	14	17	3	113
Small entity winners	7	2	3	6	1	5	1	25
Independent Inventor winners	0	0	1	0	0	0	0	1
Small Entity losers	1	2	2	2	1	2	0	10

On top of this, the independent inventors and small entities, those typically viewed as benefiting from the current first to invent system, realistically could never benefit from such a system. To prevail as the first to invent and second to file you must prevail in an Interference proceeding, and according to 2005 data from the AIPLA the average cost through an interference is over $600,000. So let's not kid ourselves, the first to invent system cannot be used by independent inventors in any real, logical or intellectually honest way, as supported by the reality of the numbers above. So first to invent is largely a ''feel good'' approach to patents where the underdog at least has a chance, if they happen to have $600,000 in disposable income to invest on the crap-shoot that is an Interference proceeding.

I will acknowledge, however, that one of the best arguments I have seen against first to file was prepared by Hank Nothhaft, President & CEO of Tessera and a frequent contributor to IPWatchdog.com. In his op-ed in The Hill Hank concludes by asking: ''Why risk that by weakening the incentives for startups?'' As I can point to the fact that we have a de facto first to file system already, Hank and others can say—so why the need for change? I readily acknowledge that the small ''c'' conservative thing to do, which I normally promote, would be to do nothing

and keep the status quo. That is a fine argument, but it would keep the USPTO devoting precious resources on a complex Interference system that really mirrors a first to file system anyway. Of course, if patent reform gives the USPTO fee setting authority and an end to fee diversion, then the resources problem isn't nearly the concern and Congress could layer on responsibilities for the Patent Office and Team Kappos could deliver and still reduce the backlog.

Some others who challenge the first to file changes in the patent reform bill say the Interference analysis above is misplaced because first to file is not about whether the first to invent will obtain the patent. As illogical as that sounds, they have a point. Notice, however, that the Interference data does clearly demonstrate there is no need whatsoever for a first to invent system in the United States. Thus, many who challenge the first to file system don't seem to question that first to file is acceptable, but they do not like the loss of the familiar 12 month grace period.

The truth is, however, that relying on a 12 month grace period is extremely dangerous, but it does have its place. As Bryan Lord correctly explains in ''Crunch Time: Call Your Senators on Patent Reform,'' many start-up companies rely on the grace period, which is critical ''to companies that rely upon external collaborations or have comparatively limited resources.'' There is absolutely no argument with the fact that a grace period does factor into the equation for small businesses and start-up companies that are strapped for cash and already need to make choices about how much, and which, innovations to protect. I also like Lord's questioning the rush to harmonize. I always like to point out that harmonization is fine, but why can't we do what makes for a good system and not just what everyone else does. Let's harmonize what the world does better and let's lobby the world to adopt what our system clearly gets right.

Having said all of this, there is absolutely no reason why we cannot move from a first to invent system to a first inventor to file system that would still retain a real and substantial grace period and still retain the right for patent applicants to swear behind references to demonstrate an earlier date of invention, at least with respect to pieces of prior art that are not the progeny of earlier filed patent applications.

Regardless of the disinformation that is widespread, the currently proposed S. 23 does, in fact, have a grace period. The grace period would be quite different than what we have now and would not extend to all third party activities, but many of the horror stories say that if someone learns of your invention from you and beats you to the Patent Office, they will get the patent. That is simply flat wrong.

As it stands now, the currently proposed 102 in S. 23 says, in relevant part:

§102. CONDITIONS FOR PATENTABILITY; NOVELTY

(a) NOVELTY; PRIOR ART.—A person shall be entitled to a patent unless—

(1) the claimed invention was patented, described in a printed publication, or in public use, on sale, or otherwise available to the public before the effective filing date of the claimed invention; or

(2) the claimed invention was described in a patent issued under section 151, or in an application for patent published or deemed published under section 122(b), in which the patent or application, as the case may be, names another inventor and was effectively filed before the effective filing date of the claimed invention.

(b) EXCEPTIONS.—

(1) DISCLOSURES MADE 1 YEAR OR LESS BEFORE THE EFFECTIVE FILING DATE OF THE CLAIMED INVENTION.—A disclosure made 1 year or less before the effective filing date of a claimed invention shall not be prior art to the claimed invention under subsection (a)(1) if—

(A) the disclosure was made by the inventor or joint inventor or by another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor; or

(B) the subject matter disclosed had, before such disclosure, been publicly disclosed by the inventor or a joint inventor or another who obtained the subject matter disclosed directly or indirectly from the inventor or a joint inventor.

Looking at the proposed 102(b), it becomes clear that despite the claims of critics, there is a grace period within S. 23. I find it sad, yet amusing, that some who challenge the bill simply refuse to quote 102(b), and even outright claim ''there is no grace period.'' Obviously, there is a grace period.

The proposed 102(b) seeks to eliminate from the universe of prior art disclosures made by the inventor or which owe their substance to the inventor. So if the inventor discloses his or her invention less than a year before filing a patent application, the patent can still be awarded. If someone learns of the invention from the inventor and discloses less than a year before filing a patent application, the patent can likewise still be awarded. What is notably missing here are several things. First, a definition for ''disclosure.'' Second, an exception that applies to third-party activities where the third party acted without learning of information from the inventor but yet did not file a first application themselves. So the grace period set up by proposed 102(b) excepts disclosures (whatever they are) made by or through an inventor less than 1 year before the inventor files, but does not extend to disclosures (whatever they are) made by others less than 1 year before the inventor files.

The proposed 102(b) is a departure from the current law of novelty. Nevertheless, it is simply wrong to claim there is no grace period in an attempt to manipulate independent inventors, small businesses and others to support elimination of first to file.

In any event, under the current 102(b), a patent applicant is entitled to a patent unless—the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States . . .

Under current 102(b) an inventor can create their own bar to patentability as a result of activity such as publication, public use in the U.S. or sale in the U.S. if it occurs more than 1 year before a U.S. patent application is filed. A bar can likewise be created if a third party, either known or unknown to the inventor, engages in the same activity more than one year before a U.S. patent application is filed. What this necessarily means, and has long been interpreted to mean, is that a patent can be awarded so long as the invention has not been patented, published, on public use in the U.S. or on sale in the U.S. for more than 1 year. The current 102(b) provides a solid grace period that applies across the board, the proposed 102(b) does not.

Independent inventors and start-ups are rightly concerned about whether they will be able to enjoy a grace period relative to third party activities. They are rightly concerned to wonder whether the term ''disclosure'' in 102(b) would mean that the exception applied to their own public use or sale activities, which is anything but clear. Inventors and start-ups are also rightly concerned about whether they will be able to swear behind and prove prior inventorship relative to prior art not associated with an earlier filed patent application. In short, I see no reason why we cannot have a first inventor to file system that does away with Interference proceedings, awards patents to the first inventor who files a patent application, but which also preserves a 12 month grace period under current law.

Of course, if first to file as stated in 102(b) becomes the law of the land, it will encourage independent inventors to do exactly what they should do, which is file patent applications earlier in the process. I hear the most ridiculous strategies from independent inventors who almost universally don't understand the requirements to prove they were the first to invent, see ''Much Ado About Nothing,'' so a simpler system that they can understand will no doubt benefit them. Small businesses and start-ups should likewise file earlier in the process, and frankly that is why there is so much opposition to first to file.

Small businesses and start-up companies do need a grace period to try and figure out what to pursue, and the proposed grace period should keep much of the law in its place [but] will not be as widespread as currently enjoyed. While resources are always limited with start-ups, I think they incorrectly argue that there is an over-burdensome cost in terms of both money and time associated with filing provisional patent applications to preliminarily protect rights. In fact, I have offered to demonstrate just how the preparation and filing of streamlined provisional patent applications can be accomplished to many of those making the argument that it is too costly and time consuming to prepare quality provisional patent applications. As yet I have had no takers. So if cost and time are such concerns, why aren't they willing to consider a better, faster, cheaper way?

I think Bryan Lord's call to reach out to your Senators is absolutely the right thing to do. Get involved and be heard!

MUCH ADO ABOUT NOTHING OVER FIRST TO FILE

(By Gene Quinn, President & Founder of IPWatchdog, Inc., Nov. 7, 2009)

Just about 24 hours ago I posted an article relating to my changing position with respect to first to file, and already there is something of a firestorm. I understand there are those who feel I have abandoned them and adopted a naive view of the world. But excuse me for recognizing the new tone and identifiable actions taking place at 600 Dulany Street. Yes, I have been an ardent supporter of first to invent for years, but I have been questioning my views for some time, as I speak with attorneys, inventors and others. Then several things recently caused me to realize the benefits of first to file for the independent inventor community, and then I heard USPTO Director David Kappos explain that in 2007 only 7 cases were decided in favor of an individual who invented first and filed second. Kappos explained, ''we already have a de facto first to file system.'' All this arguing for 7 cases? Cases where once the rule changes, behaviors will change to the point where some, perhaps most, or even all of those 7 cases will never happen again because everyone will know they need to file rather than wait. On top of that, it is inarguably good, correct, legally sound and business-appropriate advice to file sooner rather than later.

In a spirited comment chain associated with the aforementioned first to file article many supporters of first to invent are coming out in force, and they don't even realize they are making arguments that hardly support their position and in fact support the

exact opposite position. I would like to address several here.

First, it seems that many believe it is not appropriate to file provisional patent applications because many of the applications that are filed are inadequate and insufficient. It has been brought up that an appropriate and good provisional patent application needs to be identical to a nonprovisional patent application, perhaps without having been spell-checked. Obviously this is a gross overstatement of the law, and not correct. It is true that a provisional patent application needs to be as complete as a nonprovisional patent application in terms of disclosure, but nothing more. There are no formalities that need to be met, and it is the substance that matters. Nonprovisional patent applications exalt form over substance in large part, but a good provisional patent application needs to focus on substance. Whatever someone of skill in the art would understand to be described and disclosed has been described and disclosed. So those who think they need to write a nonprovisional patent application and file it as a provisional are overstating, don't understand the law or have not developed a sophisticated strategy. But don't vilify those who do understand the law, business realities and have developed fundamentally sound strategies.

Second, there seems to be a belief that first to invent can be relied upon while provisional patent applications are inappropriate to rely upon if an invention matters. But what exactly does this mean? If you rely on first to invent and are operating at all responsibly you are keeping an invention notebook that will meet evidentiary burdens if and when it is necessary to demonstrate conception prior to the conception of the party who was first to file. You are also keeping an invention record that will demonstrate diligence as well, but let's focus on the substance of what is in the notebook or record for a moment. Appropriate notebooks and/or invention records will be able to identify conception and when it occurs. Of course you never want to box yourself in when you present evidence to say a date certain was the date of conception, but you had better have an appropriate record for if and when it does matter, as it did in Oka v. Youssefyeh, where the senior party and junior party both were able to prove the same date of conception. Ultimately the Federal Circuit said any ties go to the senior party, so it is not fanciful to identify an oddball fact pattern where actual dates matter. Here is a real case, and given the extremely limited number of interference proceedings even one case is a statistically relevant sample.

Now, if you are relying on first to invent and keeping the records that you should be keeping, your invention notebook or invention record will detail, describe, identify and date conception so that others skilled in the art will be able to look at the notebook/record and understand what you did, what you knew, and come to the believe that you did in fact appreciate what you had. If you have this, you have provable conception. If you have provable and identifiable conception, you also have a disclosure that informs and supports the invention. It is pure folly to suggest that a provisional patent application, albeit perhaps not as formally structured as a nonprovisional patent application, is a waste of time but also believe that the cryptic notes of an engineer or scientist are superior and even preferable. If the notebook provably demonstrates conception then it can be filed as a provisional patent application at least for the purpose of staking a claim to the conception that is detailed with enough specificity to later support an argument in a first to invent regime.

Finally, let me address the matter of what gets included in a typical invention notebook or invention record. It is almost unbelievable for me to hear patent attorneys state that they prefer the notes of inventors, scientists and engineers with respect to detailing and describing conception over a provisional patent application. Every patent attorney and patent agent knows the level of detail that is provided by inventors, even those who work for large corporations. The invention disclosures are as a rule laughably inadequate. One paragraph passes for a ''complete'' explanation of the invention. The truth is that patent attorneys are typically given very little from an inventor at the beginning of the process. In fact, inventors give such little information that at times the true inventor on the patent application that is actually filed should really be the patent attorney, not the inventor. That is obviously not always the case, but this is the big joke in the patent attorney community. Getting information from inventors is a little like herding cats. They are creative and they understand their invention, and they seem to universally believe that cryptic information ought to suffice. Remember, the goal is not to explain the invention so that the inventor understands, the goal is to explain the invention so that those who are not the inventor understand.

It borders on the absurd to prefer cryptic invention notes and invention records over provisional patent applications that are drafted by an attorney or agent who understands the legal requirements for providing an enabling disclosure that also satisfies the written description requirement. It also strikes me as particularly odd to say that those with nothing more than an idea will not have any time to figure out the particulars required to describe their invention. Why exactly are we worried that those without an invention may be impacted by first to file? They are already negatively impacted under first to invent because they have not yet invented and have no conception.

Most are undoubtedly familiar with the 80–20 rule, which goes something like this—it takes 20% of the time to complete 80% of the project, and the remaining 20% of the project takes 80% of the time to complete. That is true certainly with respect to software, which is my area of expertise, and it is true for many other areas of invention. It also happens to be true for writing patent applications as well, at least if you think outside the box and adopt a business friendly approach to writing patent applications, mining inventions, and identifying open space that can be filed. I realize that somewhere between 70–80% of patent attorneys and patent agents start by writing the claims, and then write the specification. I do it the other way, and I can't for the life of me understand those who write claims first. It is not wrong, just a different approach, but not the way I think.

I write text and then translate into claim language, which I find much easier to do. By doing this, and starting with a thorough patent search, patentability assessment, some mapping, and working with the inventor to continually refine understanding of what is most unique compared with the prior art, I am able to identify the base target, describe it in English, layer on specifics that take the form of alternative embodiments and versions and ultimately create an extraordinarily detailed specification that will support a multitude of claims. To do this takes about 20% of the time. The remaining 80% of the time is spent explaining how hip bone 15 is connected to thigh bone 18, writing sets of claims, and going back to continue to expand upon the disclosure to continually mine new areas and expand scope. I do not support filing crappy provisional patent applications, and it doesn't mean that a provisional patent application cooperatively created between inventor and patent attorney is ''easy to get around'' or at all inferior compared to an invention notebook or invention record.

Stop looking at first to file as a curse. It is an opportunity for inventors, small businesses and start-ups that are willing to see opportunity rather than obstacles. Venture capitalists who are savvy and willing to explore new methods and models for protecting early-stage technologies will be handsomely rewarded. Savvy independent inventors, closely held businesses and businesses that are ordered to take direction from venture capitalists or lose funding will clean up, and clean up big. And for crying out loud, when only 7 cases out of nearly 500,000 applications a year change as a result of first to file versus first to invent, there is no way that first to file will cripple the economy or cost jobs.

Mr. KYL. I would urge my colleagues to fully participate in this debate, come to the floor with any questions or comments they have, and at the end of this process Chairman LEAHY will finally be rewarded with a bill that will bear his imprimatur and support, a bill that will be extraordinarily important to the future well-being of the people of the United States of America.

Mr. LEAHY. Mr. President, the Senator has been involved in this right from the beginning. We have worked at having a bill that would be in the best interests of the Senate under both Republicans and Democrats across the political spectrum. We have worked very closely together.

We run the risk of countries in Asia and Europe out-innovating the United States, and the patent systems in other countries are well ahead of us. If we want to compete, as I know the Senator from Arizona does, and I know I do, we want to have the best tools to compete. I believe Americans can compete with any country in the world, but they should at least have the tools to do it and be able to play—it becomes almost a clich, but we have to play on a level playing field. This will allow us to do that.

I compliment the Senator from Arizona for the way he has worked in his constant efforts in the committee, the public meetings, but that is the tip of the iceberg; it is the hundreds of hours of behind-the-scenes working to reach where we are. So I hope sometime in the next few minutes or so we can at least vote on the managers' package and then get going with the bill, because this is something that can be voted on, can be passed. We have been working, as the Senator from Arizona knows, very closely with our counterparts in the other body. I know Chairman SMITH would like to move quickly. We could have a bill on the President's desk in a relatively short time.

I thank the Senator for his kind words.

Mr. KYL. I thank the chairman of the committee.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

AMENDMENT NO. 112

Mr. VITTER. Madam President, I ask for regular order on the Vitter amendment.

The ACTING PRESIDENT pro tempore. The amendment is now pending.

Mr. LEAHY. Madam President, I thought the amendment pending is the managers' amendment.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has just called for the regular order with respect to his amendment.

AMENDMENT NO. 112, AS MODIFIED

Mr. VITTER. Madam President, I now send a modification to the desk.

The ACTING PRESIDENT pro tempore. The amendment is so modified.

The amendment, as modified, is as follows:

At the appropriate place, insert the following:

SEC. _____. FULL FAITH AND CREDIT ACT.

(a) SHORT TITLE.—This section may be cited as the ''Full Faith and Credit Act''.

(b) PRIORITIZE OBLIGATIONS ON THE DEBT HELD BY THE PUBLIC.—In the event that the debt of the United States Government, as defined in section 3101 of title 31, United States Code, reaches the statutory limit, the authority of the Department of the Treasury provided in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public shall take priority over all other obligations incurred by the Government of the United States.

(c) PRIORITIZE PAYMENT OF SOCIAL SECURITY BENEFITS.—Notwithstanding subsection (b), in the event that the debt of the United States Government, as so defined, reaches the statutory limit, the authority described in subsection (b) and the authority of the Commissioner of Social Security to pay monthly old-age, survivors', and disability insurance benefits under title II of the Social Security Act shall be given equal priority over all other obligations incurred by the Government of the United States.

Mr. VITTER. Madam President, I will be happy to explain the context to the chairman of the committee.

This modification simply merges what was previously a separate Toomey amendment and a separate Vitter amendment. We had hoped to have votes on those as a first-degree and second-degree amendment. That wasn't possible, so this is a merged amendment. Let me explain what this amendment does.

The basis of this amendment is Senator TOOMEY's Full Faith and Credit Act. It is very important. It simply says if we ever as a country reach our debt ceiling, then even if we go beyond the debt ceiling, we will use all the tools available to the Treasury Secretary to continue for as long as possible to pay to make good on U.S. debt, we are not going to immediately default on U.S. debt.

There have been a lot of scare tactics, in my opinion, suggesting that if we ever reach that day of bumping up against our statutory debt ceiling, the very next day, the very next hour, the United States would default on its debt—not make good on our obligations of the U.S. Treasury. That isn't true. It doesn't have to be true. This important reform will ensure that it is not true. We get far more revenue into the U.S. Treasury than has to be spent simply to service the debt. So the underlying Toomey bill, which is the heart of this amendment, says we will make good on those obligations. They will be the top priority.

The original Vitter amendment, which is now merged together with the Toomey amendment, says the exact same thing with regard to Social Security payments. I am sure we would all agree that seniors on fixed incomes depend on their Social Security checks. So the Vitter part of this now merged Toomey-Vitter amendment says we will honor Social Security payments in the same status as debt payments and we will use Federal revenues first for those purposes before we do anything else. What that means is, if we ever do bump up on the debt ceiling, we would not stop Social Security checks the next day. We would not stop Social Security checks the next month. We could have many weeks—probably a few months—honoring all of those commitments in the areas of Social Security and debt on U.S. Treasury notes.

So that is the purpose of this now merged Toomey-Vitter amendment. We are not suggesting that it is necessarily a good idea to bump up the debt ceiling. We are saying, Let's all take a deep breath, let's not use scare tactics, let's not use hysteria, and let's plan ahead.

What we hope will be the outcome is that we will not only deal with the debt ceiling in a responsible way, but before that, we will also deal with our underlying fiscal crisis in a responsible way. We will make real and serious budget reforms to get on a fiscally sustainable path which we are clearly not on right now.

This morning Senator TOOMEY and I were in the Banking Committee hearing where Chairman Ben Bernanke of the Federal Reserve testified. Chairman Bernanke said again, as he has numerous times over the last year and more, that the fiscal path we are on as a Federal Government is completely unsustainable. He also said that is the single biggest long-term threat to our economy, and he also said while it is a long-term problem, it could manifest itself in serious negative consequences in the short term. So this could rattle our economy and even begin to create an economic crisis—who knows when—possibly in the short term.

So the clock is ticking and we need serious budget reform, and this combined Toomey-Vitter amendment would take the hysteria out of the discussion and hopefully urge us to take concrete action on that serious budget reform before it is too late.

With that, I wish to yield to my distinguished colleague from Pennsylvania.

Mr. LEAHY. Madam President, before he does that, would the Senator yield for a question?

Mr. VITTER. Yes.

Mr. LEAHY. The Senator from Louisiana has been talking about amendment No. 112. Does that mean you are withdrawing 113?

Mr. VITTER. Yes. We will be seeking a single vote on the amendment, as modified.

Mr. LEAHY. So am I correct that amendment No. 113 is withdrawn?

The ACTING PRESIDENT pro tempore. It is not withdrawn at this time.

Mr. VITTER. First of all, as I understand it, it has been modified, so it has become——

Mr. LEAHY. You modified No. 112. I didn't know what you wanted to do with amendment No. 113.

Mr. VITTER. If I could yield to my colleague from Pennsylvania, I think he can help answer the question. But to clarify from my point of view, we are seeking a vote—a single vote, which I think we are very close to locking in—on the new modified amendment, which is a combination of the separate Vitter and Toomey amendments.

Mr. TOOMEY. Madam President, I thank my colleague for yielding. I would say that as soon as we can work out the specifics with the staff, that is exactly the intention that Senator VITTER and I came to. So a single vote on the merger of two amendments.

I would take a moment to thank Senator VITTER for his help. Senator VITTER was kind enough to offer the text of my legislation as an amendment to the patent reform bill. What he is adding is suggesting that the legislation should require the Treasury to prioritize not only the debt service so we can avoid under all circumstances a default by the U.S. Government, but also making sure Social Security payments get the priority they deserve.

The fact is, in the unlikely—and I would say certainly unfortunate—event that we were to reach the debt limit without having raised it, the Federal Government would still take in more than enough revenue to pay all of the interest service on the debt and all Social Security benefits. It is entirely manageable from an operational and functional point of view. Total revenue to the government from taxes alone is on the order of 70 percent of all expected expenditures. Debt service is only about 6 percent.

I appreciate the help of the Senator from Louisiana. By combining this, what we do—if we can pass this legislation, which I hope we will—is take off the table the specter of a default. We can take off the table the specter of any senior citizen not getting their Social Security payment. What we can then do is have an honest discussion about how are we going to reform a process that has gotten us into this fix—gotten us to the point where we are running a deficit of 10 percent of GDP, where our total debt is screaming toward totally unsustainable levels.

I can tell my colleagues, the folks in Pennsylvania know very well we cannot continue living beyond our means as this government has been. I see this as a very constructive, important opportunity to begin to have this discussion about how we are going to get this process under control.

I appreciate the help from Senator VITTER, and I yield.

Mr. VITTER. Madam President, I thank my distinguished colleague. Again, this amendment, as modified, simply says that if we were ever to reach the statutory debt limit for the Federal Government, then revenue coming in would go first to service two things: Social Security checks and interest on the Federal debt. So that would not be put in jeopardy for months down the line.

The purpose of this amendment is to try to take, quite frankly, some of the scare tactics and some of the hysteria out of the debate and to urge us to act. None of us wants to bump up on the debt ceiling. None of us is advocating that. What we are advocating is to take action now, real serious budget reform, to put us on a more fiscally sustainable path. We need to do that now. That is why we came to the floor with these concerns on the patent bill. We need to do that now. We need to act now. We need to get on a fiscally sustainable path now. The clock is ticking, as Chairman Bernanke reminded us before the Banking Committee this morning.

With that, I look forward to locking in a vote on this matter, and in the consent that establishes that, we will be happy to withdraw the other amendment and simply have one vote on the now combined Toomey-Vitter amendment.

With that, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. Madam President, I wish to thank the chairman of the committee for his work on this patent bill. I still have a few small problems with it, but I am extremely grateful for his consideration of our amendment. Most people don't understand there are no tax dollars taken from the general fund for the Patent Office. It is all fees paid when you file a patent or a trademark or a copyright. Unfortunately, over the last 10, 15 years, $800 million of those fees have not been left at the Patent Office. They have been taken and used somewhere else. So when you pay a fee for a patent, that money isn't going to pay for the examination of the patent.

Right now, we find ourselves with 718,000 patents waiting for first action. If I file a patent today, what we will see is that 26 months from now my patent will have first action—the first reading by an examiner.

If we want to create jobs and stay on top of the world in terms of innovation, we cannot allow that process to continue. So what the amendment does is say we are not going to take the money people use to pay for a patent application and spend it somewhere else; we are actually going to spend it on patent applications. That is what it was set up for.

Quite frankly, it is immoral to take money for a specific purpose for advantaging an American company or inventor or a university and not apply that money for the intended purpose under the statute. Although this is controversial, most Americans would think, if you are paying $10 on a toll road, the money is going to keep the toll road up. Yet we haven't been doing that with the Patent Office.

We are in trouble not because of our Patent Office but because we have not enforced intellectual property rights owned by Americans around the world. So as we work on getting a patent bill and blending it with whatever the House passes, it is as important—again, I thank the chairman because he was kind enough to have a hearing on the intellectual property for us, in terms of its enforcement.

There are two key points for American innovation to bring jobs to America. One is when you get a good idea and have an ability to get it patented and can defend the patent. The other side of that is to enforce that patent throughout the world with our own Justice Department, in terms of our State Department and in terms of the intellectual property rights.

It is amazing how much of our intellectual property is being stolen by China today. I wish to relate a conversation I had with their Secretary of Commerce—their equivalent to ours—in China 3 years ago. I asked him about intellectual property rights. He was bold in his statement to say: We are not going to honor them. We are a developing nation and you would not have honored them either—even though they are a signatory to the World Trade Organization. It is important we understand whom we are dealing with—people who will cheat and steal intellectual property from America. Fixing the patent apparatus will help us get there, but it is just as important to have tough laws on our books that create sanctions on nations that do not honor intellectual property.

Again, this is a simple, straightforward, moral response to an immoral act: collecting fees for something and not spending it on that, which has put us behind the curve. This will bring us back. We have a wonderful new Director, over the last 18 months, in the Patent Office. It is being run better than ever. They are catching up. But last year we took $53 million of the fees that were for patents and spent it elsewhere. What this amendment does is stop that.

It may come to a time in this bill that we allow the Patent Office to set their fees. It will come to a time when we have to say: Wait a minute. You are charging too much. You have to be more efficient.

We don't do anything with oversight. We still have the oversight capability of all the Appropriations Committees. We have the ability to change this in the future in terms of their fee setting. If we do the proper oversight, we will spring forward with tremendous new technology that is protected and enable that capital expenditure that was spent to get that technology to flourish in terms of American jobs.

Again, I thank the chairman. He worked with me judiciously. It has been a pleasure to work with him. I thank him for his efforts on my behalf and that of the American inventors in this country.

Mr. LEAHY. Madam President, the Senator raised some questions with me, both in committee and out of the committee, with respect to each other's positions. I appreciate his work in the committee to expedite getting the bill out of the committee. Like him, I believe it is extraordinarily important to level the playing to allow American innovators to compete in the world and within our country. I compliment the Senator and, as he knows, I have included his proposal in the managers' amendment because I thought it was a good proposal.

Madam President, I ask unanimous consent that the time until 5 p.m. be for debate on the Leahy-Grassley amendment No. 121, as modified, which I believe is pending, and the Vitter for Toomey amendment No. 112, as modified, en bloc, and divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to a vote in relation to the Leahy-Grassley amendment No. 121, as modified; that upon disposition of the Leahy-Grassley amendment, the Senate vote in relation to the Vitter for Toomey amendment No. 112, as modified; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; and that there be no amendments in order to any of the amendments listed in this agreement prior to the vote; further, that the Vitter amendment No. 113, as modified, be withdrawn.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I suggest the absence of a quorum, and I ask unanimous consent that the time be charged equally.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I would like to express my strong support for Senator COBURN's proposal to

end Patent and Trademark Office fee diversion. It is a commonsense, entrepreneur friendly solution to many of the problems plaguing the Patent and Trademark Office.

Over the years, we have heard numerous complaints from constituents about the long time it takes the Patent and Trademark Office to review patent applications and render a final disposition. It is my understanding that in most cases, it takes almost 3 years for the Patent and Trademark Office to make a final decision on an application which can be costly to the applicant.

We have also heard from Patent and Trademark Office officials about the difficulties that have arisen because of their lack of control over the agency's funding model. There are 1.2 million patent applications currently pending at the Patent and Trademark Office but not enough resources to tackle the workload. The patent application backlog situation, while improving, is still a significant problem.

Senator COBURN's proposal strikes at the heart of both of these concerns by creating a revolving fund at the Treasury Department where patent and trademark fees that are paid to the Patent and Trademark Office are directly allocated back to the office. That way those funds can be utilized in a fashion most beneficial to inventors, small businesses, and academic institutions.

At his confirmation hearing in 2009, Patent and Trademark Office Director David Kappos told the Judiciary Committee that one of the most immediate challenges facing the office was ''the need for a stable and sustainable funding model.'' The financial crisis affecting the Patent and Trademark Office is a direct result of its current funding structure. The Patent and Trademark Office receives no taxpayer funds—it is solely funded by patent and trademark user fees. Yet, those fees are not deposited within the Patent and Trademark Office. They are instead diverted to the Treasury Department, forcing the Patent and Trademark Office to ask for funds generated by their own office to be appropriated back to them.

The Patent and Trademark Office often requests lower than the amount generated by patent and trademark fees, which results in any extra fees being diverted by Congress to address ''general revenue purposes.'' In fact, since 1992, Congress has diverted more than $750 million from the Patent and Trademark Office.

For example, as recent as 2007, 12 million user-fee generated dollars were diverted from the Patent and Trademark Office for ''other purposes.'' With 1.2 million patent applications pending—735,000 of which are simply waiting for a patent examiner to take a first action—it is clear that the Patent and Trademark Office is in dire need of those funds. I believe those fees belong to the Patent and Trademark Office and are needed by their offices to make the patent and trademark process more accessible and efficient for America's innovators.

By ending fee diversion and allowing the Patent and Trademark Office to structure its own funding model, resources would be directly allocated to areas of most concern for both the Patent and Trademark Office and American innovators. The Coburn proposal does both, and ensures that the ever expanding backlog of unexamined patent applications and the timeframe for actual examination would be addressed in an efficient manner. It is time for Congress to take action and allow the Patent and Trademark Office to control the user fees that we think they deserve so they can effectively serve our Nation's inventors and small businesses.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent that the quorum call be equally charged to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEMBERS' PAY

Mrs. BOXER. Madam President, I think the managers are aware that I am going to make a unanimous consent request shortly on a bill that deals with Members' pay in the event of a government shutdown. I have been told we are waiting to see—there is apparently one objection on the Republican side. If we can clear it, then this will be passed. If not, then I will be back later to make the same request.

I say to my friend from Vermont and my friend from Iowa that I support the managers' package. It is terrific. One of the things in there is a Coburn-Boxer amendment that would keep the patent fees in the Patent Office. I am so glad the chairman sees it that way because we have such a tremendous backlog.

I will be happy to yield to my friend.

Mr. LEAHY. Madam President, I wish to ask a question about the proposal that the Senator from California will make on pay, which is fine with me. Can we not have an alternative in the bill that we give the money to charity so somebody would actually see it? This would be one one-hundred thousandth of 1 percent, according to the Treasury. The last time we had a shutdown, I just voluntarily gave $4,000, $5,000 to charity. Would it not make a lot more sense, and actually people might get some benefit from it, especially places such as homeless shelters? They are going to be hurt by a government shutdown. Why not do something where they would get the money directly?

Mrs. BOXER. That is a good idea. The reason I have done it this way is because I am trying to say that we in the Senate and in the House have an obligation to keep the government running, and we should be treated just like other Federal employees. That is the simplicity of this legislation. We cannot force a Member to give money to charity.

Mr. LEAHY. We could, actually, by saying either return it to the Treasury or give an equal amount to charity and file with the Secretary of the Senate to which charity they gave it.

Mrs. BOXER. Again, that is treating us differently than other Federal employees. That would be a tax writeoff.

Mr. LEAHY. Not if one gives the full amount.

Mrs. BOXER. It is a tax writeoff to give to charity. All I am saying is that is certainly another option if my friend wanted to change it.

I just think it is simple. We just want to be treated the same as other Federal employees, and that is how I have structured it.

I spoke about this issue this morning. I wrote this bill with the support of CASEY, MANCHIN, TESTER, NELSON of Nebraska, BENNET, WARNER, WYDEN, COONS, HARKIN, HAGAN, MENENDEZ, STABENOW, MERKLEY, and ROCKEFELLER. There is a growing consensus that we want to avoid a shutdown at any cost. I am hoping we will avoid it. There could come a moment where it is forced upon us. There are lots of stories—who will get the blame for this, that, and the other. To me, that is not important. What is important to me is that we sacrifice—we in the Senate and in the House as well.

I am hopeful that if we get this done and send this over to Speaker BOEHNER that he will get it through his body over there, and we can get this done and send it to the President. It impacts the President too. We say the President cannot get paid either because the deal is we have to work with the President to come up with a compromise.

Senator LEAHY has a good suggestion. Some people might like that option better. I believe this should be kept very simple; that in the case of a government shutdown we are treated the same way as other Federal employees. The reason we have to do this is Members of Congress and the President are paid by separate statute rather than by the annual appropriations process. We have to pass a separate statute on this issue. It is a very simple bill.

Again, I hope we never have to come to this, where we have any type of a shutdown. Maybe this bill will make some colleagues who believe they will be protected from sacrifice realize it is painful. It is painful for a lot of people. Certainly, it would be painful if somebody on Social Security or disability cannot get their payment. It is painful if veterans who are on disability do not get their check. It is certainly painful if a citizen is planning a trip and cannot get a passport. It is painful if Superfund sites cannot be cleaned up. It is painful if there is, God forbid, an oil well explosion because we did not have people there to inspect the oil well.

For our business people who are government contractors it is painful if they do not get paid. Export licenses must be granted, and our troops should be paid. So there is no reason why we should shut down this government, and I am very hopeful we will have unanimous consent to do it.

I have a parliamentary inquiry to ask the Chair: Is it true that we no longer have secret objections here; that a person has to identify themselves if they are objecting?

The ACTING PRESIDENT pro tempore. There are provisions that address people objecting to unanimous consent requests.

Mrs. BOXER. So would I be correct if I said that if someone objects, we would know who that individual is so we can speak with that individual? You said there are provisions. Could you be more specific about that?

The ACTING PRESIDENT pro tempore. If the Senator will hold for a minute.

Mrs. BOXER. Certainly.

The ACTING PRESIDENT pro tempore. We will get the provision and read it to you.

Mr. LEAHY. While the Senator is waiting for that, if I might ask the Senator a question.

Article 2 of the Constitution says:

> The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall be elected.

Would the Senator's amendment be constitutional under that provision? And remember that we voted to increase the pay of the President when President Clinton—if I could have the attention of the Senator—

Mrs. BOXER. I know this issue, yes.

Mr. LEAHY. Between the time when President Clinton was in office, but it did not take effect until President George W. Bush came in and it doubled the salary for President Bush but not President Clinton. How do you, by statute, change, even for a matter of days, a Presidential salary? Doesn't it violate article 2 of the Constitution?

Mrs. BOXER. We did check this with legal counsel, and they told us that the legislation, as drafted, does not increase or diminish the annual salary of the President. It withholds pay during a shutdown or failure to raise the debt ceiling.

There are definitely standing questions, and we are told that only the President would be able to challenge this legislation in a court of law.

Mr. LEAHY. But you are saying that even though it goes directly against the Constitution, which says his compensation shall neither be increased nor diminished during the period for which he shall be elected, that unless he objected—well, by the same token, why couldn't we raise the pay of a President unless he objected?

Mrs. BOXER. Well, I will repeat what I said. This legislation—

Mr. LEAHY. It seems to be a total violation of the Constitution.

Mrs. BOXER. This legislation, as drafted, does not increase or decrease the salary. If you withhold it, and if the President felt that was a violation, he himself would have to challenge it.

Mr. LEAHY. But we have some responsibility in this body to actually pass laws that are constitutional. It would, if there were a shutdown, and if upon a per-diem basis his salary was decreased, why isn't that de facto a violation of the Constitution?

Mrs. BOXER. Because we are not changing—diminishing—his salary.

Mr. LEAHY. Of course you are.

Mrs. BOXER. It is only in the case of an extraordinary event—a government shutdown.

Mr. LEAHY. The Constitution doesn't say anything about an extraordinary event.

Mrs. BOXER. The Senator may oppose it.

Mr. LEAHY. That is not my question.

Mrs. BOXER. I will repeat. We don't diminish, we withhold it during a period of a government shutdown or a failure to raise the debt ceiling. There is a reason we do it. It is very rare we have a government shutdown, but, in my view, and in the view of the cosponsors, this is a major function of our body and of the President—to avert a government shutdown. We don't think it is fair to treat some people differently than others. If other Federal employees are going to get their pay cut and your Social Security recipients don't get their checks, we think the Congress and the President ought to have a bite taken out of their pay as well.

Mr. LEAHY. I don't disagree with anything the Senator is saying, but how do you get—it would be like reducing a judge's salary. The Constitution specifically prohibits that. You say it is not reducing, but of course it is. If you say we are shut down 5 days, take whatever percentage 5 days of the President's annual salary is, you withhold it—you are not going to give it back when the government comes back into service—you have decreased his salary.

I am not suggesting not doing it for the Congress, but I don't see how—I am not sure what kind of example we set if we pass a piece of legislation which on the face of it violates the Constitution. I am not talking about Members of Congress. As I said, the last time we had a shutdown I took whatever was my amount and added it to the thousands and thousands of dollars I give every year to charity. I added it to that. But in this case, you go against article 2 by decreasing the President's salary.

Mrs. BOXER. No, we do not.

Mr. LEAHY. Of course you do.

Mrs. BOXER. We are not changing a penny of the President's pay. What we are saying is, in the event of a government shutdown, he will be treated the same way other Federal employees are treated and be treated in the same way we are treated. He can determine if he wants to challenge this in a court of law.

We hope we don't ever face this. So we are not in any way changing his salary. We hope never to have to use this.

Mr. LEAHY. So is the Senator saying we set the right example by passing a bill which, on the face of it, violates the Constitution, but it is okay unless somebody challenges it?

Mrs. BOXER. No, I am not. I will reiterate again what I said, which is this: We do not increase or decrease the President's pay.

Mr. LEAHY. You just cut it for those days.

Mrs. BOXER. Can I finish? I let you talk. Now I think I have a turn. I don't have a legal degree, my friend has. It is common sense. It seems to me it is a question of fairness. Those of us who are responsible for keeping this government open—

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. BOXER. Then I will finish this thought.

We are responsible to keep this government open. If we fail to do that, we ought to be punished.

I am going to make a unanimous consent request at this time, and I understand there is an objection.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I have just been told a Republican colleague objects to this. I don't understand why. I don't think it is a constitutional objection. I don't know the reason.

The ACTING PRESIDENT pro tempore. The Senator is out of time.

Mrs. BOXER. Madam President, I ask unanimous consent to make my request.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. On behalf of Senator COBURN, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mrs. BOXER. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Senator does not have enough time under her control to suggest the absence of a quorum.

The Senator from Louisiana.

Mr. VITTER. Madam President, I rise in strong support of the Toomey-Vitter amendment, which we will vote on in the series of two votes starting at 5 p.m. The idea behind the Toomey-Vitter amendment is very simple. It says if we ever reach the debt ceiling, the government, as a top first priority, will use revenue to pay two things: first, proper interest payments on our U.S. Government debt; and secondly, Social Security checks to seniors.

The motivation behind this amendment is simple. First, those two things should be legitimately a top priority. No one should want the U.S. Government to default on its debt and no one should want the immediate stoppage, or the stoppage at any time, of Social Security checks to seniors. So first, it is legitimate to rank those two functions as an absolute top priority.

The second motivation behind this amendment is to take some of these scare tactics and hysteria out of this debate. Too many people, in my opinion, have been saying if we ever reach the debt ceiling, the next day all Social Security checks will stop and all payments will stop on U.S. Treasury bills—on government debt. That is not true. There is no reason it has to be true. This amendment, when passed into law, will ensure it is not true. It will ensure we look at this situation with focus and calmness and not hysteria and scare tactics.

The goal, I am certain—and I know it is for Senator TOOMEY, my distinguished colleague from Pennsylvania—is not that we not default on our debt and not that we reach the debt ceiling, but it is that we take strong, responsible action well ahead of any threatened event to put us on a fiscally sustainable path.

Just this morning, both Senator TOOMEY and I were in a hearing of the Senate Banking Committee and the witness—the only witness—was Ben Bernanke, Chairman of the Board of Governors of the Federal Reserve. He said very clearly several things directly pertinent to this discussion. First, he said we are on a fiscally unsustainable path. Our budget situation is absolutely unsustainable. Second, he said that is the biggest long-term threat to our economy—the biggest threat. Third, he said that although it is a long-term problem, it could create a short-term crisis. It could create a crisis that could hit immediately, at any time. So we need to act and we need to act strongly.

Madam President, I yield time to the distinguished Senator from Pennsylvania.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, I want say I object to the Vitter-Toomey bill. I am not going to pay China before I pay people.

The ACTING PRESIDENT pro tempore. The Senator has no time. The Senator's time has expired.

Mrs. BOXER. I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from—

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. BOXER. I ask unanimous consent to speak to make a unanimous consent request.

Mr. VITTER. Madam President, I think I control the floor and I yield to the Senator from Pennsylvania.

The ACTING PRESIDENT pro tempore. Is there objection to the Senator's request for unanimous consent to make a unanimous consent request?

Mr. VITTER. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mrs. BOXER. I want an answer, please, to my question: Can people object to a unanimous consent request without saying who they are, No. 1? And No. 2, what is the parliamentary procedure here?

The ACTING PRESIDENT pro tempore. The Senator from Louisiana objected to the unanimous consent request on behalf of the Senator from Oklahoma, Senator COBURN. The Senator from Louisiana objected to the extension of the unanimous consent request for additional time on his own behalf.

Mrs. BOXER. So it is the Senator from Oklahoma, Senator COBURN, who objects to the bill we have that would say we don't get paid in the case of a shutdown; is that correct? Senator COBURN is objecting to that?

The ACTING PRESIDENT pro tempore. That is the Chair's understanding.

All time remaining is under control of the minority.

Mrs. BOXER. Thank you.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I wish to thank Senator VITTER for yielding his time and for his help on this effort. I want to be very clear. First, I am not aware of anybody in this body or anybody I know who wants to see a government shutdown. I am not aware of anybody who wants to see the disruption that would result from failing to raise the debt ceiling at the appropriate time. But I also feel strongly it is critical we take this opportunity to begin to address the structural problems we have.

The fact is we have a burden of debt right now that is costing us jobs in this country today. The uncertainty it creates, the cost of financing this, the question of whether and for how long we can roll this over, the extent to which inflation becomes a problem, all of these risk factors are already weighing on our economy and our ability to create jobs now. For the future, it is an even bigger risk.

Senator VITTER and I have taken this step so we can have an honest discussion about how we are going to bring this spending under control and the process reforms we are going to make so we can hopefully get off this unsustainable path and get on a sustainable trajectory for the economic growth we need. That is ultimately what this measure is all about. It simply says that in the event we reach the debt limit without having raised it first—and let's face it, we have been there before. This has happened in the past. In the last 20 years, it has happened on several occasions. So it is entirely possible that, despite the best efforts of those of us who want to avoid it, it could happen again.

If it were to happen again, we want to make sure that we have no default on our debt, that interest is paid, and that Social Security checks go to the recipients as they should. There will be plenty of resources from ongoing tax revenue to make sure that happens, and anything less would be very irresponsible.

I urge my colleagues to vote in favor of this amendment.

DAMAGES LANGUAGE

Mrs. FEINSTEIN. Madam President, I commend the chairman of the Judiciary Committee for his hard work in putting together this managers' amendment and building consensus for this bill. Part of the managers' amendment strikes most of section 4 of the bill, relating to damages. As the chairman knows, I worked very hard on the ''gatekeeper'' damages language in this section of the bill. That language represented a compromise between high-technology companies, many located in my State of California, which believed that the law relating to patent damages needed reform, and other interests, including universities, biotech, pharmaceutical companies, and small inventors, who were greatly concerned that the preferred solution of the high-technology companies, namely apportionment of damages, would be destructive to the value of patents. However, since then, the courts have further developed the law relating to damages, so I understand that the chairman proposes to now strike the gatekeeper damages language from the bill.

Mr. LEAHY. Yes, the Senator is correct. I thank her for her hard work in putting together the gatekeeper damages language with Senator Specter and myself in committee last Congress. It was instrumental in helping to move this bill forward. However, as the Senator from California recognizes, the courts have advanced the law regarding damages since then. For example, in Uniloc USA, Inc. v. Microsoft Corp., decided just this year, the Federal Circuit held that expert testimony regarding a ''rule of thumb'' for allocating profits between a patent user and a patent owner did not meet the Daubert test for expert testimony, and was inadmissible. And in Lucent Technologies Corp. v. Gateway, Inc., the

Federal Circuit found that no rational jury could have concluded a ''tiny feature of one part of a much larger software program with numerous features . . . appear[ing] to account for the overwhelming majority of consumer demand'' was worth an 8% royalty.'' This represented a new, greater level of review for jury damages assessment. In light of cases like these, it no longer appears necessary for this bill to contain language regarding the assessment of damages.

Mrs. FEINSTEIN. Yes, many businesses in my State agree. I also believe that if the bill remains silent on damages, as the managers' amendment would do, that no harm will be done to the value of patents, which is so important for encouraging innovation. Is it the chairman's intention, in future discussions with the House of Representatives, to continue to have the bill remain silent on damages?

Mr. LEAHY. Yes, it is. The courts have been making good progress in developing the law in this area, and I do not believe patent reform legislation should interfere with this progress. Should the House propose or pass some language on damages, I will certainly consult with the Senator from California to obtain her views on that language.

Mrs. FEINSTEIN. I thank the chairman, very much, for his consideration.

The PRESIDING OFFICER (Mr. CASEY). All time has expired.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the Leahy-Grassley-Kyl, et al., managers' amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 27 Leg.]

YEAS—97

Alexander	Coons	Kerry
Ayotte	Corker	Kirk
Barrasso	Cornyn	Klobuchar
Baucus	Crapo	Kohl
Begich	DeMint	Kyl
Bennet	Durbin	Landrieu
Bingaman	Ensign	Lautenberg
Blumenthal	Enzi	Leahy
Blunt	Feinstein	Lee
Boozman	Franken	Levin
Boxer	Gillibrand	Lieberman
Brown (MA)	Graham	Lugar
Brown (OH)	Grassley	Manchin
Burr	Hagan	McCain
Cantwell	Harkin	McCaskill
Cardin	Hatch	McConnell
Carper	Hoeven	Menendez
Casey	Hutchison	Merkley
Chambliss	Inhofe	Moran
Coats	Inouye	Murkowski
Coburn	Isakson	Murray
Cochran	Johanns	Nelson (NE)
Collins	Johnson (SD)	Nelson (FL)
Conrad	Johnson (WI)	Paul
Portman	Schumer	Udall (NM)
Pryor	Sessions	Vitter
Reed	Shaheen	Warner
Reid	Snowe	Webb
Risch	Stabenow	Whitehouse
Roberts	Tester	Wicker
Rockefeller	Thune	Wyden
Rubio	Toomey	
Sanders	Udall (CO)	

NAYS—2

Mikulski Shelby

NOT VOTING—1

Akaka

The amendment (No. 121) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay upon the table was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent for 1 minute equally divided for each side to explain this next amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, the next amendment is Vitter amendment No. 112, which potentially says the United States must pay its interest debt and Social Security benefits before it makes any other government obligations. I think that is a bad idea. That would bring economic chaos to our country. If we default, we default.

Just because the bondholders in China would get priority over our troops overseas or get priority over tax refunds does not mean we are not in default. Besides, it is bad policy anyway. This amendment would bring chaos. If we were ever to get to the point of being unable to raise our debt, it would bring chaos to pay the Chinese bondholders first before we pay anybody else. That is the wrong thing to do.

I do not think we want to get into a situation where we are going to tell the American people they are second to foreign investors. I strongly urge that this amendment be defeated. At the appropriate time I will move to table the amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, if I can take the minute to rebut my colleague, first of all, it is true it would be very disruptive and there would be some chaos if we had a shutdown or if we eventually failed to raise the debt limit. This amendment, of course, does not cause that. This amendment, in fact, is designed precisely to prevent the kind of chaos that might otherwise ensue by simply ensuring that under no circumstances whatsoever would the United States Government default on its debt.

I think we all agree that the last thing we should ever tolerate would be a situation in which the United States Government would default on our debt. The chaos that would result from that would be devastating. So this is an amendment that says, in the event the debt limit is not raised when we reach it—and, by the way, we have been there before, so it is not inconceivable—that we would make sure we, under no circumstances, would default on the debt.

Because Senator VITTER offered a modification to this amendment, essentially the merger of these amendments ensures that Social Security payments would also go out. By the way, there is more than sufficient revenue from ongoing taxes to ensure that could be done. So in the interests of avoiding the chaos of an actual default, I think this absolutely should occur.

By the way, I think it is also important to note that a majority of all of the debt issued by this government is held by Americans. They are held by senior citizens who live in Allentown, PA, and who have saved their whole life and invested that savings in U.S. Treasury securities.

I think it is very important that we send the message to them that even if we are not able to get our work done and raise the debt limit, as I hope we will at the appropriate time, we certainly would not default on the debt they hold.

I yield the floor.

VOTE ON AMENDMENT NO. 112

Mr. BAUCUS. Mr. President, I move to table the Vitter-Toomey amendment No. 112, as modified, and ask for the yeas and nays on my motion to table.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

The PRESIDING OFFICER. Are there any other senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 28 Leg.]

YEAS—52

Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	
Hagan	Nelson (NE)	

NAYS—47

Alexander	Brown (MA)	Cochran
Ayotte	Burr	Collins
Barrasso	Chambliss	Corker
Blunt	Coats	Cornyn
Boozman	Coburn	Crapo

DeMint	Johnson (WI)	Risch
Ensign	Kirk	Roberts
Enzi	Kyl	Rubio
Graham	Lee	Sessions
Grassley	Lugar	Shelby
Hatch	McCain	Snowe
Hoeven	McConnell	Thune
Hutchison	Moran	Toomey
Inhofe	Murkowski	Vitter
Isakson	Paul	Wicker
Johanns	Portman	

NOT VOTING—1

Akaka

The motion was agreed to.

Mr. LEAHY. I want to thank all Senators for supporting adoption of the Leahy-Grassley-Kyl managers' amendment. This consensus amendment is a compromise that resolves a number of the key outstanding issues in the bill, including fee diversion, business method patents, damages and venue. I want to take a moment to discuss the importance of these provisions.

First, the provisions in this managers' amendment that end fee diversion from the PTO are supported by all corners of the patent community. Today, users fund 100 percent of the PTO's operations. The PTO does not take a dime of taxpayer money. For all of the improvements that this legislation makes to our patent system, the Patent Office will always be hindered if it cannot retain the funds it generates to more adequately plan for its future. Today, as we ask our Patent Office to unleash the best in innovation from our businesses, our Patent Office does not have the funding to do the same for itself. Ending fee diversion will better equip the patent office with the resources to tackle the complexities of the 21st century.

Second, the managers' amendment creates a temporary proceeding at the Patent Office to reexamine certain business method patents. I appreciate the work that Senator SCHUMER has done on this issue, and the provisions included in the managers' amendment represents a middle-ground that bridges a divide on this issue between the financial and tech communities that reside in all of our States.

Third, the managers' amendment strikes provisions on damages and venue. Removing these provisions addresses recent concerns voiced by certain Members of the House, and raised by the high-tech community.

Finally, this managers' amendment wraps in Senator BENNET's previously offered amendment to provide a 50-percent reduction in fees for small business accelerated patent applications at the PTO, as well as some technical amendments. This break for small businesses, which drive innovation and create jobs, will better enable them to compete with the demands of the 21st century.

As we return to the America Invents Act, I encourage any Senator who has a germane amendment to come and debate it now. This is bipartisan legislation that our economy desperately needs. It will allow the PTO to function, and our inventors and innovators to flourish. If any other Senators have amendments, this is the time. We need to move on to other pressing matters as soon as we complete work on this bill.

Mr. BENNET. Mr. President, I would like to speak briefly on my amendment to strike the damages and venue provisions from this legislation. I thank the chairman and committee for working with my office on this important amendment and incorporating it into the managers' amendment.

I know the committee has been working tirelessly to address concerns with this bill, and I applaud their efforts for trying to build consensus.

As I discussed yesterday, I believe a well-functioning patent system is critical for our economic growth. The reforms in this legislation will promote innovation and create jobs.

In my State alone, nearly 20,000 patent applications have been granted between the years 2000 and 2009. These applications have created the foundation for our clean energy economy and emerging tech and bio industries.

Small inventors start new Colorado companies, and more established companies are able to expand their operations in a very competitive, knowledge-based economy.

An efficient and high-quality U.S. Patent and Trademark Office is essential to maintaining American leadership in innovation. The improvements to the patent system in this bill will help us grow new industries and will help cure the backlog and delay that has stunted the ability of inventors to patent their ideas.

Right now, the average pendency period for a patent application is 36 months. That is unacceptable if we are to compete with the rest of the world. This doesn't even account for those patents that have been tied up in years of litigation after they are granted.

This is why we need to ensure that patent owners have certainty. Consistency, uniformity, and fairness are essential to innovation.

Prolonged litigation and legal uncertainty only serve to stifle the incentive to innovate. We need clarity and efficient review by the courts to make sure we don't have a system where patents are tied up for years. Likewise, we also need to make sure there is a fair outcome where there is an infringement. Those whose rights are infringed have every right to take their case to court and receive the appropriate damages.

This is why I introduced my amendment on damages and venue. We need more certainty for patent owners, and I think portions of the bill may not do enough in this regard, in the face of litigation. In fact, the venue and damages portions of the bill may actually generate more uncertainty, not less.

The Federal Circuit Court of Appeals has made significant progress on damages and venue issues. The courts are moving in the right direction, and I believe it is wiser to allow this process to run its course than to add a new layer of laws that could only serve to confuse patent litigants. So in my view, congressional intervention on damages and venue is not needed at this time.

I would like to close by again thanking the chairman for his leadership and willingness to take into account the views of others on these important issues.

The PRESIDING OFFICER. The Senator from California is recognized.

PROHIBITING MEMBERS OF CONGRESS AND THE PRESIDENT FROM RECEIVING PAY DURING GOVERNMENT SHUTDOWNS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Homeland Security and Governmental Affairs Committee be discharged from further consideration of S. 388 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 388) to prohibit Members of Congress and the President from receiving pay during Government shutdowns.

There being no objection, the Senate proceeded to consider the bill.

Mrs. BOXER. Mr. President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 388) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 388

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

SECTION 1. PROHIBITION ON PAY DURING GOVERNMENT SHUTDOWN.

(a) IN GENERAL.—Members of Congress and the President shall not receive basic pay for any period in which—

(1) there is more than a 24-hour lapse in appropriations for any Federal agency or department as a result of a failure to enact a regular appropriations bill or continuing resolution; or

(2) the Federal Government is unable to make payments or meet obligations because the public debt limit under section 3101 of title 31, United States Code, has been reached.

(b) RETROACTIVE PAY PROHIBITED.—No pay forfeited in accordance with subsection (a) may be paid retroactively.

Mrs. BOXER. Mr. President, in 1 minute or less, I thank the occupant of the Chair very much for his strong cosponsorship of this bill, along with other colleagues.

Basically, we are saying that if we fail to keep this government open, or to lift the debt ceiling, we Members of Congress should not receive our pay. It is pretty straightforward.

I thank Senator COBURN. He had objected earlier. He backed off of his objection. He will make his own case for the RECORD.

He is making the case that Federal employees, such as nurses, or Superfund cleanup workers, or Border Patrol agents never get 1 penny of reimbursement or back pay. I think that is, in essence, unfair, if we have a government shutdown, to put it on the backs of the middle-class people who don't want to stay home; they want to work. I am glad he is allowing this to move forward.

We certainly will now ask our friends on the other side of the Capitol and Speaker BOEHNER to take this bill up post haste and get it going. Let's avoid a shutdown but make it clear that if there is one, we are going to take our lumps just like other Federal workers. I hope this will help avert a shutdown.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

PATENT REFORM ACT OF 2011—Continued

AMENDMENT NO. 124

Mr. MENENDEZ. Mr. President, I ask unanimous consent to set aside the pending business and I call up amendment No. 124, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 124.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for prioritized examination for technologies important to American competitiveness)

On page 104, strike line 23, and insert the following:

SEC. 18. PRIORITY EXAMINATION FOR TECHNOLOGIES IMPORTANT TO AMERICAN COMPETITIVENESS.

Section 2(b)(2) of title 35, United States Code, is amended—

(1) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (F), by striking the semicolon and inserting ''; and''; and

(3) by adding at the end the following:

''(G) may, subject to any conditions prescribed by the Director and at the request of the patent applicant, provide for prioritization of examination of applications for products, processes, or technologies that are important to the national economy or national competitiveness, such as green technologies designed to foster renewable energy, clean energy, biofuels or bio-based products, agricultural sustainability, environmental quality, energy conservation, or energy efficiency, without recovering the aggregate extra cost of providing such prioritization, notwithstanding section 41 or any other provision of law;''.

SEC. 19. EFFECTIVE DATE.

Mr. MENENDEZ. Mr. President, the goal of the patent reform legislation is to incentivize investment in the American economy, to create jobs, and allow this great country to continue to win in the global marketplace.

The amendment I am offering here today would do just that. It would incentivize innovation and investment by prioritizing patents that are vital to the American economy and American competitiveness. It will enable us, in essence, to incentivize that innovation by creating that prioritizing.

My amendment would allow the Patent Office to prioritize patent applications that are vital to our national interests.

Specifically, the amendment says the Patent Office Director may prioritize the examination of applications for technologies that are important to the national economy or national competitiveness, such as green technologies designed to foster renewable energy, clean energy, biofuels, agricultural sustainability, environmental quality, conservation, or energy efficiency.

Currently, the Patent Office runs a green technology pilot program. An application for green technologies may be fast-tracked, leading to an expedited decision. This fast-track process is reserved for a small number of applications that are vitally important, so it has little to no adverse impact on other patent applications.

Currently, the patent process is rather lengthy. Patent decisions regularly take 2 to 3 years for a final decision. Our country is at risk of having vital new technologies buried in a sea of paperwork at the Patent Office. We want to make sure patents that are important to our national economy are fast-tracked rather than sidelined.

The goal here is to create jobs at home. We have to make sure the Patent Office has the resources and ability to prioritize patents that do just that—create jobs, incentivize investment, and support innovation. The Patent Office supports this amendment because they need the tools to make sure this bill reaches its intended goal of improving America's economy.

This amendment will create green jobs and support America's transformation to a self-sustaining economy that, among other things, is not reliant on foreign oil.

It is vitally important we do our best to ensure that all Americans have good-paying jobs and that we secure our Nation's economic future.

I ask my colleagues to support this amendment. It codifies an existing, successful program at the Patent Office. It is good commonsense policy that can help America propel forward in the 21st century.

Mr. WHITEHOUSE. Mr. President, I rise today to speak about the America Invents Act of 2011. As we all know, innovation, hard work, and ingenuity long have been the fuel of the American dream. This bill will make much needed improvements to our patent system to unleash the full power of American innovation once again. I am proud to be a cosponsor.

Before I speak in more detail about the importance of this bill, I would like to recognize the hard work of Senator LEAHY, the chairman of the Judiciary Committee. He long has sought to change our patent system from a drag on innovation into a driver of innovation. Chairman LEAHY has led bipartisan negotiations on this bill, seeking input from all segments of the American intellectual property community. I applaud his work with Senator GRASSLEY, Senator HATCH, and others of our colleagues in bringing this much needed legislation to the floor.

I take particular interest in this bill because of Rhode Island's long and proud history of innovation, from the birth of the American industrial revolution to the high-tech entrepreneurs leading our State forward today. An area has developed in Providence, for example, that is rightfully known by the nickname ''the Knowledge District'' for its remarkable innovation. We need to take every opportunity to support such work across our Nation.

Make no mistake, this legislation will drive innovation and create high-quality jobs. It will secure the foundations of new small businesses, encourage the discoveries made every day in our universities, and allow American companies to continue to lead the world in technology, medicine, and mechanical science.

Patent reform may be complicated, but these are not abstract issues. In my conversations with innovators in Rhode Island, it has become clear to me that the problems in our patent system are real and need to be fixed. Fail to do so and we will pay the price in jobs and international competitiveness.

Perhaps the most consistent concern I have heard back home has related to delays in the issuance of patents. Massive backlogs of patent applications persist at the Patent and Trademark Office, causing years of uncertainty over whether an innovator in fact has secured intellectual property rights in his or her invention. We have to fix this problem. Innovators in Rhode Island and elsewhere in this country must be able to gain patent protection for their inventions within a reasonable timeframe. Uncertainty and delay in patent protection will dampen and frustrate innovation.

The America Invents Act takes on this problem by allowing the Patent and Trademark Office discretion to set its own fees. Coupled with exceptions that will ensure low fees for small businesses, this provision will enable the Patent and Trademark Office to better manage its resources and reduce examination times.

I also support Senator COBURN's amendment to restrict fee-diversion and enable the Patent and Trademark Office, which does not depend at all on taxpayer funding, to be properly resourced with examiners who can work through the patent application backlog. This provision raises issues

beyond the jurisdiction of the Judiciary Committee and as a result was not considered previously, but I trust it will win the support of our colleagues on the floor. I am glad that this provision has been included in the managers' amendment, of which I am a cosponsor.

My conversations with Rhode Island inventors also made clear that the fear of protracted litigation also dampens innovation. Unfortunately, numerous poor-quality patents have issued in recent years, resulting in seemingly endless litigation that casts a cloud over patent ownership. Administrative processes that should serve as an alternative to litigation also have broken down, resulting in further delay, cost, and confusion.

The America Invents Act will take on these problems by ensuring that higher quality patents issue in the future. This will produce less litigation and create greater incentives for innovators to commit the effort and resources to create the next big idea. Similarly, the bill will improve administrative processes so that disputes over patents can be resolved quickly and cheaply without patents being tied up for years in expensive litigation.

This body must not pass up this chance to enhance innovation and energize our economy. We must see this bill through the Senate, and we must work with the House to see it passed promptly into law. It is true that the bill is a compromise and may not reflect all of everyone's priorities. Improvements to the bill may still be possible. To that end, I expect a productive debate on the floor and a constructive dialog with the House. I look forward to continuing to work with the chairman, my colleagues, and all interested parties to craft a bill that generates the broadest consensus possible.

But we must not lose sight of the need for action. Our patent system has gone 60 years without improvements. It needs repair. Now is the time to energize our innovation economy, to create jobs, and to secure continuing American leadership in the fields of medicine, science, and technology. Hard work and ingenuity long have been the backbone of this country. Let's not get in their way.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

MORNING BUSINESS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICA INVENTS ACT

Mr. SCHUMER. Mr. President, I rise to speak in support of the America Invents Act generally and about the managers' amendment specifically. The America Invents Act, also known as the patent reform bill, has been pending for many years and has been the subject of extensive debate, negotiation, and revisions. In its current draft, it does much needed good to help protect the American innovation economy by updating and modernizing our patent system.

The patent system in the United States is designed to protect innovation and inventions and investment. But over the last several decades, the Patent and Trademark Office has become bogged down and overburdened by inefficient process and outdated law. The result is a heavy burden on the innovative work that is the engine of our economy.

I wish to commend Senator LEAHY. He has gone the extra mile for this bill for many years. I am proud and glad he is seeing his work come to fruition as we finally debate the bill on the floor. Passage of the bill is in sight. I also wish to commend the ranking member of the Judiciary Committee, Senator GRASSLEY, who worked with him, as well as Senator KYL, who has taken a leading role on the Republican side, for their hard work in crafting a bill that effectively modernizes the patent system, while paying attention to the many and varied demands different sectors of the economy exert upon it.

I am particularly pleased the chairman has decided to adopt the Schumer-Kyl amendment on business method patents into the managers' amendment. It is a critical change that this bill finally begins to address the scourge of business method patents currently plaguing the financial sector. Business method patents are anathema to the protection the patent system provides because they apply not to novel products or services but to abstract and common concepts of how to do business.

Often, business method patents are issued for practices that have been in widespread use in the financial industry for years, such as check imaging or one-click checkout. Because of the nature of the financial services industry, those practices aren't identifiable by the PTO as prior art and bad patents are issued. The holders of business method patents then attempt to extract settlements from the banks by suing them in plaintiff-friendly courts and tying them up in years of extremely costly litigation.

This is not a small problem. Around 11,000 new applications for patents on business methods are filed every year, and financial patents are being litigated almost 30 times more than patents as a whole. This is not right, it is not fair, and it is taking desperately needed money and energy out of the economy and putting it into the hands of a few litigants. So I am very pleased Congress is going to fight it.

The Schumer-Kyl amendment, which was included in the managers' package we just adopted, will allow companies that are the target of one of these frivolous business method patent lawsuits to go back to the PTO and demonstrate, with the appropriate prior art, that the patent shouldn't have been issued in the first place. That way bad patents can be knocked out in an efficient administrative proceeding, avoiding costly litigation.

One of the most critical elements of this amendment has to do with the stay of litigation while review of the patent is pending at the PTO. The amendment includes a four-factor test for the granting of a stay that places a very heavy thumb on the scale in favor of the stay. Indeed, the test requires the court to ask whether a stay would reduce the burden of the litigation on the parties and the court. Since the entire purpose of the transitional program at the PTO is to reduce the burden of litigation, it is nearly impossible to imagine a scenario in which a district court would not issue a stay.

In response to concerns that earlier versions of the amendment were too broad, we have modified it so it is narrowly targeted. We want to make sure to capture the business method patents which are at the heart of the problem and avoid any collateral circumstances.

In conclusion, I believe the amendment takes an important step in the direction of eliminating the kinds of frivolous lawsuits the jurisprudence on business method patents have allowed. I am very grateful to the chairman and the ranking member, Senator KYL, and I support the managers' amendment and the America Invents Act as a whole.

Finally, I would like to say a few words about Senator COBURN's proposal on fee diversion. I think his idea, which is incorporated in the managers' amendment, makes a lot of sense; that is, to let the PTO keep the fees they charge so they are self-funded and we don't have to spend taxpayer money to fund them every year.

Last year, when we were debating the Wall Street reform bill, Senator JACK REED and I made a similar proposal for the SEC, which ultimately didn't make it into the final bill. I just wanted to

take this time to make a few points about this commonsense proposal.

First, for the last 15 years, the SEC hasn't spent a dime of taxpayer money. For 15 years, the SEC has had no impact on the deficit. This is because Congress, in 1996, amended the securities laws to provide that 100 percent of the SEC's funding comes from registration and filing fees charged by the Commission.

Second, even though the SEC collects more in fees every year than it spends, the amount of the SEC's annual budget is determined by Congress, which has continually shortchanged the SEC. The SEC's budget has been in the crosshairs for years, and their funding has been so inadequate that they have been compromised in their ability to pursue their core mission.

Third, the budget proposal in the House would continue the shortchanging of the SEC, cutting $40 million from its existing budget at a time when it needs resources more than ever.

Finally, a word about the current demands on the SEC. We gave that agency significant new responsibilities under the Dodd-Frank Act, in particular to oversee the previously unregulated derivative markets. That is an enormous undertaking that everybody agrees is necessary after seeing the role that unregulated derivatives played in the financial crisis.

In closing, I would strongly suggest to my colleagues that if self-funding makes sense for the PTO, it makes sense for the SEC. I am not going to call up my amendment now or my bill now, but I urge my colleagues to support this commonsense proposal Senator REED and I are pushing and ensure it gets a full hearing in the Senate.

I thank the Chair for his time and attention.

COMMITTEE ON APPROPRIATIONS RULES OF PROCEDURE

Mr. INOUYE. Mr. President, the Senate Appropriations Committee has adopted rules governing its procedures for the 112th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator COCHRAN, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE APPROPRIATIONS COMMITTEE RULES—112TH CONGRESS

I. MEETINGS

The Committee will meet at the call of the Chairman.

II. QUORUMS

1. Reporting a bill. A majority of the members must be present for the reporting of a bill.

2. Other business. For the purpose of transacting business other than reporting a bill or taking testimony, one-third of the members of the Committee shall constitute a quorum.

3. Taking testimony. For the purpose of taking testimony, other than sworn testimony, by the Committee or any subcommittee, one member of the Committee or subcommittee shall constitute a quorum. For the purpose of taking sworn testimony by the Committee, three members shall constitute a quorum, and for the taking of sworn testimony by any subcommittee, one member shall constitute a quorum.

III. PROXIES

Except for the reporting of a bill, votes may be cast by proxy when any member so requests.

IV. ATTENDANCE OF STAFF MEMBERS AT CLOSED SESSIONS

Attendance of staff members at closed sessions of the Committee shall be limited to those members of the Committee staff who have a responsibility associated with the matter being considered at such meeting. This rule may be waived by unanimous consent.

V. BROADCASTING AND PHOTOGRAPHING OF COMMITTEE HEARINGS

The Committee or any of its subcommittees may permit the photographing and broadcast of open hearings by television and/or radio. However, if any member of a subcommittee objects to the photographing or broadcasting of an open hearing, the question shall be referred to the full Committee for its decision.

VI. AVAILABILITY OF SUBCOMMITTEE REPORTS

To the extent possible, when the bill and report of any subcommittee are available, they shall be furnished to each member of the Committee thirty-six hours prior to the Committee's consideration of said bill and report.

VII. AMENDMENTS AND REPORT LANGUAGE

To the extent possible, amendments and report language intended to be proposed by Senators at full Committee markups shall be provided in writing to the Chairman and Ranking Minority Member and the appropriate Subcommittee Chairman and Ranking Minority Member twenty-four hours prior to such markups.

VIII. POINTS OF ORDER

Any member of the Committee who is floor manager of an appropriations bill, is hereby authorized to make points of order against any amendment offered in violation of the Senate Rules on the floor of the Senate to such appropriations bill.

IX. EX OFFICIO MEMBERSHIP

The Chairman and Ranking Minority Member of the full Committee are ex officio members of all subcommittees of which they are not regular members but shall have no vote in the subcommittee and shall not be counted for purposes of determining a quorum.

COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

Mr. LEVIN. Mr. President, I ask unanimous consent that the rules of procedure of the Committee on Armed Services be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE COMMITTEE ON ARMED SERVICES

1. REGULAR MEETING DAY.—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. ADDITIONAL MEETINGS.—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. SPECIAL MEETINGS.—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. OPEN MEETINGS.—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. PRESIDING OFFICER.—The Chairman shall preside at all meetings and hearings of the Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. QUORUM.—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate 26.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) Proxy votes may not be considered for the purpose of establishing a quorum.

7. PROXY VOTING.—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. ANNOUNCEMENT OF VOTES.—The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. SUBPOENAS.—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. HEARINGS.—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. NOMINATIONS.—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. REAL PROPERTY TRANSACTIONS.—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than $50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. LEGISLATIVE CALENDAR.—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. POWERS AND DUTIES OF SUBCOMMITTEES.—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

YOUTH ART MONTH

Mr. JOHNSON of South Dakota. Mr. President, today I recognize Youth Art Month and congratulate Samantha Kenaston of Mitchell, SD, on designing the winning State entry for the national student flag design program. Each March, the Council for Art Education sponsors National Youth Art Month. I appreciate the importance of arts education for children of all ages and am pleased with the work being done across South Dakota to promote and spotlight student artwork.

This year marks the 50th anniversary of National Youth Art Month. This month, schools across our country will partner with local businesses and communities to support the arts and display students' art work. In South Dakota, the Dakota Discovery Museum in Mitchell, the Aberdeen Recreation and Culture Center, and Presentation College in Aberdeen are just a few of the partners that will be hosting galleries and shows to display the artwork of South Dakota's many talented student artists.

This is the first year South Dakota has participated in the Youth Art Month flag design competition. Students from across our State designed flags to creatively represent the essence of our great State. I congratulate Samantha ''Sam'' Kenaston on designing the winning flag for the inaugural South Dakota Youth Art Month flag design competition. Sam is a seventh grade student at Mitchell Middle School. According to Sam's teacher, Ms. Renee Berg, Sam is a talented student and art is her favorite class. Sam also has a love for animals, which is often reflected in her artwork, and she aspires to become a veterinarian when she grows up.

Sam's winning flag features a drawing of a pheasant, the State bird of South Dakota. Sam's flag will be displayed on March 9, 2011, at a ceremony in Washington, DC, to honor the winners of the State flag competition, and her flag will then be displayed in Seattle, WA, at the National Art Education Conference.

As a member of the Senate Cultural Caucus, I recognize the importance of promoting arts and humanities in our communities and schools. I am pleased that Youth Art Month activities in South Dakota and across our country are highlighting the importance of art for our children's education. I am proud of Sam and the many talented student artists in our State.

REMEMBERING SEAN PATRICK McGEE

Ms. STABENOW. Mr. President, I come to the floor with the hardest speech I have ever made, to pay tribute to Sean Patrick McGee, a member of my staff who passed away suddenly over the weekend at the very young age of 26.

There really are no words to describe the tragedy of losing somebody so young, especially someone like Sean, who was so smart and so filled with promise. His death is painful for all of us who knew him, but the way he lived his life is really a source of hope and inspiration for us.

Every single day, Sean worked hard to help others. Before coming to my office, he was a congressional liaison at the American Legion Auxiliary, where he was an advocate for veterans, servicemembers, and their families. He joined my team in April of 2009, and quickly impressed everyone with his

work ethic and his dedication. It didn't take long before he was promoted and took on additional responsibilities, working on some of the most difficult and complex issues that in which we have been involved.

He was really the heart of my staff working on finance issues. He spent a lot of time with retirees who lost their pensions when our auto companies went through bankruptcy, and he talked with them all the time to keep them updated on what we were doing to help. He took the lead on housing issues, working with families whose dreams were shattered when their homes were lost to foreclosure. He spent his final days working on an amendment that I cosponsored to help retired pilots who lost their pensions when the airline they worked for went bankrupt. He was so proud that we were able to include that amendment in the Federal Aviation Administration bill.

During our work last year on the Small Business Jobs Act, Sean's help was absolutely invaluable. He put together information for small business owners letting them know how to take advantage of the new law. He grew up in Farmington Hills, MI, and he was a very important part of our team working on issues related to the automobile industry, so critical for Michigan's future and for our economy.

He took great pride in his work for our great State. Through hard work and service, he achieved the rank of Eagle Scout—the highest rank in scouting. When he applied for a job in our office he wrote, ''At a young age, I was volunteering to do community . . . service in Metro Detroit to better the community and that work shaped my desire to serve Michigan.'' And he served Michigan well.

In college, he secured a coveted internship in the office of the Governor, working in constituent services. After graduation, he worked on a congressional campaign and for Senator LEVIN's campaign, always willing to lend a hand and make a difference.

What really stands out about Sean is how good he was with people. On Capitol Hill, patience is sometimes a rare commodity, but Sean had more than enough to go around. When everyone was running a mile a minute, Sean was a beacon of calm. When his coworkers were stressed to the point of breaking, Sean could diffuse it with a wonderful one-liner that brought everything back into context.

He was also an amazing friend and had a quiet, charming sense of humor. His favorite day of the week was when the cafeteria served chicken wings. He would get a group together and go down to lunch on ''wing day''—he looked forward to that day all week long.

Sean McGee was a young man who brightened so many of our days, and he will be terribly missed.

I offer my sincerest condolences to his parents Tom and Sharon, to his brother Tom, and to his girlfriend of many years, Katie Kulpa, whom Sean loved so much. Sean was a gift to all of us, and we will always be thankful for the precious time we had with him.

Next Tuesday would have been Sean's 27th birthday. It is hard to believe we won't be able to celebrate with him. But we can honor him by living our lives as he did.

William Penn, one of the founders of our great Nation, said, ''I expect to pass through life but once. If therefore, there be any kindness I can show, or any good thing I can do to any fellow being, let me do it now, and not defer or neglect it, as I shall not pass this way again.''

That is how Sean lived his life, and that was the gift that he gave to all of us who knew him.

ADDITIONAL STATEMENTS

TRIBUTE TO VICTORIA MALOCH

• Mr. BOOZMAN. Mr. President, today I recognize Victoria Maloch from Magnolia, AR, for being selected for participation in the annual United States Senate Youth Program.

Created in 1962, the United States Senate Youth was organized to encourage an understanding of our government with an emphasis of how its three branches work and how elected officials work for their constituents and create policies that impact our Nation and the world. The weeklong visit to Washington, DC, allows students to meet and interact with lawmakers, appointed officials and staff who are involved in crafting legislation and making decisions that influence our laws.

This program brings together some of our Nations top youth leaders, like Victoria, who show a commitment to public service. An outstanding student at Emerson High School, Victoria excels both in and out of the classroom.

She serves as president of the 4–H Club and Future Farmers of America; vice president of Arkansas Junior Brangus Breeders Association; secretary of the Science Club and captain of Quiz Bowl. Victoria is a member of the Beta club, Future Business Leaders of America, and Family Career and Community Leaders of America. She was a People-to-People ambassador and volunteers in her community with the Youth Advisory Council and Today's Youth Tomorrow's Leaders program. Victoria plans to attend the University of Arkansas and continue her education in law school.

Victoria is very deserving of this honor. I congratulate her for her determination, dedication, and service and encourage her growth as a leader.•

30TH ANNIVERSARY OF MARIN AGRICULTURAL LAND TRUST

• Mrs. BOXER. Mr. President, I take this opportunity to recognize the 30th anniversary of Marin Agricultural Land Trust, MALT. Located in Marin County, CA, MALT was the first land trust in the United States to focus explicitly on farmland preservation. Since its founding in 1980, MALT has successfully protected more than 41,800 acres of California's land on 66 family ranches and farms.

Thirty years ago, in response to a changing economy and increasing urban expansion, biologist Phyllis Faber and dairywoman Ellen Straus recognized that in order to preserve Marin's 150-year-old tradition of family farming and protect the county's tremendous natural resources, ranchers and environmentalists would need to work together. Phyllis and Ellen cofounded MALT, bringing together a diverse coalition of ranchers and environmentalists who came together to pursue their vision for conserving Marin's pristine farmlands. By providing an alternative to the sale of farmland, MALT has protected thousands of acres of open grasslands, fertile floodplains, oak woodlands, and mixed evergreen forests that would otherwise have been sold or developed.

Working in areas stretching from the salt marshes of Tomales Bay to the Douglas-fir forest crowning Hicks Mountain, MALT continues to be an environmental and community leader. In addition to establishing easements, MALT runs a variety of stewardship and educational programs, including its Farm Field Studies Program in which more than 1,700 students from 35 schools recently participated. MALT also coordinates hikes and tours, giving residents opportunities to explore and experience Marin's stunning agricultural landscapes first hand.

MALT is also doing its part to reduce greenhouse gases and integrate the agriculture industry into the fight against climate change. As a founding member of the Marin Carbon Project, MALT is working with project partners in an attempt to sequester carbon in Marin's rangeland soil using agricultural management strategies.

Due to the dedicated efforts of its 5,000 members, staff, volunteers, funders, and partner agencies, MALT has helped revitalize local agriculture while preserving the ecological value of the land. Each year, Marin County produces millions of dollars in livestock, livestock products, feed, and crops, without diminishing the county's biological vitality.

Over the past year, despite difficult economic times, MALT achieved permanent protection for a goat dairy, a small-scale sheep ranch, and a grade A Holstein dairy that has been in operation since 1933. These crucial projects were funded through a combination of grants from public agencies and donations from private individuals.

The Marin Agricultural Land Trust's vision and commitment to protecting California's ecological, environmental, and agricultural endowment should be commended. Please join me in congratulating MALT for its three decades

of hard work and wishing MALT much more success in the years to come. I look forward to future generations having the opportunity to enjoy Marin County's rich agricultural tradition and natural beauty.●

REMEMBERING FRED HILL

● Mrs. BOXER. Mr. President, I take this opportunity to honor the memory of a very special man, Frederick ''Fred'' Hill of Sonoma County, who died on February 9, 2011. He was 75 years old.

Fred Hill was a man of many talents and will be fondly remembered for his diverse work in the literary world. Born in Philadelphia, PA, Fred went on to attend Brown University. Following graduation, Fred served in the Army before getting a job as a travelling textbook salesman with Knopf. He later worked for Little, Brown as a Western States salesman and then as head of the company's international division. Throughout this transformative time of travel and networking, Fred realized his gift: he loved writers, he loved publishers, and he was uniquely gifted in his ability to interact with and explain one to the other.

Fred relocated to the San Francisco Bay area in the late 1970s. In 1979, after 5 years as general manager at Sierra Club Books, he rented an office on Union Street and opened his own agency, which is now run by his business partner, Bonnie Nadell. Fred remained on Union Street, in one office or another, until he decided to move his business to Glen Ellen, where he resided with his partner, Peter Gilliam.

The job of a literary agent is all encompassing, as their success depends on their client's success. Authors bestow a great deal of trust to their agents, and I know personally that Fred Hill was an outstanding agent. He was able to be encouraging and yet be critical where warranted.

Fred worked diligently to advance the products and interests of his clients, and could always be counted on to excite virtually anyone about a client's book. Fred's clients ranged from best-selling novelist Richard North Patterson to nonfiction writer Michael Murphy. He also worked with an extensive list of food writers, including Carol Field, Hubert Keller, David Lebovitz, and Gerald Hirigoyen.

Those who knew Fred Hill recognized him as a uniquely innovative and brilliant man. His work in the literary world will be remembered fondly by all those whose lives he touched. He will be deeply missed.

Fred is survived by his partner of 31 years, Peter Gilliam.●

TRIBUTE TO SUE ROUST

● Mr. JOHNSON of South Dakota. Mr. President, today I recognize a devoted and dedicated public servant in my home State of South Dakota. Sue Roust has served as Minnehaha County auditor for five terms and is retiring.

During her tenure of public service in Minnehaha County, the number of registered voters in the county has grown from 75,000 to over 108,000. She has effectively managed 24 county elections as well as Sioux Falls city and school elections. In total, she has overseen the counting of over 1.3 million ballots.

Additionally, Sue manages the accounting functions for the county. During her 20 years of service, the county budget has quadrupled. She has provided oversight and counsel on a number of important issues impacting the county. She has also utilized her position as county auditor to educate the general public on numerous issues. She has maintained a high level of professionalism and commitment to community service during her two decades of service.

In addition to her elected service, Sue has served in various leadership capacities for many community organizations, including the PTA, Boy Scouts, Girl Scouts, United Way, the Sioux Falls Washington High School Booster Club, the Dow Rummel Village board of trustees, the Sioux Falls Business and Professional Women, and the First Congregational Church. She currently serves on the board of Here4Youth, an organization which provides day care and out-of-school care to children ages 3–21 with a special emphasis on children with special needs.

I commend Sue for her great dedication and commitment to the people of Minnehaha County and the State of South Dakota. She can take great pride in her service. I want to wish Sue and her family all the best in retirement and good luck in all future endeavors.●

TRIBUTE TO THE DOLAN-JUSTICE FAMILY

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to pay tribute to the Dolan-Justice family on the 100th anniversary of owning the Grant County Review of Milbank, SD. This occasion highlights the Dolan-Justice family commitment to the newspaper industry and to the Grant County community.

On February 11, 1911, 24-year-old William S. Dolan acquired the Grant County Review. This started a 46-year adventure as editor of the small town weekly newspaper. In a time with virtually no access to television or radio, the local newspaper was the only source of news for small town South Dakota. With no experience in news media, William quickly learned the ropes. The Grant County Review became a family affair. William's wife, Christine Olson, was a trusted adviser to the paper, and his sister-in-law, Victoria Olson, even set the type on the linograph machine by hand. While other surrounding newspapers folded, William's accounting background and hard work enabled the Grant County Review to continue through the 20th century. A fierce rivalry began between the Grant County Review and the Herald Review, pitting each paper against each other for advertisers and breaking news stories. Often Dolan and the editor of the Herald Review would trade blows in the editorial section of their papers.

Sticking with the family tradition for journalism, William's daughter Phyllis pursued a journalism degree at South Dakota State University and the University of Minnesota. She then came back to write for the paper and help her father run the day-to-day activities. The family paper soon hired a printer, Clarence Justice. Clarence worked for many papers before coming to the Grant County Review, including the Miller Gazette, the Interlakes Daily, and the Miller Press. After William S. Dolan passed away, his family took over operation of the Grant County Review, with his wife Christine served as the new publisher, and his daughter Phyllis as the new editor.

William always fought for small business and rural farmers, and served as the president for the Board of Regents, overseeing South Dakota's public universities. In 1962, William S. Dolan was elected to the South Dakota Newspaper Hall of Fame. In 1982, Phyllis was elected as the first female president of the South Dakota Press Association, and in 1988 she joined her father in the South Dakota Newspaper Hall of Fame. Phyllis' boundary breaking honors serve as an inspiration to women in journalism. Clarence and Phyllis both received distinguished service awards for their work in journalism for the South Dakota Newspaper Association. In 1997, the Grant County Review received the distinguished Bishop Dudley award from the Diocese of Sioux Falls, for Clarence and Phyllis' dedication to integrity and religious values. The Grant County Review has the largest readership of any weekly newspaper in the State. This achievement highlights the incredible devotion this family and the paper's employees have to the responsibility of disseminating the news. I am proud to honor the Dolan-Justice family on reaching this hallmark, and on being reliable, responsible members of the journalism community.●

MESSAGES FROM THE HOUSE

At 10:40 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that that House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 347. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

H.R. 368. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

H.R. 386. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes.

H.R. 394. An act to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes.

At 5:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H. J. Res. 44. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 347. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code; to the Committee on the Judiciary.

H.R. 368. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; to the Committee on the Judiciary.

H.R. 386. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; to the Committee on the Judiciary.

H.R. 394. An act to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1. An act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–693. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Pipeline Safety: Mechanical Fitting Failure Reporting Requirements'' (RIN2137–AE60) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–694. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Limiting the Use of Electronic Devices by Highway'' (RIN2137–AE63) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–695. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Enhanced Enforcement Authority Procedures'' (RIN2137–AE13) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–696. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Temporary Security Zones; San Francisco Bay, Delta Ports, Monterey Bay and Humboldt Bay, CA'' (Docket No. USCG–2010–0721) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–697. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Long Island Sound'' (Docket No. USCG–2008–0171) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–698. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sacramento New Year's Eve, Fireworks Display, Sacramento, CA'' ((RIN1625–AA00) (Docket No. USCG–2010–1079)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–699. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Fireworks Displays, Potomac River, National Harbor, MD'' ((RIN1625–AA00) (Docket No. USCG–2010–076)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–700. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Richardson Ash Scattering by Fireworks, San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2010–0902)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–701. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Gulf Intracoastal Waterway, Mile Marker 49.0 to 50.0, West of Harvey Locks, Bank to Bank, Bayou Blue Pontoon Bridge, Lafourche Parish, LA'' ((RIN1625–AA00) (Docket No. USCG–2010–0999)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–702. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Thea Foss and Wheeler-Osgood Waterways EPA Superfund Cleanup Site, Commencement Bay, Tacoma, WA'' ((RIN1625–AA11) (Docket No. USCG–2008–0747)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–703. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL; Safety Zone, Chicago Sanitary and Ship Canal, Romeoville, IL'' ((RIN1625–AA11 and RIN1625–AA00) (Docket No. USCG–2010–1054)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–704. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Protection for Whistleblowers in the Coast Guard'' ((RIN1625–AB33) (Docket No. USCG–2009–0239)) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–705. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Delmarva Scallop Access Area to Limited Access General Category (LAGC) Individual Fishing Quota (IFQ) Scallop Vessels'' (RIN0648–XA171) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2011; to the Committee on Commerce, Science, and Transportation.

EC–706. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Removal of Expired Federal Aviation Administration Regulations and References'' ((RIN2120–AA66) (Docket No. FAA–2011–0092)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–707. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Expired Federal Aviation Administration Regulations and References'' ((RIN2120–AA66) (Docket No. FAA–2011–0092)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–708. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Muncie, IN'' ((RIN2120–AA66) (Docket No. FAA–2010–1032)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–709. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Martinsville, IN'' ((RIN2120–AA66) (Docket No. FAA–2010–1031)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–710. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class B Airspace; Cleveland, OH'' ((RIN2120–AA66) (Docket No. FAA–2009–0514)) received

during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–711. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Platinum, AK'' ((RIN2120–AA66) (Docket No. FAA–2010–1105)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–712. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Barrow, AK'' ((RIN2120–AA66) (Docket No. FAA–2010–0722)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–713. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Savoonga, AK'' ((RIN2120–AA66) (Docket No. FAA–2010–1103)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–714. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company CF6–45 and CF6–50 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0068)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC–715. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Payments in Support of Emergencies and Contingency Operations'' ((RIN0750–AF51) (DFARS Case 2009–D020)) received in the Office of the President of the Senate on February 28, 2011; to the Committee on Armed Services.

EC–716. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Preservation of Tooling for Major Defense Acquisition Programs'' ((RIN0750–AG45) (DFARS Case 2008–D042)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Armed Services.

EC–717. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to overseas ship repairs; to the Committee on Armed Services.

EC–718. A communication from the Principal Deputy Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to Title 10, U.S. Code 2464 requiring notification of Congress the first time a weapon system or other item of military equipment is determined to be a commercial item; to the Committee on Armed Services.

EC–719. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–720. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Armed Services.

EC–721. 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–7923)) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–722. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–02010–0003)) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–723. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Transfer and Reorganization of Bank Secrecy Act Regulations—Technical Amendment'' (RIN1506–AA92) received in the Office of the President of the Senate on February 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–724. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Minimum Capital—Temporary Increase'' (RIN2590–AA01) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–725. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC–726. A communication from the Chief, Branch of Foreign Species, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing Seven Brazilian Bird Species as Endangered Throughout Their Range'' (RIN1018–AV74) received in the Office of the President of the Senate on February 16, 2011; to the Committee on Environment and Public Works.

EC–727. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendment to the Definition of Fuel-Burning Equipment'' (FRL No. 9268–2) received in the Office of the President of the Senate on February 28, 2011; to the Committee on Environment and Public Works.

EC–728. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''License and Certificate of Compliance Terms'' (RIN3150–AI09) received during adjournment of the Senate in the Office of the President of the Senate on February 23, 2011; to the Committee on Environment and Public Works.

EC–729. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability of Model Application and Safety Evaluation for Plant-Specific Adoption of TSTF–423, Revision 1 'Technical Specifications End States, NEDC–32988–A''' (NUREG–1433 and NUREG–1434) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2011; to the Committee on Environment and Public Works.

EC–730. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds; Minimum Interest Rate'' (31 CFR Part 356) received in the Office of the President of the Senate on February 28, 2011; to the Committee on Finance.

EC–731. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, a report relative to the Administration's processing of continuing disability reviews for fiscal year 2009; to the Committee on Finance.

EC–732. A communication from the President of the United States of America, transmitting, pursuant to law the Economic Report of the President together with the 2011 Annual Report of the Council of Economic Advisers; to the Joint Economic Committee.

EC–733. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of October 20, 2010 through December 20, 2010; to the Committee on Foreign Relations.

EC–734. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Fiscal Year 2010 Annual Report on U.S. Government Assistance to and Cooperative Activities with Eurasia; to the Committee on Foreign Relations.

EC–735. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–736. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits'' (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on February 25, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–737. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; General and Plastic Surgery Devices; Classification of Contact Cooling System for Aesthetic Use'' ((21 CFR Part 878) (Docket No. FDA–

2010–D–0645)) received during adjournment of the Senate in the Office of the President of the Senate on February 24, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–738. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's annual Report to Congress on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures; to the Committee on Health, Education, Labor, and Pensions.

EC–739. A communication from the Secretary of Education, transmitting, pursuant to law, the Fiscal Year 2010 Annual Performance Report; to the Committee on Health, Education, Labor, and Pensions.

EC–740. A communication from the Director of Legal Affairs and Policy, Office of the Federal Register, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Regulations Affecting Publication of the United States Government Manual'' (A.G. Order No. 3252–2011) received in the Office of the President of the Senate on February 28, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–741. A communication from the Secretary of Energy, transmitting, pursuant to law, the Fiscal Year 2010 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–742. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled ''Appeal Authority when Researcher Privileges are Revoked'' (RIN3095–AB69) received in the Office of the President of the Senate on February 28, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–743. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Definition of Tulsa County, Oklahoma, and Angelina County, Texas, to Nonappropriated Fund Federal Wage System Wage Areas'' (RIN3206–AM22) received in the Office of the President of the Senate on March 1, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–744. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Redefinition of the Shreveport, LA; Texarkana, TX; Milwaukee, WI; and Southwestern Wisconsin Appropriated Fund Federal Wage System Wage Areas'' (RIN3206–AM28) received in the Office of the President of the Senate on March 1, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–745. A communication from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting, pursuant to law, the General/Trust Fund Financial Statements for Fiscal Year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–746. A communication from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting, pursuant to law, the Fiscal Year 2010 Performance Accountability Report and Financial Statements; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 81. An original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2011, through September 30, 2011, and October 1, 2011, through September 30, 2012, and October 1, 2012, through February 28, 2013.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ENSIGN:

S. 422. A bill to improve consumer access to passenger vehicle loss data held by insurers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR:

S. 423. A bill to amend title 38, United States Code, to provide authority for retroactive effective date for awards of disability compensation in connection with applications that are fully-developed at submittal, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself, Mr. ROBERTS, and Mr. CONRAD):

S. 424. A bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself, Ms. STABENOW, Mr. ISAKSON, Mr. CASEY, and Mr. JOHANNS):

S. 425. A bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. BROWN of Ohio, and Ms. MIKULSKI):

S. 426. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself and Mr. ENSIGN):

S. 427. A bill 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, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL:

S. 428. A bill to establish the Office of the Inspector General of the Senate; to the Committee on Rules and Administration.

By Mrs. MCCASKILL:

S. 429. A bill to improve the reporting requirements relating to foreign travel by members of Congress and the use of foreign currency; 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. KIRK (for himself and Mr. DURBIN):

S. Res. 80. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. Res. 81. An original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2011, through September 30, 2011, and October 1, 2011, through September 30, 2012, and October 1, 2012, through February 28, 2013; from the Committee on Rules and Administration; placed on the calendar.

By Mr. PAUL:

S. Res. 82. A resolution to provide sufficient time for legislation to be read; to the Committee on Rules and Administration.

By Mr. REED (for himself and Ms. COLLINS):

S. Res. 83. A resolution designating March 2, 2011, as ''Read Across America Day''; considered and agreed to.

By Mr. CASEY (for himself, Mr. BURR, Mr. BROWN of Ohio, Mr. MENENDEZ, Mr. CARDIN, Mr. LEAHY, Mrs. BOXER, Mrs. HAGAN, Mrs. GILLIBRAND, Mr. MANCHIN, Mr. UDALL of New Mexico, and Mr. LAUTENBERG):

S. Res. 84. A resolution expressing support for internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. KIRK, Mr. LAUTENBERG, Mr. DURBIN, Mrs. GILLIBRAND, Mr. SANDERS, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. CASEY, Mr. WYDEN, and Mr. CARDIN):

S. Res. 85. A resolution strongly condemning the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms, and for other purposes; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. CHAMBLISS, Mr. WARNER, Ms. MIKULSKI, Mr. RUBIO, Mr. BURR, Ms. SNOWE, Mr. NELSON of Florida, Mr. ROCKEFELLER, Mr. BLUNT, Mr. RISCH, Mr. LEVIN, Mr. MCCAIN, and Mr. SHELBY):

S. Res. 86. A resolution recognizing the Defense Intelligence Agency on its 50th Anniversary; to the Select Committee on Intelligence.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 23

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

S. 202

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 202, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal Reserve banks by the Comptroller General of the United States before the end of 2012, and for other purposes.

S. 219

At the request of Mr. TESTER, the name of the Senator from Iowa (Mr.

HARKIN) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 248

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 248, a bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act.

S. 249

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 249, a bill to amend the Endangered Species Act of 1973 to provide that Act shall not apply to any gray wolf (Canis lupus).

S. 255

At the request of Mr. ENSIGN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 255, a bill to require the Congressional Budget Office and the Joint Committee on Taxation to use dynamic economic modeling in addition to static economic modeling in the preparation of budgetary estimates of proposed changes in Federal revenue law.

S. 294

At the request of Mr. SANDERS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 294, a bill to enhance early care and education.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 388

At the request of Mrs. BOXER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 388, a bill to prohibit Members of Congress and the President from receiving pay during Government shutdowns.

S. 414

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. CON. RES. 4

At the request of Mr. SCHUMER, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 7

At the request of Mr. BARRASSO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 20

At the request of Mr. JOHANNS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 20, a resolution expressing the sense of the Senate that the United States should immediately approve the United States-Korea Free Trade Agreement, the United States-Colombia Trade Promotion Agreement, and the United States-Panama Trade Promotion Agreement.

S. RES. 47

At the request of Mr. ROBERTS, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. Res. 47, a resolution recognizing the importance of biosecurity and agrodefense in the United States.

AMENDMENT NO. 112

At the request of Mr. VITTER, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of amendment No. 112 proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

AMENDMENT NO. 116

At the request of Mr. BENNET, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 116 proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. ENSIGN):

S. 427. A bill 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, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today with my good friend Senator ENSIGN to introduce the Sloan Hills Withdrawal Act of 2010.

For nearly a decade, there has been heated debate over a proposal to permit a sand and gravel mine on public lands next door to a Henderson community with over 13,000 residents—many of whom are retired seniors. Local citizens have voiced serious safety and community health concerns about the mine. I have listened to their concerns and share their opposition to the mine.

That is why I am re-introducing legislation to stop the development of the proposed 640-acre gravel pit by withdrawing the area from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral materials. This legislation ensures the safety of Nevadans and puts an end to this proposed mining operation once and for all.

The opposition to the proposed gravel mine is overwhelming. I have received petitions with thousands—literally thousands—of signatures from people who are up in arms over the proposed gravel mine because of its potential effect on the health of residents and the toll that operations would have on an otherwise peaceful community. The project would be located on federal land, so local governments are limited in their ability to influence the outcome of the Sloan Hills proposal. It is clear, though, that the location envisioned for this project is not in the best interests of our community.

Despite strong local opposition, the Bureau of Land Management has undertaken an evaluation of the proposed gravel operation at Sloan Hills. If approved, the resulting mine would blast rock, crush gravel, kick up dust, and consume precious water resources up to twenty-four hours a day, every day, for thirty years. This would all be done just a stone's throw away from peaceful Henderson neighborhoods. Residents are justifiably worried that this project will reduce their home values, harm their health, and impact their overall quality of life.

Most troublesome to Henderson residents are large clouds of fine particulate matter that would be generated by mining activities at the Sloan Hills site. This dust pollution, kicked up by the proposed gravel operation, could exacerbate air quality challenges in the Las Vegas Valley and would be particularly troublesome for the nearby, age-restricted communities—home to many seniors already suffering from respiratory problems.

This bill is important to me and to the people of southern Nevada. I want to thank Steve Sisolak, vice chair of the Clark County Commission, for all his hard work championing this issue in Southern Nevada. Keeping our communities safe, healthy, and livable is critical.

I appreciate your help and I look forward to working with Chairman BINGAMAN, Ranking Member MURKOWSKI and the other distinguished members of the Senate Energy Committee to move this legislation forward in the near future.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 427

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sloan Hills Withdrawal Act''.

SEC. 2. WITHDRAWAL OF SLOAN HILLS AREA OF CLARK COUNTY, NEVADA.

(a) DEFINITION OF FEDERAL LAND.—In this section, the term ''Federal land'' means the land identified as the ''Withdrawal Zone'' on the map entitled ''Sloan Hills Withdrawal Area'' and dated February 24, 2011.

(b) WITHDRAWAL.—Subject to valid rights in existence on the date of introduction of this Act, the Federal land is withdrawn from all forms of—

(1) location, entry, and patent under the mining laws; and

(2) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 80—CONDEMNING THE GOVERNMENT OF IRAN FOR ITS STATE-SPONSORED PERSECUTION OF ITS BAHA'I MINORITY AND ITS CONTINUED VIOLATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Mr. KIRK (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 80

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, and 2009, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i faith;

Whereas the 2010 Department of State International Religious Freedom Report stated, ''Since the 1979 Islamic Revolution, more than 200 Baha'is have been killed, and many have faced regular raids and confiscation of property.'';

Whereas the 2009 Department of State Human Rights Report stated, ''The government [of Iran] continued to repress Baha'is and prevent them from meeting in homes to worship. It banned them from government and military leadership posts, the social pension system, and public schools and universities unless they concealed their faith.'';

Whereas, on October 15, 2010, the United Nations Secretary-General issued a special report on human rights in Iran, stating that ''the Baha'i, who comprise the country's largest non-Muslim religious minority, face multiple forms of discrimination and harassment, including denial of employment, Government benefits and access to higher education'';

Whereas, on December 21, 2010, the United Nations General Assembly adopted a resolution (A/RES/65/226) noting ''serious ongoing and recurring human rights violations'' in Iran, including against the Baha'i community;

Whereas, in November 2007, the Ministry of Information of Iran in Shiraz jailed Baha'is Ms. Raha Sabet, 33, Mr. Sasan Taqva, 32, and Ms. Haleh Roohi, 29, for educating underprivileged children, and gave them 4-year prison terms;

Whereas Ms. Sabet remains imprisoned in Iran;

Whereas Ms. Sabet, Mr. Taqva, and Ms. Roohi were targeted solely on the basis of their religion;

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the members of the coordinating group for the Baha'i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the 7 Baha'i leaders to 20-year prison terms on charges of ''spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth'';

Whereas the lawyer for these 7 leaders, Mrs. Shirin Ebadi, the Nobel Laureate, has been denied all access to the prisoners and their files;

Whereas these 7 Baha'i leaders were targeted solely on the basis of their religion;

Whereas, in February 2011, the Revolutionary Court in Tehran sentenced human rights activist and follower of the Baha'i faith, Navid Khanjani, to a 12-year prison term on charges of ''propaganda against the regime by publishing news, reports, and interviews with foreign TV and radio,'' among others;

Whereas the Government of Iran is party to the International Covenants on Human Rights; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195) authorizes the President and the Secretary of State to impose sanctions on ''the officials of the Government of Iran and other individuals who are responsible for continuing and severe violations of human rights and religious freedom in Iran'': Now, therefore, be it

Resolved, That the Senate

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven leaders and all other prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani;

(3) calls on the President and Secretary of State, in cooperation with the international community, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion, including Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, Mr. Vahid Tizfahm, Ms. Raha Sabet, and Mr. Navid Khanjani; and

(4) urges the President and Secretary of State to utilize all available measures, such as those available under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Executive Order 13553, to sanction officials of the Government of Iran and other individuals directly responsible for egregious human rights violations in Iran, including against the Baha'i community.

Mr. KIRK. Mr. President, today I rise to introduce a bipartisan resolution with my colleague Senator DURBIN condemning the government of Iran for its state-sponsored persecution of the Baha'i minority.

Founded in Iran in 1844, the Baha'i faith now has more than 5 million adherents in 236 countries and territories. The Baha'is comprise the largest religious minority in Iran.

The Baha'is preach tolerance, diversity and equality. Yet since the Islamic Revolution of 1979, the Baha'is have faced brutal and unrelenting persecution in Iran. According to the U.S. State Department, more than 200 Baha'is have been killed since 1979.

The Baha'is are regularly denied employment, access to higher education, and face multiple forms of discrimination and harassment.

In August 2010, the Iranian government sentenced seven leaders of Iran's Baha'i community to 20-year prison terms on charges of ''spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth.'' Their lawyer has been denied all access to the Baha'i prisoners and their files. Last month, the Revolutionary Court in Tehran sentenced a Baha'i human rights activist, Navid Khanjani, to a 12-year prison term on charges that included ''propaganda against the regime by publishing news, reports, and interviews with foreign TV and radio.''

The United States and the international community need to act now.

The bipartisan resolution condemns the Iranian regime's continued persecution of its Baha'i minority, calls on the regime to release Baha'i political prisoners and urges President Obama and Secretary Clinton to designate Iranian officials and other individuals directly responsible for egregious human rights violations in Iran.

The plight of Baha'is in Iran should be deeply personal to all Americans. I call on the administration to elevate human rights in Iran, including the plight of Iranian Baha'is, to the top of the international agenda.

SENATE RESOLUTION 81—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIODS MARCH 1, 2011, THROUGH SEPTEMBER 30, 2011, AND OCTOBER 1, 2011, THROUGH SEPTEMBER 30, 2012, AND OCTOBER 1, 2012, THROUGH FEBRUARY 28, 2013

Mr. SCHUMER submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 81

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2011, through September 30, 2011, in the aggregate of $70,790,674, for the period October 1, 2011, through September 30, 2012, in the aggregate of $121,355,435, and for the period October 1, 2012, through February 28, 2013, in the aggregate of $50,564,763, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for

agency contributions related to the compensation of employees of the committees for the period March 1, 2011, through September 30, 2011, for the period October 1, 2011, through September 30, 2012, and for the period October 1, 2012, through February 28, 2013, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $2,800,079, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $4,800,136, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $2,000,057, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $40,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. COMMITTEE ON ARMED SERVICES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,749,869, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $8,142,634, of which amount—

(1) not to exceed $80,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,392,765, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $30,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 4. COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,304,188, of which amount—

(1) not to exceed $11,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $700, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $7,378,606, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,200, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,074,419, of which amount—

(1) not to exceed $8,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $500, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 5. COMMITTEE ON THE BUDGET.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,489,241, of which amount—

(1) not to exceed $35,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $21,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $7,695,840, of which amount—

(1) not to exceed $60,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $36,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,206,599, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 6. COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,636,433, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $7,948,171, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,311,738, of which amount—

(1) not to exceed $50,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $50,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 7. COMMITTEE ON ENERGY AND NATURAL RESOURCES.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $3,924,299.

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $6,727,369.

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $2,803,070.

SEC. 8. COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $3,612,391, of which amount—

(1) not to exceed $4,667, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $6,192,669, of which amount—

(1) not to exceed $8,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $2,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $2,580,278, of which amount—

(1) not to exceed $3,333, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 9. COMMITTEE ON FINANCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $5,333,808, of which amount—

(1) not to exceed $17,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $5,833, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $9,143,671, of which amount—

(1) not to exceed $30,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,809,862, of which amount—

(1) not to exceed $12,500, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,166, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 10. COMMITTEE ON FOREIGN RELATIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration,

to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,393,404, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $7,531,549, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,138,145, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 11. COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $6,115,313, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $10,483,393, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $4,368,081, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $25,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 12. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $6,902,759, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $11,833,302, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $4,930,543, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(e) INVESTIGATIONS.—

(1) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(E) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(iii) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the management of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(2) EXTENT OF INQUIRIES.—In carrying out the duties provided in paragraph (1), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(3) SPECIAL COMMITTEE AUTHORITY.—For the purposes of this subsection, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 2011, through February 28, 2013, is authorized, in its, his, hers, or their discretion—

(A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(B) to hold hearings;

(C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(D) to administer oaths; and

(E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(4) AUTHORITY OF OTHER COMMITTEES.—Nothing contained in this subsection shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(5) SUBPOENA AUTHORITY.—All subpoenas and related legal processes of the committee and its subcommittee authorized under S. Res. 73, agreed to March 10, 2009 (111th Congress) are authorized to continue.

SEC. 13. COMMITTEE ON THE JUDICIARY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $6,684,239, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $11,458,695, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $4,774,457, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 14. COMMITTEE ON RULES AND ADMINISTRATION.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $1,840,717, of which amount—

(1) not to exceed $43,750, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $7,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $3,155,515, of which amount—

(1) not to exceed $75,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $12,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $1,314,798, of which amount—

(1) not to exceed $31,250, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $5,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 15. COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $1,732,860, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $2,970,617, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof

(as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $1,237,755, of which amount—

(1) not to exceed $25,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 16. COMMITTEE ON VETERANS' AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $1,602,238, of which amount—

(1) not to exceed $59,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $12,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $2,746,693, of which amount—

(1) not to exceed $100,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $20,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $1,144,455, of which amount—

(1) not to exceed $42,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $8,334, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 17. SPECIAL COMMITTEE ON AGING.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 104 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $1,937,114, of which amount—

(1) not to exceed $117,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $10,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $3,320,767, of which amount—

(1) not to exceed $200,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $15,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $1,383,653, of which amount—

(1) not to exceed $85,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $5,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 18. SELECT COMMITTEE ON INTELLIGENCE.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $4,249,113, of which amount—

(1) not to exceed $37,917, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $1,167, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $7,284,194, of which amount—

(1) not to exceed $65,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed $4,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012, through February 28, 2013, expenses of the committee under this section shall not exceed $3,035,081, of which amount—

(1) not to exceed $27,083, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $4,000, may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 19. COMMITTEE ON INDIAN AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 4, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this section shall not exceed $1,482,609, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR FISCAL YEAR 2012 PERIOD.—The expenses of the committee for the period October 1, 2011, through September 30, 2012, under this section shall not exceed $2,541,614, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(d) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2013.—For the period October 1, 2012,

through February 28, 2013, expenses of the committee under this section shall not exceed $1,059,007, of which amount—

(1) not to exceed $20,000, may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946); and

(2) not to exceed $20,000, may be expended for training consultants of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 20. SPECIAL RESERVE.

(a) ESTABLISHMENT.—Within the funds in the account ''Expenses of Inquiries and Investigations'' appropriated by the legislative branch appropriation Acts for fiscal years 2011, 2012, and 2013, there is authorized to be established a special reserve to be available to any committee funded by this resolution as provided in subsection (b) of which—

(1) an amount not to exceed $4,375,000, shall be available for the period March 1, 2011, through September 30, 2011;

(2) an amount not to exceed $7,500,000, shall be available for the period October 1, 2011, through September 30, 2012; and

(3) an amount not to exceed $3,125,000, shall be available for the period October 1, 2012, through February 28, 2013.

(b) AVAILABILITY.—The special reserve authorized in subsection (a) shall be available to any committee—

(1) on the basis of special need to meet unpaid obligations incurred by that committee during the periods referred to in paragraphs (1), (2), and (3) of subsection (a); and

(2) at the request of a Chairman and Ranking Member of that committee subject to the approval of the Chairman and Ranking Member of the Committee on Rules and Administration.

SENATE RESOLUTION 82—TO PROVIDE SUFFICIENT TIME FOR LEGISLATION TO BE READ

Mr. PAUL submitted the following resolution; which was referred to the Committee on Rules and Administration

S. RES. 82

Resolved, That (a) it shall not be in order for the Senate to consider any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter until 1 session day has passed since introduction for every 20 pages included in the measure or matter in the usual form plus 1 session day for any number of remaining pages less than 20 in the usual form.

(b)(1) Any Senator may raise a point of order that any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter is not in order under subsection (a). No motion to table the point of order shall be in order.

(2) Any Senator may move to waive a point of order raised under paragraph (1) by an affirmative yea and nay vote of two-thirds of the Senators duly chosen and sworn. All motions to waive under this subparagraph shall be debatable collectively for not to exceed 3 hours equally divided between the Senator raising the point for order and the Senator moving to waive the point of order or their designees. A motion to waive the point of order shall not be amendable.

(3) This resolution is enacted pursuant to the power granted to each House of Congress to determine the Rules of its Proceedings in clause 2 of section 5 of Article I of the Constitution of the United States.

SENATE RESOLUTION 83—DESIGNATING MARCH 2, 2011, AS ''READ ACROSS AMERICA DAY''

Mr. REED of Rhode Island (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 83

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and providing additional resources for reading assistance, including through the programs authorized in the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel, also known as Dr. Seuss, as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2, 2011, as ''Read Across America Day'';

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) honors the 14th anniversary of ''Read Across America Day'';

(4) encourages parents to read with their children for at least 30 minutes on ''Read Across America Day'' in honor of the commitment of the Senate to building a nation of readers; and

(5) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 84—EXPRESSING SUPPORT FOR INTERNAL REBUILDING, RESETTLEMENT, AND RECONCILIATION WITHIN SRI LANKA THAT ARE NECESSARY TO ENSURE A LASTING PEACE

Mr. CASEY (for himself, Mr. BURR, Mr. BROWN of Ohio, Mr. MENENDEZ, Mr. CARDIN, Mr. LEAHY, Mrs. BOXER, Mrs. HAGAN, Mrs. GILLIBRAND, Mr. MANCHIN, Mr. UDALL of New Mexico, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 84

Whereas May 19, 2010, marked the one-year anniversary of the end of the 26-year conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka;

Whereas the Government of Sri Lanka established a Lessons Learned and Reconciliation Commission (LLRC) to report whether any person, group, or institution directly or indirectly bears responsibility for incidents that occurred between February 2002 and May 2009 and to recommend measures to prevent the recurrence of such incidents in the future and promote further national unity and reconciliation among all communities;

Whereas United Nations Secretary-General Ban Ki-moon appointed a panel of experts, including Marzuki Darusman, the former attorney general of Indonesia; Yazmin Sooka, a member of South Africa's Truth and Reconciliation Commission; and Steven Ratner, a lawyer in the United States specializing in human rights and international law, to advise the Secretary-General on the implementation of the commitment of the Government of Sri Lanka to human rights accountability;

Whereas the Government of Sri Lanka expressed its commitment to addressing the needs of all ethnic groups and has recognized, in the past, the necessity of a political settlement and reconciliation for a peaceful and just society;

Whereas the United States Government has yet to develop a comprehensive United States policy toward Sri Lanka that reflects the broad range of human rights, national security, and economic interests; and

Whereas progress on domestic and international investigations into reports of war crimes, crimes against humanity, and other human rights violations during the conflict and promoting reconciliation would facilitate enhanced United States engagement and investment in Sri Lanka: Now, therefore, be it

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-moon for creating the three-person panel to advise the Secretary-General on the implementation of the commitment of the Government of Sri Lanka to human rights accountability;

(2) calls on the Government of Sri Lanka, the international community, and the United Nations to establish an independent international accountability mechanism to look into reports of war crimes, crimes against humanity, and other human rights violations committed by both sides during and after the war in Sri Lanka and to make recommendations regarding accountability;

(3) calls on the Government of Sri Lanka to allow humanitarian organizations, aid agencies, journalists, and international human rights groups greater freedom of movement, including in internally-displaced persons camps; and

(4) calls upon the President to develop a comprehensive policy towards Sri Lanka that reflects United States interests, including respect for human rights, democracy and the rule of law, economic interests, and security interests.

SENATE RESOLUTION 85—STRONGLY CONDEMNING THE GROSS AND SYSTEMATIC VIOLATIONS OF HUMAN RIGHTS IN LIBYA, INCLUDING VIOLENT ATTACKS ON PROTESTERS DEMANDING DEMOCRATIC REFORMS, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. KIRK, Mr. LAUTENBERG, Mr. DURBIN, Mrs. GILLIBRAND, Mr. SANDERS, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. CASEY, Mr. WYDEN, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 85

Whereas Muammar Gadhafi and his regime have engaged in gross and systematic violations of human rights, including violent attacks on protesters demanding democratic reforms, that have killed thousands of people;

Whereas Muammar Gadhafi, his sons and supporters have instigated and authorized violent attacks on Libyan protesters using warplanes, helicopters, snipers and soldiers and continue to threaten the life and well-being of any person voicing opposition to the Gadhafi regime;

Whereas the United Nations Security Council and the international community have condemned the violence and use of force against civilians in Libya and on February 26, 2011, the United Nations Security Council unanimously agreed to refer the ongoing situation in Libya to the International Criminal Court, impose an arms embargo on the Libyan Arab Jamahiriya, including the provision of mercenary personnel, freeze the financial assets of Muammar Gadhafi and certain family members, and impose a travel ban on Gadhafi, certain family members and senior advisors;

Whereas Muammar Gadhafi has ruled Libya for more than 40 years by banning and brutally opposing any individual or group opposing the ideology of his 1969 revolution, criminalizing the peaceful exercise of expression and association, refusing to permit independent journalists' and lawyers' organizations, and engaging in torture and extrajudicial executions, including the 1,200 detainees killed in Abu Salim Prison in June 1996;

Whereas Libya took formal responsibility for the terrorist attack that brought down Pan Am Flight 103 over Lockerbie, Scotland, killing 270 people, 189 of whom were U.S. citizens and high-ranking Libyan officials have indicated that Muammar Gadhafi personally ordered the attack; and

Whereas Libya was elected to the United Nations Human Rights Council on May 13, 2010 for a period of 3 years, sending a demoralizing message of indifference to the families of the victims of Pan Am flight 103 and Libyan citizens that have endured repression, arbitrary arrest, enforced disappearance or physical assault in their struggle to obtain basic human and civil rights: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the courage of the Libyan people in standing up against the brutal dictatorship of Muammar Gadhafi and for demanding democratic reforms, transparent governance, and respect for basic human and civil rights;

(2) strongly condemns the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms;

(3) calls on Muammar Gadhafi to desist from further violence, recognize the Libyan people's demand for democratic change, resign his position and permit a peaceful transition to democracy governed by respect for human and civil rights and the right of the people to choose their government in free and fair elections;

(4) calls on the Gadhafi regime to immediately release persons that have been arbitrarily detained, to cease the intimidation, harassment and detention of peaceful protestors, human rights defenders and journalists, to ensure civilian safety, and to guarantee access to human rights and humanitarian organizations;

(5) welcomes the unanimous vote of the United Nations Security Council on resolution 1970 referring the situation in Libya to the International Criminal Court, imposing an arms embargo on the Libyan Arab Jamahiriya, freezing the assets of Gadhafi and family members, and banning international travel by Gadhafi, members of his family, and senior advisors;

(6) urges the Gadhafi regime to abide by United Nations Security Council Resolution 1970 and ensure the safety of foreign nationals and their assets, and to facilitate the departure of those wishing to leave the country as well as the safe passage of humanitarian and medical supplies, humanitarian agencies and workers, into Libya in order to assist the Libyan people;

(7) urges the United Nations Security Council to take such further action as may be necessary to protect civilians in Libya from attack, including the possible imposition of a no-fly zone over Libyan territory;

(8) welcomes the African Union's condemnation of the ''disproportionate use of force in Libya'' and urges the Union to take action to address the human rights crisis in Libya and to ensure that member states, particularly those bordering Libya, are in full compliance with the arms embargo imposed by United Nations Security Council Resolution 1970 against the Libyan Arab Jamahiriya, including the ban on the provision of armed mercenary personnel;

(9) welcomes the decision of the United Nations Human Rights Council to recommend Libya's suspension from the Council and urges the United Nations General Assembly to vote to suspend Libya's rights of membership in the Council;

(10) welcomes the attendance of Secretary of State Clinton at the United Nations Human Rights Council meeting in Geneva and 1) urges the Council's assumption of a country mandate for Libya that employs a Special Rapporteur on the human rights situation in Libya and 2) urges the U.S. Ambassador to the United Nations to advocate for improving United Nations Human Rights Council membership criteria at the next United Nations General Assembly in New York City to exclude gross and systematic violators of human rights; and

(11) welcomes the outreach that has begun by the United States Government to Libyan opposition figures and supports an orderly, irreversible transition to a legitimate democratic government in Libya.

SENATE RESOLUTION 86—RECOGNIZING THE DEFENSE INTELLIGENCE AGENCY ON ITS 50TH ANNIVERSARY

Mrs. FEINSTEIN (for herself, Mr. CHAMBLISS, Mr. WARNER, Ms. MIKULSKI, Mr. RUBIO, Mr. BURR, Ms. SNOWE, Mr. NELSON of Florida, Mr. ROCKEFELLER, Mr. BLUNT, Mr. RISCH, Mr. LEVIN, Mr. MCCAIN, and Mr. SHELBY) submitted the following resolution; which was referred to the Select Committee on Intelligence:

S. RES. 86

Whereas, the Defense Intelligence Agency was created in 1961 as the United States lead military intelligence organization, approved by Secretary of Defense Robert McNamara on July 5, 1961, and activated on October 1, 1961;

Whereas, with military and civilian employees worldwide, the Defense Intelligence Agency produces military intelligence to warfighters and policymakers in the Department of Defense and the intelligence community, to support United States military planning, operations, and weapon systems acquisition;

Whereas the Defense Intelligence Agency possesses a diverse and expeditionary workforce that conducts all-source analysis, intelligence collection, and information technology infrastructure support around the world;

Whereas the Defense Intelligence Agency plays a critical role within the Department of Defense, the combatant commands, the intelligence community, and the Defense Intelligence Enterprise through the Defense Attaché System, Defense Counterintelligence and HUMINT Center, National Defense Intelligence College, National Media Exploitation Center, and National Center for Credibility Assessment;

Whereas the Defense Intelligence Agency leads the defense all-source analytic community including the Directorate for Analysis and four specialized centers known as the Underground Facility Analysis Center, the National Center for Medical Intelligence, the Joint Intelligence Task Force-Combating Terrorism, and the Missile and Space Intelligence Center, as well as synchronizes the analytic efforts of the Army National Ground Intelligence Center, Office of Naval Intelligence, Air Force National Air and Space Intelligence Center, Marine Corps Intelligence Activity, and ten United States combatant command intelligence centers;

Whereas the Defense Intelligence Agency has throughout its history provided intelligence support to United States policy makers and military commanders in both war and peacetime during significant national security events including the Cuban Missile Crisis, the Vietnam conflict, the Cold War and its aftermath, operations against state-sponsored terrorist organizations, Operation Desert Storm, and in support of United States military and coalition operations in Somalia, the former Yugoslavia, and Haiti;

Whereas, since the terrorist attacks of September 11, 2001, the men and women of the Defense Intelligence Agency have worked diligently to deter, detect, and prevent acts of terror by providing intelligence support to United States and coalition forces in support of the Global War on Terror, Operation Enduring Freedom in Afghanistan, and Operation Iraqi Freedom; and

Whereas the Defense Intelligence Agency and subordinate organizations within the Agency have been awarded seven Joint Meritorious Unit Awards reflecting the distinctive accomplishments of the personnel assigned to the Defense Intelligence Agency: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the men and women of the Defense Intelligence Agency on the occasion of the Agency's 50th Anniversary;

(2) honors the heroic sacrifice of the employees of the Defense Intelligence Agency who have given their lives, or have been wounded or injured, in the service of the United States during the past 50 years; and

(3) expresses gratitude to all the men and women of the Defense Intelligence Agency for their past and continued efforts to provide timely and accurate intelligence support to deliver overwhelming advantage to our warfighters, defense planners, and defense and national security policymakers in the defense and security of the United States.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce a resolution honoring the Defense Intelligence Agency on the occasion of its 50th anniversary this year.

I am joined by Senators CHAMBLISS, WARNER, MIKULSKI, RUBIO, BURR, SNOWE, BILL NELSON, ROCKEFELLER, BLUNT, RISCH, LEVIN, MCCAIN, and SHELBY on this resolution and I would like to thank them for their support.

Created in 1961, the Defense Intelligence Agency, known as ''DIA,'' provides intelligence on important national security questions such as foreign military intentions and capabilities. The agency supports military commanders and policymakers throughout the U.S. Government.

In fact, as Chairman of the Senate Select Committee on Intelligence, I regularly review DIA intelligence products. The DIA produces a daily set of classified intelligence products, called

the Defense Intelligence Digest, which is provided to our Committee each morning. The agency also produces longer reports on foreign military capabilities, strategic reviews, and other issues of interest to defense and other policymakers.

But producing finished intelligence analysis is only one of DIA's missions. Employing a diverse workforce of military and civilian intelligence professionals, DIA conducts all-source analysis, intelligence collection, and information technology infrastructure support worldwide.

DIA's responsibilities inside the Department of Defense and across the Intelligence Community have grown significantly over the years. The agency today is responsible for the Defense Attaché System, the Defense Counterintelligence and HUMINT Center, the National Defense Intelligence College, the National Media Exploitation Center, the National Center for Credibility Assessment and four specialized centers: the Underground Facility Analysis Center, the National Center for Medical Intelligence, the Joint Intelligence Task Force-Combating Terrorism and the Missile and Space Intelligence Center.

DIA also oversees intelligence analysis throughout the Department of Defense, including analytic work performed at the Army National Ground Intelligence Center, the Office of Naval Intelligence, the Air Force National Air and the Space Intelligence Center, the Marine Corps Intelligence Activity, and ten U.S. combatant command intelligence operations centers.

Over the last 50 years, the intelligence collected and analyzed by the men and women of DIA has informed the Nation's civilian and military leaders during crises and conflicts—from the Cold War to the current struggle against international terrorism. DIA has played a vital role in collecting, analyzing, and producing intelligence required to defend the Nation while also supporting U.S. military operations worldwide.

During the past 5 decades, DIA has transformed in response to evolving national security threats. From the Cuban Missile Crisis and the Vietnam conflict, to the first Gulf War, DIA's efforts have focused on understanding and, if necessary, defeating state-sponsored militaries while also providing strategic warning and preventing strategic surprise.

Since the 9/11 terrorist attacks in New York and Washington almost ten years ago, DIA has responded to the asymmetric threat posed by transnational terrorist groups such as al-Qaeda by pushing more analytic and collection capabilities forward in direct support of our military forces in Iraq, Afghanistan, and elsewhere. Today the agency is more forward deployed with soldiers on the battlefield than at any time in its history.

As Chairman of the Senate Select Committee on Intelligence, I receive frequent briefings from DIA personnel. Their depth of knowledge and expertise on foreign military intentions and capabilities has been impressive.

I've met twice within the past few weeks with the current DIA Director, Lieutenant General Ronald Burgess. He, like his predecessors, presents the facts like he sees them and manages to serve the Intelligence Community and the Department of Defense with skill and integrity.

I am keenly aware of the many sacrifices our intelligence professionals make to help defend our Nation and I am pleased that this resolution pays tribute to the DIA workforce and the DIA employees who have given their lives, or have been wounded or injured, in the line of service.

Because of the nature of intelligence and the need for secrecy, we in Congress often are understandably reluctant to draw unnecessary attention to our intelligence services and the vital and sometimes dangerous work they do to protect our Nation. However, at this important 50th anniversary, it is appropriate to reflect on DIA's history of important contributions while also honoring its professionals, past and present.

I ask my colleagues to join me in congratulating the men and women of DIA as they celebrate their legacy and forge their future.

Mr. CHAMBLISS. Mr. President, I rise today to talk about the Defense Intelligence Agency and a resolution that Chairman FEINSTEIN and I have introduced in honor of DIA's 50th Anniversary. The Defense Intelligence Agency is an integral part of the Department of Defense, our combatant commands, and the intelligence community. I want to congratulate the Agency and its employees on the approaching 50th Anniversary.

The Defense Intelligence Agency was established in 1961 under Secretary of Defense, Robert McNamara following a national debate on defense reorganization after World War II. McNamara, acting on recommendations of a Joint Study Group appointed by President Eisenhower, created the DIA to consolidate and integrate military intelligence efforts. DIA began operations on October 1, 1961 with only a handful of employees in borrowed office space in the Pentagon.

Shortly after its inception, DIA was thrust into the Cold War where DIA's analysts played a key role in the discovery of ballistic missiles in Cuba. However, the fledgling agency faced several early hurdles in the 60's including the Vietnam War and the Soviet Union's invasion of Czechoslovakia. In the 70's and 80's, DIA focused much of its attention on providing intelligence on the Soviet Union, but was finally coming of age as it was assigned support responsibilities to our combatant commanders under the Goldwater-Nichols Defense Reorganization Act. The 90's brought Operation DESERT STORM and bolstered DIA's mission as a Combat Support Agency with U.S. and United Nations forces in places such as Somalia, Rwanda, former Yugoslavia, and Kosovo.

The emergence of radical Islamic movements such as al-Qaida and the terrorist attacks of September 11th have ushered in a new era of integration and cooperation in military intelligence. The intelligence community has faced significant challenges and reorganization in recent years, but DIA has stepped up to meet these challenges head-on.

DIA has worked diligently to deter, detect, and prevent acts of terror by providing intelligence to U.S. and coalition forces in support of the Global War on Terror, Operation Enduring Freedom in Afghanistan, and Operation Iraqi Freedom.

Today, DIA has over 16,000 employees worldwide and has become an integral part of the Department of Defense and the intelligence community. I want to thank them for their service to our country and all that they do for our warfighters, planners, and policymakers. I am sure that all of my colleagues will join me in congratulating them on their upcoming 50th Anniversary.

AMENDMENTS SUBMITTED AND PROPOSED

SA 118. Mr. BENNET (for himself, Mr. BROWN of Massachusetts, Mr. RISCH, Mr. COONS, Mr. BINGAMAN, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table.

SA 119. Mr. BENNET (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 120. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 121. Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. KYL, and Mr. WHITEHOUSE) proposed an amendment to the bill S. 23, supra.

SA 122. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 123. Mr. KIRK (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 23, supra.

SA 124. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 23, supra.

SA 125. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 126. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill S. 23, supra; which was ordered to lie on the table.

SA 127. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 128. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 129. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 130. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 131. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 132. Mr. CARDIN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 118. Mr. BENNET (for himself, Mr. BROWN of Massachusetts, Mr. RISCH, Mr. COONS, Mr. BINGAMAN, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 32, line 12, strike ''**DAMAGES**'' and insert ''**DEFENSES; EVIDENTIARY REQUIREMENTS**''.

On page 32, strike line 13 and all that follows through page 35, line 2.

On page 37, line 1, strike ''(b)'' and insert ''(a)''.

On page 37, line 20, strike ''(c)'' and insert ''(b)''.

On page 38, line 3, strike ''(d)'' and insert ''(c)''.

On page 38, line 13, strike ''(e)'' and insert ''(d)''.

On page 77, strike line 23 and all that follows through page 78, line 6.

On page 78, line 7, strike ''(b)'' and insert ''(a)''.

On page 78, line 20, strike ''(c)'' and insert ''(b)''.

SA 119. Mr. BENNET (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 104, between lines 22 and 23, insert the following:

SEC. 18. TELEVISION ACCESS.

(a) SHORT TITLE.—This section may be cited as the ''Four Corners Television Access Act of 2011''.

(b) SATELLITE CARRIAGE OF CERTAIN TELEVISION BROADCAST SIGNALS.—Section 122(a)(4)(C) of title 17, United States Code, is amended—

(1) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(2) by striking ''In the case of that State'' and inserting the following:

''(ii) In the case of that State''; and

(3) by inserting before clause (ii) (as so redesignated by paragraph (2)) the following:

''(i) In the case of that State in which are located 2 counties that—

''(I) are located in the 44th largest designated market area for the year 2008 according to Nielsen Media Research; and

''(II) had a combined total of 27,540 television households, according to the *Nielsen DMA Market Atlas* by Nielsen Media Research for 2008,

the statutory license provided under this paragraph shall apply to secondary transmissions by a satellite carrier to subscribers in any such county of the primary transmissions of any network station located in that State, if the satellite carrier was making such secondary transmissions to any subscribers in that county on January 1, 2008.''.

(c) CABLE CARRIAGE OF CERTAIN TELEVISION BROADCAST SIGNAL.—Section 341 of Communications Act of 1934 (47 U.S.C. 341) is amended by adding at the end the following:

''(c) RULE OF CONSTRUCTION.—

''(1) SIGNIFICANTLY VIEWED.—Each television broadcast station broadcasting in the designated market area of a State capital is deemed significantly viewed in a covered county within the meaning of section 76.54 of title 47, Code of Federal Regulations, for purposes of the carriage and retransmission of the signals of such broadcast station by a cable system, translator, or other multichannel video programming distributor.

''(2) RETRANSMISSION PERMITTED.—Notwithstanding the provisions of section 325(b), a cable system, translator, or other multichannel video programming distributor may retransmit the signal of any television broadcast station described in paragraph (1) within a covered county.

''(3) DEFINITION OF COVERED COUNTY.—For purposes of this subsection, a county is a covered county if—

''(A) it is 1 of 2 counties located in the 44th largest designated market area for the year 2008 according to Nielsen Media Research; and

''(B) it had a combined total of 27,540 television households, according to the *Nielsen DMA Market Atlas* by Nielsen Media Research for 2008.''.

On page 104, line 23, strike ''**SEC. 18.**'' and insert ''**SEC. 19.**''.

SA 120. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 104, between lines 22 and 23, insert the following:

SEC. 18. PATENT OMBUDSMAN PROGRAM FOR SMALL BUSINESS CONCERNS.

There is established in the United States Patent and Trademark Office a Patent Ombudsman Program. The duties of the Program's staff shall include providing support and services relating to patent filings to small business concerns.

SA 121. Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. KYL, and Mr. WHITEHOUSE) proposed an amendment to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 1, strike line 5, and insert the following: '''America Invents Act'''.

On page 9, line 8, strike ''1 year'' and insert ''18 months''.

On page 32, strike line 12 and all that follows through page 35, line 2, and insert the following:

SEC. 4. VIRTUAL MARKING AND ADVICE OF COUNSEL.

On page 37, line 1, strike ''(b)'' and insert ''(a)''.

On page 37, line 20, strike ''(c)'' and insert ''(b)''.

On page 38, line 3, strike ''(d)'' and insert ''(c)''.

On page 38, line 13, strike ''(e)'' and insert ''(d)''.

On page 57, strike lines 17 through 23, and insert the following:

''(b) PRELIMINARY INJUNCTIONS.—If a civil action alleging infringement of a patent is filed within 3 months of the grant of the patent, the court may not stay its consideration of the patent owner's motion for a preliminary injunction against infringement of the patent on the basis that a petition for post-grant review has been filed or that such a proceeding has been instituted.''.

On page 59, strike lines 13 through 19.

On page 59, line 20, strike ''(g)'' and insert ''(f)''.

On page 65, line 21, strike ''18 months'' and insert ''1 year''.

On page 66, line 3, strike ''18 months'' and insert ''1 year''.

On page 66, lines 4 and 5, strike ''and shall apply only to patents issued on or after that date.'' and insert ''and, except as provided in section 18 and in paragraph (3), shall apply only to patents that are described in section 2(o)(1).''.

On page 66, line 8, after the period insert the following: ''During the 4 year period following the effective date of subsections (a) and (d), the Director may, in his discretion, continue to apply the provisions of chapter 31 of title 35, United States Code, as amended by paragraph (3), as if subsection (a) had not been enacted to such proceedings instituted under section 314 (as amended by subsection (a)) or under section 324 as are instituted only on the basis of prior art consisting of patents and printed publications.''.

On page 69, line 2, strike ''18 months'' and insert ''1 year''.

On page 69, line 14, strike ''18 months'' and insert ''1 year''.

On page 74, line 22, strike ''18 months'' and insert ''1 year''.

On page 75, line 16, strike ''18 months'' and insert ''1 year''.

On page 75, line 22, strike ''18 months'' and insert ''1 year''.

On page 76, line 5, strike ''18 months'' and insert ''1 year''.

On page 77, strike line 23 and all that follows through page 78, line 6.

On page 78, line 7, strike ''(b)'' and insert ''(a)''.

On page 78, line 20, strike ''(c)'' and insert ''(b)''.

On page 79, strike lines 1 through 17, and insert the following:

(1) IN GENERAL.—The Director shall have authority to set or adjust by rule any fee established, authorized, or charged under title 35, United States Code, and the Trademark Act of 1946 (15 U.S.C. 1051 et seq.), notwithstanding the fee amounts established, authorized, or charged thereunder, for all services performed by or materials furnished by, the Office, provided that patent and trademark fee amounts are in the aggregate set to recover the estimated cost to the Office for processing, activities, services, and materials relating to patents and trademarks, respectively, including proportionate shares of the administrative costs of the Office.

On page 79, lines 19–21, strike ''filing, processing, issuing, and maintaining patent applications and patents'' and insert: ''filing, searching, examining, issuing, appealing, and maintaining patent applications and patents''.

On page 86, between lines 8 and 9, insert the following:

(i) REDUCTION IN FEES FOR SMALL ENTITY PATENTS.—The Director shall reduce fees for providing prioritized examination of utility and plant patent applications by 50 percent for small entities that qualify for reduced fees under section 41(h)(1) of title 35, United States Code, so long as the fees of the prioritized examination program are set to recover the estimated cost of the program.

On page 86, line 9, strike ''(i)'' and insert ''(j)''.

On page 91, between lines 14 and 15, insert the following:

(b) NO PROVISION OF FACILITIES AUTHORIZED.—The repeal made by the amendment in subsection (a)(1) shall not be construed to authorize the provision of any court facilities or administrative support services outside of the District of Columbia.

On page 91, line 15, strike ''(b)'' and insert ''(c)''.

On page 91, line 23, strike ''under either subsection'' and all that follows through ''shall certify'' on page 92, line 2.

On page 92, line 7, before the semicolon insert the following: '', not including applications filed in another country, provisional applications under section 111(b), or international applications filed under the treaty defined in section 351(a) for which the basic national fee under section 41(a) was not paid''.

On page 92, between lines 7 and 8, insert the following:

''(3) did not in the prior calendar year have a gross income, as defined in section 61(a) of the Internal Revenue Code (26 U.S.C. 61(a)), exceeding 3 times the most recently reported median household income, as reported by the Bureau of Census; and''.

On page 92, strike lines 8 through 25.

On page 93, line 1, strike ''(3) has not assigned, granted, conveyed, or is'' and insert ''(4) has not assigned, granted, conveyed, and is not''.

On page 93, lines 4 and 5, strike ''has 5 or fewer employees and that such entity has'' and insert ''had''.

On page 93, line 7, strike ''that does'' and all that follows through line 11, and insert the following: ''exceeding 3 times the most recently reported median household income, as reported by the Bureau of the Census, in the calendar year preceding the calendar year in which the fee is being paid, other than an entity of higher education where the applicant is not an employee, a relative of an employee, or have any affiliation with the entity of higher education.''.

On page 93, strike lines 12 through 17, and insert the following:

''(b) APPLICATIONS RESULTING FROM PRIOR EMPLOYMENT.—An applicant is not considered to be named on a previously filed application for purposes of subsection (a)(2) if the applicant has assigned, or is under an obligation by contract or law to assign, all ownership rights in the application as the result of the applicant's previous employment.

''(c) FOREIGN CURRENCY EXCHANGE RATE.—If an applicant's or entity's gross income in the preceding year is not in United States dollars, the average currency exchange rate, as reported by the Internal Revenue Service, during the preceding year shall be used to determine whether the applicant's or entity's gross income exceeds the threshold specified in paragraphs (3) or (4) of subsection (a).''.

On page 94, between lines 18 and 19, insert the following:

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to imply that other business methods are patentable or that other business-method patents are valid.

On page 94, line 19, strike ''(c)'' and insert ''(d)''.

On page 103, between lines 11 and 12, insert the following:

''(c) DERIVATIVE JURISDICTION NOT REQUIRED.—The court to which a civil action is removed under this section is not precluded from hearing and determining any claim in such civil action because the State court from which such civil action is removed did not have jurisdiction over that claim.''.

On page 103, line 12, strike ''(c)'' and insert ''(d)''.

On page 105, between lines 22 and 23, insert the following:

SEC. 18. TRANSITIONAL PROGRAM FOR COVERED BUSINESS-METHOD PATENTS.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section language is expressed in terms of a section or chapter, the reference shall be considered to be made to that section or chapter in title 35, United States Code.

(b) TRANSITIONAL PROGRAM.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Director shall issue regulations establishing and implementing a transitional post-grant review proceeding for review of the validity of covered business-method patents. The transitional proceeding implemented pursuant to this subsection shall be regarded as, and shall employ the standards and procedures of, a post-grant review under chapter 32, subject to the following exceptions and qualifications:

(A) Section 321(c) and subsections (e)(2), (f), and (g) of section 325 shall not apply to a transitional proceeding.

(B) A person may not file a petition for a transitional proceeding with respect to a covered business-method patent unless the person or his real party in interest has been sued for infringement of the patent or has been charged with infringement under that patent.

(C) A petitioner in a transitional proceeding who challenges the validity of 1 or more claims in a covered business-method patent on a ground raised under section 102 or 103 as in effect on the day prior to the date of enactment of this Act may support such ground only on the basis of—

(i) prior art that is described by section 102(a) (as in effect on the day prior to the date of enactment of this Act); or

(ii) prior art that—

(I) discloses the invention more than 1 year prior to the date of the application for patent in the United States; and

(II) would be described by section 102(a) (as in effect on the day prior to the date of enactment of this Act) if the disclosure had been made by another before the invention thereof by the applicant for patent.

(D) The petitioner in a transitional proceeding, or his real party in interest, may not assert either in a civil action arising in whole or in part under section 1338 of title 28, United States Code, or in a proceeding before the International Trade Commission that a claim in a patent is invalid on any ground that the petitioner raised during a transitional proceeding that resulted in a final written decision.

(E) The Director may institute a transitional proceeding only for a patent that is a covered business-method patent.

(2) EFFECTIVE DATE.—The regulations issued pursuant to paragraph (1) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply to all covered business-method patents issued before, on, or after such date of enactment, except that the regulations shall not apply to a patent described in the first sentence of section 5(f)(2) of this Act during the period that a petition for post-grant review of that patent would satisfy the requirements of section 321(c).

(3) SUNSET.—

(A) IN GENERAL.—This subsection, and the regulations issued pursuant to this subsection, are repealed effective on the date that is 4 years after the date that the regulations issued pursuant to paragraph (1) take effect.

(B) APPLICABILITY.—Notwithstanding subparagraph (A), this subsection and the regulations implemented pursuant to this subsection shall continue to apply to any petition for a transitional proceeding that is filed prior to the date that this subsection is repealed pursuant to subparagraph (A).

(c) REQUEST FOR STAY.—

(1) IN GENERAL.—If a party seeks a stay of a civil action alleging infringement of a patent under section 281 in relation to a transitional proceeding for that patent, the court shall decide whether to enter a stay based on—

(A) whether a stay, or the denial thereof, will simplify the issues in question and streamline the trial;

(B) whether discovery is complete and whether a trial date has been set;

(C) whether a stay, or the denial thereof, would unduly prejudice the nonmoving party or present a clear tactical advantage for the moving party; and

(D) whether a stay, or the denial thereof, will reduce the burden of litigation on the parties and on the court.

(2) REVIEW.—A party may take an immediate interlocutory appeal from a district court's decision under paragraph (1). The United States Court of Appeals for the Federal Circuit shall review the district court's decision to ensure consistent application of established precedent.

(d) DEFINITION.—For purposes of this section, the term ''covered business method patent'' means a patent that claims a method or corresponding apparatus for performing data processing operations utilized in the practice, administration, or management of a financial product or service, except that the term shall not include patents for technological inventions. Solely for the purpose of implementing the transitional proceeding authorized by this subsection, the Director shall prescribe regulations for determining whether a patent is for a technological invention.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as amending or interpreting categories of patent-eligible subject matter set forth under section 101.

SEC. 19. TRAVEL EXPENSES AND PAYMENT OF ADMINISTRATIVE JUDGES.

(a) AUTHORITY TO COVER CERTAIN TRAVEL RELATED EXPENSES.—Section 2(b)(11) of title 35, United States Code, is amended by inserting '', and the Office is authorized to expend funds to cover the subsistence expenses and travel-related expenses, including per diem, lodging costs ,and transportation costs, of non-federal employees attending such programs'' after ''world''.

(b) PAYMENT OF ADMINISTRATIVE JUDGES.—Section 3(b) of title 35, United States Code, is amended by adding at the end the following:

''(6) ADMINISTRATIVE PATENT JUDGES AND ADMINISTRATIVE TRADEMARK JUDGES.—The Director has the authority to fix the rate of basic pay for the administrative patent judges appointed pursuant to section 6 of this title and the administrative trademark judges appointed pursuant to section 17 of the Trademark Act of 1946 (15 U.S.C. 1067) at not greater than the rate of basic pay payable for Level III of the Executive Schedule. The payment of a rate of basic pay under this paragraph shall not be subject to the pay limitation of section 5306(e) or 5373 of title 5.''.

SEC. 20. PATENT AND TRADEMARK OFFICE FUNDING.

(a) DEFINITIONS.—In this section, the following definitions shall apply:

(1) DIRECTOR.—The term ''Director'' means the Director of the United States Patent and Trademark Office.

(2) FUND.—The term ''Fund'' means the public enterprise revolving fund established under subsection (c).

(3) OFFICE.—The term ''Office'' means the United States Patent and Trademark Office.

(4) TRADEMARK ACT OF 1946.—The term ''Trademark Act of 1946'' means an Act entitled ''Act to provide for the registration and

protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (15 U.S.C. 1051 et seq.) (commonly referred to as the ''Trademark Act of 1946'' or the ''Lanham Act'').

(5) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Intellectual Property.

(b) FUNDING.—

(1) IN GENERAL.—Section 42 of title 35, United States Code, is amended—

(A) in subsection (b), by striking ''Patent and Trademark Office Appropriation Account'' and inserting ''United States Patent and Trademark Office Public Enterprise Fund''; and

(B) in subsection (c), in the first sentence—

(i) by striking ''To the extent'' and all that follows through ''fees'' and inserting ''Fees''; and

(ii) by striking ''shall be collected by and shall be available to the Director'' and inserting ''shall be collected by the Director and shall be available until expended''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the later of—

(A) October 1, 2011; or

(B) the first day of the first fiscal year that begins after the date of the enactment of this Act.

(c) USPTO REVOLVING FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the ''United States Patent and Trademark Office Public Enterprise Fund''. Any amounts in the Fund shall be available for use by the Director without fiscal year limitation.

(2) DERIVATION OF RESOURCES.—There shall be deposited into the Fund on or after the effective date of subsection (b)(1)—

(A) any fees collected under sections 41, 42, and 376 of title 35, United States Code, provided that notwithstanding any other provision of law, if such fees are collected by, and payable to, the Director, the Director shall transfer such amounts to the Fund, provided, however, that no funds collected pursuant to section 9(h) of this Act or section 1(a)(2) of Public Law 111-45 shall be deposited in the Fund; and

(B) any fees collected under section 31 of the Trademark Act of 1946 (15 U.S.C. 1113).

(3) EXPENSES.—Amounts deposited into the Fund under paragraph (2) shall be available, without fiscal year limitation, to cover—

(A) all expenses to the extent consistent with the limitation on the use of fees set forth in section 42(c) of title 35, United States Code, including all administrative and operating expenses, determined in the discretion of the Under Secretary to be ordinary and reasonable, incurred by the Under Secretary and the Director for the continued operation of all services, programs, activities, and duties of the Office relating to patents and trademarks, as such services, programs, activities, and duties are described under—

(i) title 35, United States Code; and

(ii) the Trademark Act of 1946; and

(B) all expenses incurred pursuant to any obligation, representation, or other commitment of the Office.

(d) ANNUAL REPORT.—Not later than 60 days after the end of each fiscal year, the Under Secretary and the Director shall submit a report to Congress which shall—

(1) summarize the operations of the Office for the preceding fiscal year, including financial details and staff levels broken down by each major activity of the Office;

(2) detail the operating plan of the Office, including specific expense and staff needs for the upcoming fiscal year;

(3) describe the long term modernization plans of the Office;

(4) set forth details of any progress towards such modernization plans made in the previous fiscal year; and

(5) include the results of the most recent audit carried out under subsection (f).

(e) ANNUAL SPENDING PLAN.—

(1) IN GENERAL.—Not later than 30 days after the beginning of each fiscal year, the Director shall notify the Committees on Appropriations of both Houses of Congress of the plan for the obligation and expenditure of the total amount of the funds for that fiscal year in accordance with section 605 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2334).

(2) CONTENTS.—Each plan under paragraph (1) shall—

(A) summarize the operations of the Office for the current fiscal year, including financial details and staff levels with respect to major activities; and

(B) detail the operating plan of the Office, including specific expense and staff needs, for the current fiscal year.

(f) AUDIT.—The Under Secretary shall, on an annual basis, provide for an independent audit of the financial statements of the Office. Such audit shall be conducted in accordance with generally acceptable accounting procedures.

(g) BUDGET.—The Fund shall prepare and submit each year to the President a business-type budget in a manner, and before a date, as the President prescribes by regulation for the budget program.

On page 105, line 23, strike ''**SEC. 18.**'' and insert ''**SEC. 21.**''.

At the end, add the following:

SEC. 22. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 122. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 77, strike line 23 and all that follows through page 78, line 6.

On page 78, line 7, strike ''(b)'' and insert ''(a)''.

On page 78, line 20, strike ''(c)'' and insert ''(b)''.

SA 123. Mr. KIRK (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 104, between lines 22 and 23, insert the following:

SEC. 18. PATENT OMBUDSMAN PROGRAM FOR SMALL BUSINESS CONCERNS.

Subject to available resources, the Director may establish in the United States Patent and Trademark Office a Patent Ombudsman Program. The duties of the Program's staff shall include providing support and services relating to patent filings to small business concerns.

SA 124. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 104, strike line 23, and insert the following:

SEC. 18. PRIORITY EXAMINATION FOR TECHNOLOGIES IMPORTANT TO AMERICAN COMPETITIVENESS.

Section 2(b)(2) of title 35, United States Code, is amended—

(1) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (F), by striking the semicolon and inserting ''; and''; and

(3) by adding at the end the following:

''(G) may, subject to any conditions prescribed by the Director and at the request of the patent applicant, provide for prioritization of examination of applications for products, processes, or technologies that are important to the national economy or national competitiveness, such as green technologies designed to foster renewable energy, clean energy, biofuels or bio-based products, agricultural sustainability, environmental quality, energy conservation, or energy efficiency, without recovering the aggregate extra cost of providing such prioritization, notwithstanding section 41 or any other provision of law;''.

SEC. 19. EFFECTIVE DATE.

SA 125. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 104, strike line 23, and insert the following:

SEC. 18. COMPLIANCE WITH CERTAIN ORDERS OF THE FEDERAL COMMUNICATIONS COMMISSION.

Section 1498 of title 28, United States Code, is amended by adding at the end the following:

''(f) Whenever, after the date of enactment of this subsection, a wireless carrier is alleged to infringe a patent or copyright not previously licensed as a means to comply with an order or directive of the Federal Communications Commission concerning enhanced 911 services, then that alleged infringement shall be construed as a use or manufacture for the United States for purposes of this section.''.

SEC. 19. EFFECTIVE DATE.

SA 126. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 104, strike line 23 and insert the following:

SEC. 18. DESIGNATION OF DETROIT SATELLITE OFFICE.

(a) DESIGNATION.—The satellite office of the United States Patent and Trademark Office to be located in Detroit, Michigan shall be known and designated as the ''Elijah J. McCoy United States Patent and Trademark Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the satellite office of the United States Patent and Trademark Office to be located in Detroit, Michigan referred to in subsection (a) shall be deemed to be a reference to the ''Elijah J. McCoy United States Patent and Trademark Office''.

SEC. 19. EFFECTIVE DATE.

SA 127. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 94, between lines 18 and 19, insert the following:

(c) EXCLUSION.—This section does not apply to tax preparation computer software or financial management computer software that is novel and nonobvious as computer software.

On page 94, line 19, strike ''(c)'' and insert ''(d)''.

SA 128. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 104, between lines 22 and 23, insert the following:

SEC. 18. TEMPORARY PROGRAM FOR RAPID DEPLOYMENT OF RENEWABLE ENERGY AND ELECTRIC POWER TRANSMISSION PROJECTS.

Section 1705(a) of the Energy Policy Act of 2005 (42 U.S.C. 16516(a)) is amended by adding at the end the following:

''(4) Energy efficiency projects, including projects to retrofit residential, commercial, and industrial buildings, facilities, and equipment.''.

SA 129. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 42, line 19, strike ''6 months'' and insert ''1 year''.

SA 130. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 38, strike line 17 and all that follows through page 53, line 12.

SA 131. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 79, line 18, strike ''AND MICRO ENTITIES.—'' and insert '', MICRO ENTITIES, HBCUS, AND OTHER MINORITY-SERVING INSTITUTIONS.—''

On page 80, line 2, strike the period and insert ''and to any eligible institution defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q).''.

SA 132. Mr. CARDIN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 20, strike line 11 and all that follows through ''(iv)'' on line 14, and insert the following:

(iii) the effects of the change on small business concerns owned and controlled by women, as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632), and small business concerns owned and controlled by socially and economically disadvantaged individuals, as that term is defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C));

(iv) the cost savings and other potential benefits to small business concerns of the change; and

(v)

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 8, 2010, at 10:00 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider the nomination of Peter B. Lyons, to be an Assistant Secretary of Energy (Nuclear Energy).

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Amanda_kelly@energy.senate.gov.

For further information, please contact Sam Fowler or Amanda Kelly.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 10, 2011, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes, and S. 395, the Better Use of Light Bulbs Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Abigail_Campbell@energy.senate.gov.

For further information, please contact Al Stayman or Abigail Campbell.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 1, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 1, 2011, at 4:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 1, 2011, at 10 a.m., to conduct a committee hearing entitled ''Semi-annual Monetary Policy Report to Congress.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 1, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''How Did We Get Here? Changes in the Law and Tax Environment Since the Tax Reform Act of 1986.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 1, 2011, at 10 a.m., to hold a hearing entitled ''Breaking the Cycle of North Korean Provocations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on March 1, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 1, 2011. The committee will meet in room 345 of the Cannon House Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 1, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

Mr. LEAHY. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 1, 2011, at 10 a.m., to conduct a hearing entitled, ''Examination of Public Relations Contracts at the General Services Administration's Heartland Region.''

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 44

Mr. SCHUMER. Mr. President, I ask unanimous consent that at 11 a.m. on Wednesday, March 2, the Senate proceed to the immediate consideration of H.J. Res. 44, the 2-week continuing resolution which was received from the House and is at the desk; that the Senate then proceed to a vote on the passage of H.J. Res. 44, with no intervening action or debate; further, that the cloture motion on the motion to proceed to Calendar No. 11, H.R. 359, be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

READ ACROSS AMERICA DAY

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 83 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 83) designating March 2, 2011 as ''Read Across America Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon 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. 83) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 83

Whereas reading is a basic requirement for quality education and professional success, and is a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and providing additional resources for reading assistance, including through the programs authorized in the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.) and through annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel, also known as Dr. Seuss, as a day to celebrate reading: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2, 2011, as ''Read Across America Day'';

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) honors the 14th anniversary of ''Read Across America Day'';

(4) encourages parents to read with their children for at least 30 minutes on ''Read Across America Day'' in honor of the commitment of the Senate to building a nation of readers; and

(5) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SUPPORTING RECONCILIATION WITHIN SRI LANKA

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 84, a resolution introduced earlier today by Senator CASEY.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 84) expressing support for internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to assure a lasting peace.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon 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. 84) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 84

Whereas May 19, 2010, marked the one-year anniversary of the end of the 26-year conflict between the Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka;

Whereas the Government of Sri Lanka established a Lessons Learned and Reconciliation Commission (LLRC) to report whether any person, group, or institution directly or indirectly bears responsibility for incidents that occurred between February 2002 and May 2009 and to recommend measures to prevent the recurrence of such incidents in the future and promote further national unity and reconciliation among all communities;

Whereas United Nations Secretary-General Ban Ki-moon appointed a panel of experts, including Marzuki Darusman, the former attorney general of Indonesia; Yazmin Sooka, a member of South Africa's Truth and Reconciliation Commission; and Steven Ratner, a lawyer in the United States specializing in human rights and international law, to advise the Secretary-General on the implementation of the commitment of the Government of Sri Lanka to human rights accountability;

Whereas the Government of Sri Lanka expressed its commitment to addressing the needs of all ethnic groups and has recognized, in the past, the necessity of a political settlement and reconciliation for a peaceful and just society;

Whereas the United States Government has yet to develop a comprehensive United States policy toward Sri Lanka that reflects the broad range of human rights, national security, and economic interests; and

Whereas progress on domestic and international investigations into reports of war crimes, crimes against humanity, and other human rights violations during the conflict and promoting reconciliation would facilitate enhanced United States engagement and investment in Sri Lanka: Now, therefore, be it

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-moon for creating the three-person panel to advise the Secretary-General on the implementation of the commitment of the Government of Sri Lanka to human rights accountability;

(2) calls on the Government of Sri Lanka, the international community, and the United Nations to establish an independent international accountability mechanism to look into reports of war crimes, crimes against humanity, and other human rights violations committed by both sides during and after the war in Sri Lanka and to make recommendations regarding accountability;

(3) calls on the Government of Sri Lanka to allow humanitarian organizations, aid agencies, journalists, and international human rights groups greater freedom of movement, including in internally-displaced persons camps; and

(4) calls upon the President to develop a comprehensive policy towards Sri Lanka that reflects United States interests, including respect for human rights, democracy and the rule of law, economic interests, and security interests.

CONDEMNING VIOLATIONS OF HUMAN RIGHTS IN LIBYA

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 85, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 85) strongly condemning the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, I ask the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon 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. 85) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 85

Whereas Muammar Gadhafi and his regime have engaged in gross and systematic violations of human rights, including violent attacks on protesters demanding democratic reforms, that have killed thousands of people;

Whereas Muammar Gadhafi, his sons and supporters have instigated and authorized violent attacks on Libyan protesters using warplanes, helicopters, snipers and soldiers and continue to threaten the life and well-being of any person voicing opposition to the Gadhafi regime;

Whereas the United Nations Security Council and the international community have condemned the violence and use of force against civilians in Libya and on February 26, 2011, the United Nations Security Council unanimously agreed to refer the ongoing situation in Libya to the International Criminal Court, impose an arms embargo on the Libyan Arab Jamahiriya, including the provision of mercenary personnel, freeze the financial assets of Muammar Gadhafi and certain family members, and impose a travel ban on Gadhafi, certain family members and senior advisors;

Whereas Muammar Gadhafi has ruled Libya for more than 40 years by banning and brutally opposing any individual or group opposing the ideology of his 1969 revolution, criminalizing the peaceful exercise of expression and association, refusing to permit independent journalists' and lawyers' organizations, and engaging in torture and extrajudicial executions, including the 1,200 detainees killed in Abu Salim Prison in June 1996;

Whereas Libya took formal responsibility for the terrorist attack that brought down Pan Am Flight 103 over Lockerbie, Scotland, killing 270 people, 189 of whom were U.S. citizens and high-ranking Libyan officials have indicated that Muammar Gadhafi personally ordered the attack; and

Whereas Libya was elected to the United Nations Human Rights Council on May 13, 2010 for a period of 3 years, sending a demoralizing message of indifference to the families of the victims of Pan Am flight 103 and Libyan citizens that have endured repression, arbitrary arrest, enforced disappearance or physical assault in their struggle to obtain basic human and civil rights: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the courage of the Libyan people in standing up against the brutal dictatorship of Muammar Gadhafi and for demanding democratic reforms, transparent governance, and respect for basic human and civil rights;

(2) strongly condemns the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms;

(3) calls on Muammar Gadhafi to desist from further violence, recognize the Libyan people's demand for democratic change, resign his position and permit a peaceful transition to democracy governed by respect for human and civil rights and the right of the people to choose their government in free and fair elections;

(4) calls on the Gadhafi regime to immediately release persons that have been arbitrarily detained, to cease the intimidation, harassment and detention of peaceful protestors, human rights defenders and journalists, to ensure civilian safety, and to guarantee access to human rights and humanitarian organizations;

(5) welcomes the unanimous vote of the United Nations Security Council on resolution 1970 referring the situation in Libya to the International Criminal Court, imposing an arms embargo on the Libyan Arab Jamahiriya, freezing the assets of Gadhafi and family members, and banning international travel by Gadhafi, members of his family, and senior advisors;

(6) urges the Gadhafi regime to abide by United Nations Security Council Resolution 1970 and ensure the safety of foreign nationals and their assets, and to facilitate the departure of those wishing to leave the country as well as the safe passage of humanitarian and medical supplies, humanitarian agencies and workers, into Libya in order to assist the Libyan people;

(7) urges the United Nations Security Council to take such further action as may be necessary to protect civilians in Libya from attack, including the possible imposition of a no-fly zone over Libyan territory;

(8) welcomes the African Union's condemnation of the ''disproportionate use of force in Libya'' and urges the Union to take action to address the human rights crisis in Libya and to ensure that member states, particularly those bordering Libya, are in full compliance with the arms embargo imposed by United Nations Security Council Resolution 1970 against the Libyan Arab Jamahiriya, including the ban on the provision of armed mercenary personnel;

(9) welcomes the decision of the United Nations Human Rights Council to recommend Libya's suspension from the Council and urges the United Nations General Assembly to vote to suspend Libya's rights of membership in the Council;

(10) welcomes the attendance of Secretary of State Clinton at the United Nations Human Rights Council meeting in Geneva and 1) urges the Council's assumption of a country mandate for Libya that employs a Special Rapporteur on the human rights situation in Libya and 2) urges the U.S. Ambassador to the United Nations to advocate for improving United Nations Human Rights Council membership criteria at the next United Nations General Assembly in New York City to exclude gross and systematic violators of human rights; and

(11) welcomes the outreach that has begun by the United States Government to Libyan opposition figures and supports an orderly, irreversible transition to a legitimate democratic government in Libya.

ORDERS FOR WEDNESDAY, MARCH 2, 2011

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, March 2; 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 any leader remarks, there be a period of morning business until 11 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 Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes, and the remaining time until 11 a.m. equally controlled and divided between the two leaders or their designees, with the majority controlling the final half; further, following morning business, the Senate proceed to the consideration of H.J. Res. 44, the 2-week continuing resolution, as provided for under the previous order; and, finally, upon disposition of the CR, the Senate resume consideration of S. 23, the America Invents Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SCHUMER. Mr. President, Senators should expect the first vote of the day to begin at approximately 11 a.m. That vote will be on the passage of the 2-week continuing resolution. Additional rollcall votes are expected to occur throughout the day in relation to the amendments to the America Invents Act.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:32 p.m., adjourned until Wednesday, March 2, 2011, at 9:30 a.m.

EXTENSIONS OF REMARKS

BLACK HISTORY MONTH

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 28, 2011

Ms. JACKSON LEE of Texas. Mr. Speaker, as the Congresswoman for 18th Congressional District of Texas, I rise with great pride to commemorate this recognition of Black History Month. African Americans from Texas like the pugilist Jack Johnson, the pioneer Bessie Coleman, Congresswoman Barbara C. Jordan, Congressman Mickey Leland, and African Americans from all across this nation have contributed greatly to the rich history of the United States; a country we love so dearly.

I am especially grateful to be among my colleagues in the Congressional Black Caucus as we do our best to honor those who came before us and strive to make this country a better place for all Americans through our work here in Congress, back home in our districts and all across this great nation. As we do so, we must remember that we are part of the great diversity of citizens that make up the fabric of this nation and we must, as African Americans, remember to reach out to all Americans from every race, creed, and color for the common purpose of leaving our country better than we found it for our children and their children's children.

This morning I had the privilege of speaking in Austin, Texas, before the Texas Legislative Black Caucus at its Legislative Summit. Being there in the Capitol built by slaves and speaking before that audience made me realize that we have a reason to celebrate our heritage and our contributions to this great nation. My speech was about African Americans remaining relevant in these changing times. Today as we bring Black History Month to a close, I would like to reflect on the many reasons to celebrate and I issue a call for all of my colleagues to be their best for our country as we continue our legislative work in this chamber.

We have reason to celebrate our heritage: We are relevant.

Barbara C. Jordan knew the importance of remaining relevant when she recited from the preamble to the Constitution and said: "'We the people.' It is a very eloquent beginning. But when the document was completed . . . I was not included in 'We the People.' I felt somehow for many years that George Washington and Alexander Hamilton just left me out by mistake. But through the process of amendment, interpretation and court decision I have finally been included in "We, the people.'"

As redistricting hits full stride this year and the Texas legislature conducts the redrawing of congressional districts, we the people, Black and Brown Texans alike, must stand together and be represented! Our vote must count. Our candidates must be elected. For our cause is the same. A defeat for African Americans is a defeat for Hispanics and a defeat for Hispanics is a defeat for African Americans. This is a unique moment in time to make sure our voices are heard, that our votes count, and that we as African Americans and Hispanics remain relevant.

As a Senior Member of the House Judiciary Committee, Immigration Policy and Enforcement Subcommittee, I see a barrage of immigration hearings that embody a shameless attempt to pit Hispanics against African Americans. This is an outrage! We must not take the bait. The vast majority of economists, and all of the most recent research in the area, confirm that immigrants actually improve the job prospects of U.S. workers. The truth is that, in general, African-Americans and other minorities actually benefit from Immigration. Comprehensive immigration reform that provides a fair path to citizenship combined with investments in our businesses, and investment in our education and job training programs are the only solution. Draconian spending cuts to these programs and dredging up racial scapegoats are not the solution.

As a member of the Congressional Black Caucus, I take pride in my work with the Congressional Hispanic Caucus and serve as an enthusiastic liaison between the two caucuses. As I do so, I am reminded of how my predecessor Congressman Mickey Leland reached out to work with Cesar Chavez as he struggled for better working conditions and dignity for Hispanic workers. He saw the importance of our communities working together in his day and I see it now in mine. African Americans endured the injustice of slavery and servitude and we must remember that history repeats; sometimes it just visits another community in the process. We must cast our fate together.

To remain relevant, we must commit right here and right now to embracing and working with our Hispanic brothers and sisters. Truth be told, our plight is the same and shared progress is our common cause. As Malcolm X said "We are not fighting for integration, nor are we fighting for separation. We are fighting for recognition as human beings. We are fighting for human rights."

In closing, I invoke the words of Dr. Martin Luther King, Jr., truly spoke of remaining relevant when he said "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin, but by the content of their character." Today, we are closer to achieving that dream. We are relevant. We are "pertinent to the matter at hand." And it is by working together with our Hispanic brothers and sisters that we will remain relevant.

PERSONAL EXPLANATION

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. GRIMM. Mr. Speaker, on rollcall No. 92 I inadvertently voted "no." I intended to vote "yes."

ALAMOSA HIGH SCHOOL TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize the Alamosa High School wrestling team and coach Gary Ramstetter. Alamosa's Mean Moose claimed their first Class 3A state wrestling title, with eight wrestlers placing in the top four and an individual title won by Darin Sisneros. It was Mr. Ramstetter's eighth state title with the school, and earned him Coach of the Year honors.

Alamosa finished the tournament with a commanding 178 points, the closest competitor scoring only 122½. The victory represents a true team effort with every wrestler fighting for every point. Mr. Sisneros' individual title is also the 48th won by a student during coach Ramstetter's 30 year tenure, a testament to the hard work and motivation of both men.

Mr. Speaker, I congratulate Alamosa's wrestling team and their legendary coach. Under his expert guidance, I have no doubt that Alamosa can win many more state titles and continue its legacy of success both in the classroom and on the mat.

TRIBUTE TO MAURA PAT KELLY

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the long and distinguished career of a good friend and public servant of this House, Mrs. Maura "Pat" Kelly. Pat's roots in our home state of New York run as deep as the mark she leaves on this institution after fifty-three years of service. I was honored to attend Pat's retirement ceremony last month and at which our distinguished chaplain, the Reverend Daniel P. Coughlin, delivered the following prayer that I proudly submit on his behalf.

PRAYER FOR PAT KELLY'S RECEPTION

TUESDAY, FEBRUARY 15, 2011, REV. DANIEL P. COUGHLIN

Holy Triune God, Father, Son and Holy Spirit, with all the angels and saints we praise You, with all the Irish legends and leprechauns we stand before You.

As we celebrate the life and service of Maura "Pat" Kelly this day, we do so with honor and humor, memories and best wishes. To this noble institution throughout the years she has always brought a feminine touch, a New York touch, and a touch of the Irish.

We thank You, Lord, for giving her years of health and happiness, work and colleagues, bosses and crosses, as well as love of this institution of Congress inherited from her mother, ever changing through the years and never fully understood or appreciated by the American people she served.

May the daily public service hardly noticed, now be duly rewarded. Grant her energy and peace, friendship and satisfaction for years to come.

As she takes leave of us, may she find even greater love and faith around every bend in the road ahead. As long as she keeps smiling the world will smile back at her. And she shall never be forgotten or walk alone, Lord. For Your smile will forever call her upward and onward even though she has stolen from us all, Lord. As the old tune tells it: her Irish eyes have stolen our hearts away.

AWARDING A CONGRESSIONAL GOLD MEDAL TO THE WORLD WAR II MEMBERS OF THE CIVIL AIR PATROL

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. FILNER. Mr. Speaker, I recently reintroduced H.R. 719, which will award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

During World War II, the volunteer members of the Civil Air Patrol—civilian men and women ranging in age from 19 to 81—provided extraordinary public and combat services at a critical time of need for the nation.

Civil Air Patrol members used their own aircraft to perform a myriad of essential tasks for the military and the entire country, including attacks on enemy submarines off the Atlantic coast and the Gulf of Mexico.

The Civil Air Patrol was established on December 1, 1941, one week before the attack on Pearl Harbor. After performing exemplary service in WWII, the Civil Air Patrol was chartered by Congress as a non-profit, public service organization and in 1948 as the Auxiliary of the United States Air Force.

The Civil Air Patrol was initially mobilized in response to a massive German Navy submarine offensive off the east coast of the United States that targeted oil tankers and other critical shipping.

As 52 tankers were sunk by enemy submarines between January and March 1942 alone, neither the Navy nor Army had sufficient resources to patrol and protect the coastline—threatening the entire war effort.

The Civil Air Patrol Coastal Patrol undertook the challenge of protecting our sea lanes and supporting the military's efforts at this critical time. From March 1942 until August 1943, more than 40,000 volunteers at 21 Civil Air Patrol bases stretching from Maine to Texas coordinated thousands of patrols, investigations, and convoy missions.

Heroic Civil Air Patrol Coastal Patrol aircrews were responsible for attacking 57 submarines—destroying or damaging two—as well as reporting nearly 200 submarine positions, 17 floating mines, and 91 vessels and 363 survivors in distress.

In addition to the work of its Coastal Patrol, the Civil Air Patrol also established itself as a vital wartime service to the military, states, and communities across the nation.

These brave volunteers engaged in an impressive array of missions including border patrol, forest fire patrol, courier flights for mail and urgent deliveries, emergency transportation of personnel, search and rescue, and various military support duties. Overall, during the war the Civil Air Patrol undertook tens of thousands of missions and logged hundreds of thousands of flight hours in defense of our country.

The Civil Air Patrol's WWII service came at the high cost of 64 fatalities and 150 aircraft lost. Indeed, the courage and sacrifice of the estimated 200,000 civilians in the Civil Air Patrol exemplifies the spirit and dedication of an entire generation who were willing to risk their lives for America and the cause of freedom.

In recognition of this remarkable volunteer service and commendable record, H.R. 719 will award a single gold medal collectively in honor of the WWII members of the Civil Air Patrol.

I urge my colleagues to join me in honoring the valuable wartime service rendered by the civilian volunteers of the Civil Air Patrol by supporting this legislation.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. JORDAN. Mr. Speaker, I was absent from the House Floor during last night's rollcall votes on H.R. 394, H.R. 347, and H.R. 368. Had I been present, I would have voted in favor of each of those bills.

MOGOTE CHURCH TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. TIPTON. Mr. Speaker, I would like to take this opportunity to recognize the Mogote Church, Margie Garcia and the committee responsible for the church's restoration. They were presented the Stephen H. Hart Award from the Colorado Historical Society this year for their efforts to repair the historic landmark.

The Mogote Church was erected in 1895 by a group of Presbyterian missionaries and local Hispanic residents. Despite the risk of excommunication by the Catholic Church, they still founded a new congregation in Colorado's San Luis Valley. It fell into disrepair, however, and ceased to provide services by 1965. After years of increasing dilapidation, the campaign to restore the church began in 1999. With over a decade of work put into the project, it was completed, and once again became a functioning church. Hundreds of descendants of the original parishioners traveled to the church to attend the reopening and celebrate a historical Colorado landmark.

It is my hope that the efforts taken by this church's community inspire others to take the same initiative in their own. The Mogote church will represent the actions of a proud community for years to come and as such, Mr. Speaker, I feel it is fitting that this body recognizes those who took charge in restoring a Colorado landmark.

HONORING THE CONGRESSIONAL SERVICE OF PAT KELLY

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. MORAN. Mr. Speaker, I rise today to honor Maura Patricia Kelly on her retirement as a congressional aide after an astounding 53 and 1/2 years of decorated service.

Patricia Kelly was born on June 5, 1934 in Brooklyn, New York. She is the daughter of Edward Kelly, a New York City Court Justice, and Edna F. Kelly, a former Member of the United States House of Representatives. "Pat" as she is affectionately known, describes her childhood as an exciting and loving time. As she made her way from the Marymount High School in New York City to Marymount College in Tarrytown, New York, Pat learned the importance of receiving a quality education. She graduated with honors in 1955 with a bachelor's degree in Political Science and History.

Pat's family has a long history of public service that started with her grandfather, William E. Kelly, who was appointed by President Woodrow Wilson to be Postmaster of Brooklyn, New York. After college, Pat quickly joined the family business, getting her feet wet in politics by helping her mother, Edna, get elected to the congressional district that represented Brooklyn, New York. Pat began her congressional career as a research analyst for the House Committee on Un-American Activities and shortly thereafter, began her service as a legislative assistant to Members of Congress Edna F. Kelly, Martha W. Griffiths, and Matthew F. McHugh. Pat then assumed the role of legislative assistant to the House Rules Committee. In 1979, Pat took the position of Editor of the House Daily Digest, in the Office of the Clerk, where she was required to interact regularly with it's 21 standing committees and two select committees. Pat held this position until her retirement on March 1, 2011—becoming one of the longest serving employees ever to work for the U.S. House of Representatives.

Pat cites her mother Edna as the catalyst behind her decision to devote her life to public service. When asked about her mother, Pat often uses words like: hard working, passionate, honest, dedicated, principled and always congenial. Pat says that many members and staff in the House often referred to her mother as "Madam Protocol." Everyone who knows Pat knows that "the apple did not fall far from the tree." Pat and her mother not only loved the House but they loved helping people in and outside it.

In 1976, Pat was named Roll Call's "Congressional Staffer of the Year." That same year she was chosen as the President of the Congressional Staff Club. More recently, she was honored for her years of outstanding service to the House. Over her career, Pat was fortunate to work on many pieces of landmark legislation including the Equal Pay Act and the Equal Rights Amendment.

We wish Pat well in retirement and will always remember her efforts to make this institution run more efficiently in the service of the American people.

IN CELEBRATION OF BEATRICE COHEN'S 100TH BIRTHDAY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today to celebrate the 100th birthday of Beatrice Isabel Cohen, the pride of New York State.

Born on February 24, 1911, in Bronx, New York, Bee grew up with a deep love and appreciation for her family, community and country. Forced to obtain employment as a teenager due to the loss of her father, she secured a job with a women's coat manufacturer at the age of 16 to help support her family, while also excelling as a champion amateur handball player. Five years later, she married her boss, Max Cohen, and continued to work by his side for more than 50 years. Bee and Max raised two sons, Joseph and Ronald.

Friends and family of Bee would tell you that she always looks at the good in people. Her uplifting attitude is contagious, and has spread to her family, friends and neighbors—many of whom, and their parents, were not even born when Bee moved into her current apartment on the West Side of Manhattan shortly after World War II.

In Bee's 100 years, she has lived through some of the most precariously challenging, exultant and remarkable eras. Yet, she has always kept up with the culture of the times. As a child, she listened to a crystal radio; today she views international programming on a plasma television with stereo sound. She has been a pillar of reliability to her entire family by showing love, warmth and guidance to her two sons, two grandsons and their wives, five great-grandchildren, and her many nieces and nephews.

For her devotion to her family and her country, I ask my colleagues in the United States House of Representatives to please rise and join me in honoring Beatrice Isabel Cohen on the occasion of her 100th birthday.

BRETT BRUNNER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Brett Brunner of Dolores, Colorado, for his exceptional performance as a cadet of the United States Air Force Academy. Mr. Brunner recently was named the Cadet Wing Outstanding 3rd Class Cadet of Fall Semester 2010, which is awarded to the most impressive cadet for each class. Academics, athletics and military duties are all considered before the recipient is selected from a list of about 1,200 cadets.

Mr. Brunner excelled in every category. He owns a 3.8 GPA as a civil engineering major at the Academy. In addition, he is on the skydiving team working towards a jump master position so that he can teach others how to skydive. Physically, he is also a top performer, missing out on a perfect score by mere points. As a high school baseball and wrestling star he showed the capacity for leadership at a young age. His ability to lead has clearly translated to his undergraduate pursuits as Mr. Brunner inspires those around him to achieve their best by striving towards perfection himself.

Mr. Speaker, I join the U.S. Air Force Academy in recognizing Brett Brunner for his outstanding achievements and quiet leadership at one of the country's top institutions.

PERSONAL EXPLANATION

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. FARENTHOLD. Mr. Speaker, on rollcall Nos. 148, 149, and 150, I missed the vote due to transportation delays. Flights out of Corpus Christi were delayed, causing me to miss my connect in Houston.

Had I been present, I would have voted "yes."

NEVER FORGET OUR VIETNAM VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. FILNER. Mr. Speaker, I have just reintroduced legislation intended to honor the service and sacrifice of many of the members of the United States Armed Forces who fought in Vietnam, the "In Memory Medal for Forgotten Veterans Act" (H.R. 540).

Those so recognized are veterans who have died as a result of their service in the Vietnam war but who do not meet the criteria for inclusion on The Wall of the Vietnam War Memorial in Washington, DC. The Vietnam Veterans Memorial Fund has a program called "In Memory" which has raised money for a plaque that has been placed near The Wall. The plaque honors "those who served in the Vietnam War and later died as a result of their service." No names are on the plaque, but all names are kept in the "In Memory Book" at a kiosk near The Wall, and families can order a copy.

My bill adds to this recognition by presenting the families of these veterans with a medal, to be known as the "Jesus (Chuchi) Salgado Medal" to be issued by the Secretary of Defense. Chuchi Salgado was an outstanding individual who lived in my congressional district, whose exposure to Agent Orange ultimately led to his death. His relatives continue to live in my district.

Because of the boundaries that have been set for the names to be placed on The Wall, Chuchi and many, many other Vietnam veterans are not honored in this manner. Now, with new veterans coming back from Iraq and Afghanistan, we are all taking a second look and a closer look at how veterans from past wars have been treated. While we must care for our newest veterans, we must also take this opportunity to do right by veterans of Vietnam, along with those of other past wars and conflicts.

I invite my colleagues to join with me in honoring these veterans. It is critical that we remember those who have fought so gallantly and sacrificed their lives for our freedom!

RAY WRIGHT AND DOUG SHRIVER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. TIPTON. Mr. Speaker, I would like to take this opportunity to recognize Ray Wright and Doug Shriver of Alamosa, Colorado, for their agricultural, educational and commercial efforts to conserve and protect the state of Colorado. Both men recently passed away due to a tragic accident, a loss for both my state and this country.

Doug Shriver served on a number of boards and committees while he simultaneously volunteered for other commissions. Among other pursuits, he was the vice chair of the Rio Grande Roundtable, the director and president of the Rio Grande Water Users Association as well as director of the Lariat Ditch Company. He also served as a board member for the Colorado Ground Water Commission.

Ray Wright was also integral in conservation in Colorado and an avid supporter of the State's agri-business. Mr. Wright was a longtime farmer and leader in the effort to protect water rights. One of his most important contributions was developing a locally controlled mechanism designed to protect water rights. It's success translated to much larger districts as well, and ensures Colorado's future water rights.

In memory of both men, their colleagues created The Shriver/Wright Agricultural Endowment, which supports the agri-business program at Adams State College in Alamosa. The endowment provides scholarships and other forms of support for the school. Water rights will continue to be a vital issue in the Southwest part of the country and the work done by Mr. Wright, Mr. Shriver and the young people who follow them will be of great importance.

Given the invaluable contributions Doug Shriver and Ray Wright made to the state of Colorado, I feel it is fitting that this body recognizes them for their lifetime of service.

INTRODUCTION OF A BILL TO CONVERT THE FOURTH TEMPORARY JUDGESHIP FOR THE DISTRICT OF HAWAII TO PERMANENT JUDGESHIP STATUS

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. HIRONO. Mr. Speaker, I rise today to reintroduce a bill that would convert the fourth temporary judgeship for the District of Hawaii to permanent judgeship status.

The fourth temporary judgeship for the District of Hawaii was created in 1990 by Public Law 101–650. Although the judges appointed to temporary judgeships have lifetime appointments, legislation creating temporary judgeships usually specifies that the first vacancy in the district cannot be filled after a certain date. In the 1990 bill, this time frame was determined to be ten years after each temporary judgeship was filled. That meant that Hawaii could not fill a temporary vacancy occurring after October 2004.

Currently, the District of Hawaii has four active judges. However, if any of these judges become inactive, by taking senior status or otherwise, the district will not be able to replace that judge because of the ten-year limitation, which has long passed. This would place a great burden on not only the three remaining active judges, but also on the litigants themselves, especially civil litigants. Due to the right to speedy trial, felony cases regularly bump civil trials off the calendar, leading to long delays to get to court for civil litigants. Civil cases include disputes involving personal injury, civil rights, the environment, business, and other non-criminal matters.

I look forward to working with my colleagues on this and other initiatives that will address our need for additional federal judgeships across the country.

Mahalo nui loa (thank you very much).

PROVIDE SUPPORT TO MEMBERS OF THE IRANIAN BAHA'I COMMUNITY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. COSTELLO. Mr. Speaker, I rise today in support of international religious freedom and to voice my concern for the seven Baha'i leaders, known as the Yaran, who were unjustly convicted by the Iranian regime and sentenced to 10 years in prison for their religious beliefs.

As documented by years of reported abuse and discrimination by the U.S. State Department, the United Nations, and other international organizations, government respect for religious freedom and human rights in Iran is steadily declining. According to the State Department's 2010 International Religious Freedom report, since the 1979 Islamic Revolution over 200 Baha'is have been killed, many have been imprisoned, and thousands more have faced regular discrimination and public admonishment by the Iranian government.

Government rhetoric and actions create an oppressive environment for religious minorities in Iran, particularly the Baha'i, and instances such as the incarceration of the Yaran provide ample evidence of this. As a member of the Tom Lantos Human Rights Commission, my colleagues and I have worked to bring attention to these injustices and hold human rights violators accountable. The Iranian Baha'i are deeply devoted to peace and unity and their bravery in the face of injustice encourages others to work for universal human rights.

Mr. Speaker, the U.S. government and the international community must continue to speak out against these oppressive acts. I call on my colleagues in Congress to join me in denouncing the imprisonment of the Yaran and partner with the international community to insist Iran release these individuals, strengthen the basic rights of their citizens, and provide an environment in which individuals can express their religion without fear of persecution or intimidation.

LUIS NAZARIO TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. TIPTON. Mr. Speaker, I rise today to commend Luis Nazario of Pueblo, Colorado, for pioneering the use of technology in education. Mr. Nazario became a leader among Colorado's community colleges and online education programs before use of the internet for teaching purposes was popular.

As an English teacher, Mr. Nazario has been commended not only by his school, Pueblo Community College, but also by the Colorado Community College System at large. Students have broader access to educational tools both in the classroom and online in large part because of his efforts. Colorado stresses the importance of education for all of its citizens and Mr. Nazario is an example of innovation in that pursuit.

Mr. Nazario graduated from Inter American University in Puerto Rico with a degree in English Literature. He emigrated to the United States to receive his master's degree as a teacher of English to other languages from New York University. He then moved to Colorado to begin teaching in the state's community college system. Mr. Nazario continues to teach English and foster learning among students who speak English as a second language in Colorado.

Mr. Speaker, I am honored to recognize Luis Nazario for his exceptional commitment to the emerging presence of technology in education. I thank him for dedicating himself to education and reaching out to Colorado's youth.

RECOGNIZING DEPUTY MAYOR GERALDINE TOUSANT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. VISCLOSKY. Mr. Speaker, I am honored to stand before you and my colleagues today to recognize Deputy Mayor Geraldine Tousant. Geraldine has served the city of Gary for many years and for her efforts, she was honored at an event celebrating her 50 years of service to the city on Saturday, August 14, 2010, at the Gary City Hall. Her complete dedication and endless enthusiasm put forth toward her community have allowed her the opportunity to enrich the lives of countless people.

Geraldine was born in Ensley, Alabama, and moved to the city of Gary when she was three years old. She graduated from Gary Roosevelt High School in 1957, and soon after married the late Marshall Tousant. The couple was happily married for nearly 51 years. Geraldine has three children and is the proud grandmother of five. Amidst her time in office, Geraldine courageously battled breast cancer, and I am happy to report that she is a twenty-year cancer survivor.

Geraldine began her service to the city of Gary in 1960 at the age of twenty-one. She started out as a clerk-typist in the city's Department of Redevelopment. Working her way through the Department's ranks, Geraldine eventually became Director of the Department of Redevelopment. On February 14, 2003, Geraldine was recognized by former Mayor Scott King for her commitment to the people of Gary as he appointed her Deputy Mayor of the city of Gary.

Impressively, Geraldine has worked for seven mayors during her 50 years of service to the city: George Chacharis, my father John Visclosky, A. Martin Katz, Richard G. Hatcher, Thomas Barnes, Scott King, and current Mayor Rudy Clay. Throughout her many years of service, Geraldine has accomplished many impressive tasks, including handling the management and demolition of structures attained in other city agencies and computerizing the city's utility billings and payments.

Today, Geraldine is 71 years young and has no plans to retire anytime soon. Geraldine has said, ''I hope my 50 years with the city of Gary have been a role model for other employees.'' Without a doubt, she has been just that.

Mr. Speaker, Deputy Mayor Geraldine Tousant has always given her time and efforts selflessly and has truly been an inspiration to so many people throughout the years. We have all been enriched because of her lifetime commitment serving others, particularly those most in need. I respectfully ask that you and my other distinguished colleagues join me in commending Geraldine on her 50 years of service to the city of Gary.

CELEBRATING 100TH ANNIVERSARY OF ANNA MARIA PIER

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. BUCHANAN. Mr. Speaker, I rise today to celebrate the 100th anniversary of the construction of the Anna Maria Pier in Florida's 13th Congressional District.

In 1911, Will Bean, the son of the first Anna Maria Island homesteader, George Emerson, had a 776 foot pier constructed by the Anna Maria Beach Development Company at the foot of Pine Avenue.

The pier has been in continuous use since then by hundreds of thousands of residents, fishermen, boaters and tourists. In fact, the pier has been named the number one tourist attraction in Manatee County by the Bradenton Area Convention and Visitors Bureau.

In 1928, the pier was acquired by the City of Anna Maria, which provides for its maintenance.

In 2008, the Anna Maria City Commission designated the pier as an historic structure and added the pier to the Florida Master Site File.

This year, the Mayor of the City of Anna Maria proclaimed May 14, 2011, as the Centennial Celebration Day to commemorate the 100th anniversary of the Anna Maria City Pier's construction.

I join the City of Anna Maria in the centennial celebration of this important landmark.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed the rollcall vote on amendment 548 to "H.R. 1—Fiscal Year Continuing Appropriations Act for FY2011." Had I been present, I would have voted "no."

Additionally, I inadvertently cast a "no" vote during the rollcall vote on amendment 94 to "H.R. 1—Fiscal Year Continuing Appropriations Act for FY2011." I would like to change my vote on the amendment to "yea."

NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING ACT (NASPER)

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. WHITFIELD. Mr. Speaker, I rise today to speak about legislation I have introduced that will reinforce our Nation's commitment to combating prescription drug abuse by reauthorizing the National All Schedules Prescription Electronic Reporting Act, NASPER, for three additional years.

On August 11, 2005, NASPER was signed into law to assist States in combating prescription drug abuse of controlled substances, through prescription drug monitoring programs, PDMPs. NASPER is administered by the Department of Health and Human Services, HHS, and provides grants to States to establish and improve prescription drug monitoring programs.

Just last week, the head of the Office of National Drug Control Policy, ONDCP, Gil Kerlikowske, embarked on a three-day visit to Kentucky where he saw firsthand the significant problems with prescription pill abuse, an issue many in my district struggle with. It's estimated that 82 Kentuckians die each month as a result of overdoses. Nationwide there were more than 27,000 deaths from prescription drug overdoses in 2007, a number that has risen five-fold since 1990. These statistics are unacceptable and a testament that more must be done.

While Kentucky has made great strides through its PDMP and collaboration between the public and private sector, illicit drugs continue to flow across our borders from States without PDMPs, such as Florida. Last Wednesday, law enforcement officials from the U.S. Drug Enforcement Administration, DEA, conducted a massive raid in South Florida arresting 20, including five doctors, after a yearlong investigation involving trafficking of prescription pills. What's more concerning is the recent decision by the Governor of Florida to repeal funding for the creation of a PDMP approved by the State legislature in 2009.

By reauthorizing the NASPER program we will ensure States have the support they need to address prescription drug abuse by making NASPER grants available for planning purposes as well as for "establishing, improving, and maintaining" their programs. Through these grants, States will be given resources to help prevent patients from doctor shopping and abusing prescription drugs. This also will help to ensure that appropriate law enforcement, regulatory and State professional licensing authorities have access to prescription history information for the purposes of investigating drug diversion and errant prescriber/pharmacist prescribing and dispensing practices.

I urge my colleagues to join me in supporting this vital piece of legislation and to push for swift passage in the House.

INDIAN AMERICAN CULTURAL CENTER 9TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. VISCLOSKY. Mr. Speaker, it is my distinct pleasure to announce that the Indian American Cultural Center of NWIHRC will be celebrating its 9th anniversary by hosting a gala dinner and banquet on Saturday, March 5, 2011, at the Halls of Saint George, in Schererville, Indiana.

The Indian American Cultural Center, which opened on March 9, 2002, was established with the following goal in mind: to foster peace and harmony amongst the people of Northwest Indiana by showcasing their cultural heritage and creating spiritual awareness in both youth and adults, as well as to engage in various charitable events, both nationally and locally. Since its inception, the Indian American Cultural Center has been instrumental in educating Northwest Indiana's citizens on the traditions and customs of the Indian heritage.

The members of the Indian American Cultural Center of NWIHRC are to be commended, not only for their commitment to preserving tradition, but also for their commitment to making improvements that benefit all mankind. Proceeds from this year's gala, which throughout the years has demonstrated the immense generosity of its attendees and organizers, will go to support the Carmelite Home for Girls. In the past, proceeds from the gala have gone to such noble causes as cancer research, educational scholarships, the American Red Cross, and tsunami relief, as well as to victims of Hurricane Katrina and the earthquake in Kashmir, India.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending the board and members of the Indian American Cultural Center of NWIHRC for their outstanding contributions to society. Their commitment to improving the quality of life for the people of Northwest Indiana and throughout the world is truly inspirational and should be recognized and commended.

HONORING TERRELL LIONS CLUB

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. HENSARLING. Mr. Speaker, I rise today to recognize the outstanding service that the Terrell Lions Club provides the communities in Kaufman County, Texas.

Lions Club International was founded in 1917 in Chicago to aid the blind and visually impaired. The Terrell Lions Club was founded on February 28, 1921 and was one of the first chartered in Texas.

Since that time, the Terrell Lions Club created the Lions Club Park in 1948 on sixteen acres of land for the National Guard Armory, as well as two community tennis courts.

The Terrell Lions work to eradicate blindness by providing free vision screenings, eye examinations and glasses for the needy, as well as promoting the Lions Eye Bank.

Lions contribute time, talent and resources to the Texas Lions Club Camp in Kerrville, which provides free residential camping experiences for children with physical disabilities, Type 1 diabetes and cancer.

This organization provides an invaluable service to those in the community who truly need assistance. Over the years, thousands of individuals and families have been blessed by the men and women of the Terrell Lions Club.

As the Congressman for the Fifth District of Texas, I am pleased today to recognize the Terrell Lions Club for their 90 years of service to Kaufman County. To all the men and women who give of their time and efforts so generously, on behalf of all the constituents of the Fifth District, I would like to extend our most sincere gratitude.

HONORING ITASCA FIRE CHIEF JAMES D. MACARTHUR

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today in recognition of the long and distinguished service of James D. MacArthur on the occasion of his retirement. On March 31st of this year, Mr. MacArthur will conclude his loyal service as Fire Chief of the Itasca Fire Protection District.

Chief MacArthur has served the community for a total of 38 years, including 8 years as Fire Chief of the Itasca Fire Protection District No. 1 and 15 years as Fire Chief of the Elk Grove Village Fire Department.

Throughout his career, his extraordinary leadership has earned him great respect among colleagues and members of the community. He has held many noteworthy positions, including President of the Illinois Fire Chiefs Association and the Metropolitan Fire Chiefs Association. Along with other members of the Illinois fire service task force, Chief MacArthur assisted in the Louisiana response and relief efforts following Hurricane Katrina.

Time and time again, Chief MacArthur has exhibited the characteristics this line of duty necessitates: enormous sacrifice and courage.

Mr. Speaker and distinguished colleagues, please join me in celebrating this special occasion and wishing him every happiness in the well deserved respite of his retirement.

CENTRAL RANKIN RELAY FOR LIFE

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. HARPER. Mr. Speaker, Rankin County, Mississippi advocates with the American Cancer Society Relay for Life will host their annual "Paint the Towns Purple" walk on April 1, 2011 at Shiloh Park in Brandon.

Relay for Life is the signature event of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer. According to the American Cancer Society, in 2010, 14,330 individuals were diagnosed with cancer in my home State of Mississippi, and regrettably, this deadly disease claimed the lives of 6,060 Mississippians last year.

Today, I rise to recognize the Central Rankin Relay for Life in their efforts to rid America of this tragic illness. May their efforts of saving lives and creating a world with less cancer and more birthdays be an overwhelming success.

EXPRESSING CONCERN ABOUT THE TREATMENT OF BAHA'IS IN IRAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mrs. MALONEY. Mr. Speaker, I rise today to express concern about the treatment of Baha'is in Iran. Recent reports suggest that the seven Baha'i leaders convicted last August have been transferred to more dangerous areas of the prison in which they are being held. Additionally, a series of arrests of Baha'i adherents began in Isfahan on February 13th. The fate of those individuals is currently unknown, but these arrests suggest that the Iranian government is continuing its persecution of members of the Baha'i faith.

Freedom of religion is a basic human right. The United States has always been committed to defending religious freedom around the globe. The world must be vocal in its condemnation of the mistreatment of the Baha'i people at the hands of a brutal government.

I urge the Iranian government to release all those whom it has imprisoned solely because of their religious beliefs, and to treat all of its religious minorities with tolerance.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. WITTMAN. Mr. Speaker, due to a family emergency I unfortunately missed a series of votes on February 17, 2011, which included roll call votes number 67 through 79.

If I had been present, I would have voted "yes" or "aye" on rollcall vote number 67, 68, 69, 70, 72, 73, 74, 75, 76, 77, 78, and 79.

If I had been present, I would have voted "no" or "nay" on rollcall vote number 71.

IN RECOGNITION OF ROSENBERG FOUNDATION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. SPEIER. Mr. Speaker, I rise to congratulate the Rosenberg Foundation on the occasion of its 75th Anniversary.

For three quarters of a century, the Rosenberg Foundation has committed itself to achieving social and economic justice for the people of California.

The Rosenberg Foundation was established in 1935 by a group of relatives and business associates who were designated as trustees in the will of Max L. Rosenberg, a San Francisco businessman and philanthropist.

Throughout its history, the Foundation has set forth on a mission of expanding opportunity to all Californians. It has distributed more than 2,800 grants totaling nearly $80 million to regional, statewide and national organizations advocating for social, economic and civic justice in the state.

These grants have focused on California's most vulnerable communities, from those in rural areas to women to minorities to children. Today, the Foundation is spearheading innovative solutions for tackling issues such as immigrant rights, justice for farm workers, sentencing reform and economic disparity.

For these efforts, the Rosenberg Foundation has been recognized with many prestigious awards. In 1997, it won the Outstanding Foundation Award from the Association of Fundraising Professionals. In 2003, it was one of three foundations to receive the Paul Ylvisaker Award for Public Policy Engagement by the Council on Foundations.

As our nation emerges from this historic recession and inequality continues to rise, groups like the Rosenberg Foundation will play a critical role in helping all Californians realize their share of the American Dream. The Foundation understands that people aren't looking for a handout, but a hand up.

Mr. Speaker, I thank the Rosenberg Foundation and its dedicated staff for their extraordinary contributions to the people of California during the last 75 years. I have no doubt we will be celebrating many more anniversaries in the future.

RECOGNIZING THE IMPORTANCE OF THE RETIRED SENIOR AND VOLUNTEER PROGRAM

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. SCHWARTZ. Mr. Speaker, I rise today to recognize the importance and necessity of senior care programs such as the Retired Senior and Volunteer Program (RSVP). Philadelphia's RSVP is based in the Jewish Community Center Klein Branch and currently enlists about 600 volunteers. The program offers much-needed community services as well as an opportunity for seniors to volunteer their time. RSVP provides important volunteer services such as tutoring, food for Meals on Wheels and assistance with tax preparation. The following article from the Philadelphia Daily News illustrates the importance of programs like RSVP and the need for our continued support of their worthy accomplishments.

[From the Philadelphia Daily News, Feb. 7, 2011]

SENIORS, LIFE'S CALLING YOU. SEND YOUR RSVP

(By Stu Bykofsky)

DON'T TRUST anyone under 30.

Maybe reversing the infamous (and bigoted) catchphrase from the '60s is overdoing it.

But while many cultures, equating experience with knowledge, revere elders, here in the U.S. of A. we lionize "youth" (even while watching the reading and math scores of our "youth" fall, like tokens into a fare box).

Baby Boomers who cranked up the social-revolution line are now in the Social Security line.

In addition to the vast financial wealth that the Boomers piled up, they (and their elders) also collected a warehouse of wisdom, which some of them like to share.

Motivated older adults—55 and up—form the backbone of RSVP—the Retired Senior and Volunteer Program, a 40-year-old national agency which in Philly operates from the Klein JCC, in the Far Northeast.

Klein has about 600 RSVP volunteers. Some are way above 55, like Harold and Libby Yaffe, the 93-year-old married couple who come in to serve lunches.

"The only way we can do what we do is through volunteers," says Marcia Gross, RSVP project director, as she shows me around the lowslung Klein JCC at 10100 Jamison Ave. Gross is a woman of a certain age with no hard edges, a smiling round face framed by light-brown hair.

There are lots of underutilized or bored retirees, and a lot of programs that need help but can't afford to hire people, Gross says. You don't have to be Einstein to connect two dots.

When some people hear "volunteer," for free, they hit the exits. Better people see service to others as a benefit to society—and to themselves.

"I have to have something to do in the morning and I love every minute of it," says widowed Center City grandmother Laurette Feltoon, who admits to "65-plus."

For the last 13 years, she's been taking her master's in psychology (she had a private practice in marital and premarital counseling) and volunteering, every day, as a mediator in Municipal Court's Dispute Resolution Program.

The city and the warring parties get the benefit of her decades of experience, while Feltoon has a place to go and a mission to accomplish.

Dots connected. Win-win. Volunteers go only to nonprofit agencies, says Gross, ranging from the American Red Cross (bloodmobile aides) to WHYY–TV (special events, begathons).

Sure, there are expected needs for people who can do data entry and fill clerical roles, make weekly visits to the homebound, tutor students or prepare food for Meals on Wheels.

But there are less-conventional volunteer options, such as tax preparation, historical research, ushering at local theaters, guiding tours at Independence National Historical Park or the Philadelphia Zoo, and providing immigration assistance. For those better with their hands than their mouths, RSVP

uses people to drive vans, walk dogs at the PSPCA, stock food pantries, knit, garden and provide minor home repairs.

If you don't know whether you have a useful skill, Gross says, ''Come in and we may suggest something you hadn't thought of.'' Anyone with computer literacy is needed, and RSVP is looking for people to teach financial literacy.

Retiring after 42 years working on the railroad, Norm Feldman wanted a new challenge.

The Tacony resident, a volunteer at the Clean Air Council for 27 years, has become an expert in indoor air pollution and radon. The octogenarian volunteers Wednesdays, and takes emergency calls at home, goes out to talk to schools and community groups on other days.

He took some EPA training, but mostly learned on the job, and is so much an expert that he gets calls from county health departments. ''Even professional people have problems and they can't get answers from the city, state or federal government,'' Feldman says, because most law deals with outside air. He's the man on the inside.

After Sunny, his beloved wife of 51 years, died four years ago, Ike Silverberg was depressed, even suicidal. He tried some shrinks, but it didn't help. The 85-year-old still misses Sunny like hell, but RSVP gave him a new life.

Mondays and Fridays, mornings and afternoons, he's at the Delaware Valley Veterans' Home, pushing a beverage cart, making sure the vets are hydrated. He's happy doing it because the vets are appreciative.

His Tuesdays and Wednesdays are very different. He drives from his Rhawnhurst home to Mayfair Elementary, where he sits with eight first-graders at a round table. Everyone reads in turn and Ike challenges them on spelling. The great-grandfather of seven loves kids, so this is a treat for him.

Wednesdays the chatty former construction worker, salesman and bagel-baker reads with third-graders at the JCC. All the volunteering keeps him out of ''that house,'' as he refers to his formerly happy, now lonely home.

Getting out into the world is a benefit to volunteers, says Gross. According to a poll, she says, the No. 1 reason people give for not volunteering is: ''No one asks them.''

RSVP is asking.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. FORBES. Mr. Speaker, if I had been present on February 28, 2011, I would have voted "yes" on H.R. 394, H.R. 347, and H.R. 368.

RECOGNIZING THE 23RD ANNIVERSARY OF SUMGAIT MASSACRES

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. SPEIER. Mr. Speaker, I rise to acknowledge the 23rd anniversary of the vicious attacks against Armenians in Sumgait, Azerbaijan.

Dozens of Armenians were killed. Hundreds were injured. Women, including young girls, were raped.

Apartments were robbed, cars were burned, and local businesses were destroyed.

According to testimony reviewed by the Supreme Court of the USSR: "Tenants were dragged from their apartments. If they tried to run and escape, the mob attacked them. The mob used metal rods, knives and hatchets, after which bodies were thrown into the fire."

But shockingly most of the Azeris who committed these horrific acts and their accomplices in government were not brought to justice.

The Sumgait Massacres are part of a long and disgraceful history of violence against the Armenian people.

It is long past time for the United States to officially recognize the Armenian genocide. This anniversary should serve as a reminder that we can stay silent no more.

Let's take this moment to remember all those who lost their lives at Sumgait and pledge to prevent ethnic cleansing from occurring anywhere in the future.

IN REMEMBRANCE OF MR. GABOR PAPP

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Gabor Papp, a man who was devoted to preserving and celebrating Hungarian culture and language.

In 1915, Mr. Papp was born in Maramarossziget, Hungary. He earned his law degree at the University of Debrecen before moving to Cleveland after World War II. In 1951, Mr. Papp began working as a draftsman at Lucas Machine Tool Co. and Acme-Cleveland Corp.

In 1958, Mr. Papp founded the Hungarian School at St. Emeric Catholic Church, serving as its principal and director for 27 years. The Hungarian school teaches both children and adults about Hungarian language and culture. He also served as an officer at the United Hungarian Fund, where he spearheaded philanthropic efforts for scholarships, disaster recovery, and many other programs. Mr. Papp was also a volunteer at the Senior Ethnic Find of Cleveland. As a result of his dedication to the community he was honored by numerous government officials throughout his life.

Mr. Speaker and colleagues, please join me in honor and remembrance of Mr. Gabor Papp, a true leader. Mr. Papp's devotion to the Hungarian community of Cleveland was admirable and irreplaceable. I extend my sincerest condolences to his wife of 64 years, Katalin; his daughters, Eva, Klara, Gabrielle, and Susan; and his many grandchildren, nieces, and nephews.

INTRODUCTION OF THE SHINGLES PREVENTION ACT

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. HIRONO. Mr. Speaker, I rise today to reintroduce the Shingles Prevention Act.

Many of us have had shingles or know of others, especially over the age of 60, who have. In 2006 a new vaccine was created that prevents occurrence of shingles or dramatically reduces the symptoms and pain of shingles. Experts agree that adults over the age of 60 should receive this immunization.

Half of us will experience shingles by the time we are 80. Shingles is a painful skin rash often accompanied by fever, headache, chills, and upset stomach. What is more pressing is that one in five shingles patients will endure post-herpetic neuralgia—severe pain lasting much longer than the rash itself. The pain can be so intolerable that patients are housebound, and there have been cases of suicide from the disease. Shingles is most common among seniors because the immune system wanes with age, making Medicare beneficiaries the best candidates for the vaccine.

Since its development in 2006, the shingles vaccine has been recommended for adults 60 years or older by the Centers for Disease Control. However, current Medicare Part D coverage of the vaccine is insufficient. Not all beneficiaries are enrolled in Part D or another drug prescription plan. More important, seniors are facing high out-of-pocket costs due to a lack of coordination among doctors, pharmacies, and Part D plans. For example, there is no established direct billing method between doctors and plans for Part D vaccines. Because of this, beneficiaries typically must pay the full price up front, which results in out-of-pocket costs that limit access to those that need the vaccine the most—our seniors.

The billing problem, the resulting low utilization of the vaccine, and costly storage requirements are enough to keep many doctors from stocking the vaccine. When doctors do not stock, beneficiaries' only alternative is to obtain the vaccine from pharmacists. But many states do not allow pharmacies to administer Part D vaccines, so the beneficiary has to take the vial from the pharmacy back to the physician office. Thus, a senior who is thinking about getting vaccinated would have to go first to the doctor's office for a consult, then to the pharmacist, then back to the doctor for the shot.

Not surprisingly, many seniors are not getting immunized against shingles. This low utilization rate contributes to the half a billion dollars of treatment costs per year and, for hundreds of thousands of seniors, many weeks spent suffering from a disease that could have been prevented. The Shingles Prevention Act will move shingles vaccine coverage to Part B—thus treating it in the same manner as the flu vaccine under Medicare, simplifying the process for physicians and beneficiaries, and lessening the cost burden for our seniors. This is a common sense and cost effective way to increase access to high quality health care for our seniors, and I look forward to working with my colleagues to ensure its passage.

Mahalo nui loa (thank you very much).

IN RECOGNITION OF THE MANY ACCOMPLISHMENTS OF RUTH GRUBER, AN AMERICAN JOURNALIST, PHOTOGRAPHER, WRITER AND HUMANITARIAN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to Ruth Gruber, an extraordinary woman whose life's work has made her an icon and a role model. Over the course of her long and active life, she has been a groundbreaking journalist and photographer, a brilliant scholar, an exceptional writer and a compassionate government official. Most of all, she is a humanitarian whose leadership and intellect helped save thousands of lives.

Ms. Gruber received the American Spirit Award from The Common Good (TCG) on February 3, 2011. In addition, TCG will be screening Ahead of Time, a 2009 documentary about Ms. Gruber's life. Under the leadership of the dynamic Patricia Duff, TCG is a non-profit, non-partisan organization that strives to inspire broad participation in our democracy through the free exchange of ideas and civil dialogue.

Born in Brooklyn in 1911, Ruth Gruber studied at the University of Cologne in Germany where, at the age of twenty, she received her Ph.D. Her dissertation on Virginia Woolf made her the youngest Ph.D. in the world, earning her international headlines and a movie star's welcome when she returned to the United States.

Ms. Gruber returned to the United States where she became a journalist. In 1935, she won a fellowship to write a study of women under fascism, communism, and democracy. The first journalist to enter the Soviet Arctic, she published her experiences in the book, I Went to the Soviet Arctic. In 1941, after reading her book, Secretary of the Interior Harold L. Ickes sent Ms. Gruber as his field representative to make a social and economic study of Alaska. Her reports were forwarded to President Franklin D. Roosevelt and played a major role in shaping American policies in Alaska and the Aleutian Islands, which were then on the frontlines of World War II. Among other things, her reports documented the strong work ethic of African-American soldiers.

When Ms. Gruber returned to Washington, Ickes appointed her his special assistant, a position she held for five years. When President Roosevelt decided to accept a thousand European immigrants in the midst of World War II and the Holocaust, Secretary Harold Ickes asked her to escort the refugees to the United States. Largely but not entirely Jewish, the 984 refugees who were chosen to make the journey came from all over Europe. The refugees were permitted into the country with the idea that they would return home following the war's end. Following their arrival in New York harbor on August 3, 1944, they were kept segregated on an old army base in Oswego, New York. Ms. Gruber served as their liaison with the outside world. When the end of the war came, Ms. Gruber lobbied the President and Congress, with the help of Catholic, Jewish and Protestant clergy and other advocates, and convinced them to allow the refugees to stay in America.

Following the war, Ms. Gruber became a foreign correspondent for the Herald Tribune. In 1947, the New York Post asked her to cover the Anglo-American Committee of Inquiry on Palestine, which was formed to consider what to do with the Jewish Holocaust survivors who could not return home. She traveled to the displaced persons camps, covered the Nuremberg trials, and met with Zionist leaders in the Middle East. In 1947, while covering the Middle East for the Herald Tribune, she learned of the British refusal to allow the Exodus, a former cruise ship crammed with 4,500 refugees, to land in Haifa. The British loaded the survivors onto several boats and sent them first to Marseilles and then to Germany. Ms. Gruber was permitted to travel with the refugees from Marseilles to Germany as the pool reporter. Her dispatches, later collected in the book, Exodus 1947: The Ship That Launched a Nation, introduced the world to desperation and determination of the survivors. Her iconic photograph of refugees on board the ship under a flag bearing the British Union Jack overlaid with a Nazi swastika became Life Magazine's photo of the week and was reproduced around the world.

Ms. Gruber continued to work as a foreign correspondent until 1966, and has continued to write books up to the present day. In 1985, Ms. Gruber witnessed another exodus—she traveled to isolated Jewish villages to aid in the rescue of the Ethiopian Jews. She chronicled her experiences in Rescue: The Exodus of the Ethiopian Jews. In 1998, she received a Lifetime Achievement Award from her peers in the American Society of Journalists and Authors as ''a pioneering journalist and author whose books chronicle the most important events of the twentieth century.'' When asked the secret of her success, she said: ''Have dreams, have visions and let no obstacle stop you.''

Ms. Gruber was married twice, first to Philip H. Michaels and, after his death, to Henry Rosner. In 1952, at age forty-one, she gave birth to her first child, Celia; her son, David, was born in 1954.

Mr. Speaker, I ask my distinguished colleagues to join me in recognizing the remarkable career and achievements of Ruth Gruber, an indefatigable journalist, activist and humanitarian.

SAMIL MOVEMENT ANNIVERSARY

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize the 92nd anniversary of the March 1st Movement also known as the Samil Movement. Today commemorates the start of Korea's independence movement from Japanese colonization and on March 1, 1919, the people of Korea united to fight for their freedom. For 35 years, the people of Korea were denied their identity as they were violently discriminated against by the Japanese government and were forced to repress its culture on their own land.

March 1 is a day of great proclamation as it was the first step to Korea gaining its independence and liberty. Although the Korean Peninsula remains divided, today we recognize the Koreans who fought courageously to defend their land, people and heritage.

Today, the Republic of Korea is one of America's closest economic and military allies in Northeast Asia. South Korea is our 7th largest trading partner and our close relations are signified by our ongoing military cooperation in the region. South Korea remains a dynamic technological inspiration and a vital partner of the international community. As United States and South Korea continue our partnership and friendship, we must also continue to strive for the independence of the people of North Korea and look at ways to address the ongoing security threats from North Korea.

As the Congresswoman of the 47th District of California, I represent one of the most vibrant Korean-American communities in the United States. And I would like to celebrate with them and the people of Korea on this honorable day of Korea's independence.

IN HONOR OF THE 50TH ANNIVERSARY OF THE HOLY TRINITY BAPTIST CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Holy Trinity Baptist Church of Cleveland, on the occasion of its 50th anniversary. Known as ''the Church with the Upward Look and the Forward Step,'' this church has served the surrounding community since 1961.

The congregation of Holy Trinity Baptist Church had humble beginnings; for the first four years of its existence it was housed at the Old Crown Theater on Cleveland's east side. In 1965, it moved to its current location on East 131st Street. Throughout its history, Holy Trinity has provided numerous services to its members and the surrounding community. The congregation has an active connection with Haiti, where they built a church and have fostered children. Closer to home, they have hosted nutritional, tutoring, and Head Start programs for their community. Holy Trinity Baptist Church was the first church in Cleveland to offer certified classes in Bible Study.

Mr. Speaker and Colleagues, please join me in recognition and celebration of Holy Trinity Baptist Church's 50th anniversary. Holy Trinity Baptist Church has been a vibrant part of the Cleveland community for fifty years, and through its service and outreach programs, has touched many lives. I send my congratulations to Reverend Chelton C. Flanagan and Reverend Dr. Henry J. Payden, Sr., along with the 700 members of the church on this joyous occasion.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. WASSERMAN SCHULTZ. Mr. Chair, just yesterday I stood with parents of young children in Davie Florida who attend early education classes at Crayons Child Care Center.

We spoke about how vital early education is in the development of children.

How early education increases high school graduation rates, and how 50 years of solid research has shown that early education is shown to reduce crime and delinquency.

We spoke about how early education in minority and lower income communities helps to narrow the achievement gap and lifts future generations out of poverty.

And how, for every dollar spent in early education, our communities yield up to a $7 return on our investment.

Unfortunately, though, we weren't there to highlight the success of early education, we were there to highlight something that borders on insanity.

Insanity because just over a week ago, this body made the largest cut to education in our Nation's history.

Now, we all understand that our Nation needs to cut spending.

But the society that balances its budget on the backs of its children should not be surprised when the spine of its future is broken.

Davie is a long way from where we stand here today in Washington.

And sometimes it is easy for Members to overlook, or to not understand how what happens here in the Capitol means out in the real world.

That is why I stand here today.

I stand here because the parents I met with cannot stand here and tell you, Mr. Chair, what these cuts will mean to their children.

Should the cuts to early education funding that were passed in H.R. 1 stand, some of the children at Crayons Child Care will no longer be able to attend early education.

And if students are forced to leave their early education classes there will be teachers at Crayons Child Care that will lose their job.

Laying off teachers and dimming the future of America's children is no way to balance the budget.

These children are 2, 3, 4 years old.

They didn't run up the debt and deficit of our country, but the response from Republicans in the House of Representatives was that they would pay for it.

Republicans preserved tax credits for oil, gas, and chemical companies; they cut Head Start funding.

They preserved tax credits for the coal industry, but they cut Early Education funding.

The parents I met with yesterday in Davie are just a handful of the 9,148 children in Florida that will lose their early education classes if these cuts are to stand.

That just doesn't make sense.

HONORING CAPTAIN LAVERNE SING, THE FIRST FEMALE AFRICAN-AMERICAN FIREFIGHTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Captain Laverne Sing, the State of Mississippi's first African-American female firefighter. Captain Sing not only broke down years of historical barriers, but also provided safety and security for the citizens of the City of Greenville, Mississippi, for many selfless years.

Known as a Delta Pioneer, Captain Sing was born January 16, 1944, in Washington County, Mississippi, to a family of five sisters and four brothers. She worked numerous occupations leading up to her heroic role as a firefighter including telecommunications operator, medical service driver and dispatcher, and as Greenville's first female security officer for the Greenville Public School District.

Captain Sing reported for duty in June 1979 to her community as the first African-American female firefighter in Greenville without allowing prejudice to get in her way. Her selfless acts in fire prevention and safety have resulted in the preservation of countless lives and incalculable amounts of property. Captain Sing's goals as a firefighter were to save lives, save property, and protect the environment. She met these objectives every day not only in the firehouse and on the scene but in her daily life. Her hard work and expert knowledge led to her rapid promotion from a recruit to Captain of the Greenville Firehouse. Putting herself in harm's way to save precious lives, Captain Sing courageously ran into burning buildings and structures when others were running out. Once inside a burning building, Captain Sing used the right hand search pattern technique and immediately began scouring for and removing trapped occupants by following closely along the room's walls and performing the search until everyone in the structure was safely out.

Captain Sing has always displayed a commitment to excellence even in the face of unthinkable danger. Her acts of gallantry, perseverance and pride exemplify a character that has allowed her to grow and prosper. As Captain for the Greenville Fire Department, she was a leader in the firehouse and at times performed dispatch services for both the fire and police department. She volunteered her time as a public relations officer for the fire department where she presented programs in community schools, daycare centers and nursing homes that educated numerous persons both on escaping a fire and what actions to take when faced with safety hazards.

In 1990 and 1991, Captain Sing served the community as a volunteer for the Salvation Army and the Mississippi Firefighters Memorial Burn Center. A decorated firefighter, Captain Sing has received many honors including the Department's Outstanding Performance Award and the Flame Award from the Greenville Chamber of Commerce. As a firefighter, Captain Sing worked through many grueling academic courses including her national certification in level Fire Fighter One, numerous safety programs and Cardiopulmonary Resuscitation, CPR, training through the American Red Cross.

Captain Sing's exceptional performance of her duties and her barrier-breaking accomplishments has been recognized at events during Black History Month, by churches, associations and community groups. In 1992, upon the passing of the brother committed to her care for 18 years, Captain Sing, felt the call to be close to her family and resigned after over a decade of gallant service to the Greenville Fire Department.

Captain Sing is a proud member of Serene Lodge 20th Century Temple Daughters of Elks and a faithful servant of our Lord and Savior Jesus Christ at the Grace Outreach Church pastored by Rev. Ruben Lewis. She is the proud mother of three children, Remelda, Demetria and Lawrence Sing. Currently, she devotes her time to children in the Greenville Public School System.

Captain Sing is recognized by the Black Women in Fire Service as the State of Mississippi's first African-American firefighter and as a leader of the African-American women firefighters in the United States of America.

Mr. Speaker, please join me in saluting Captain Laverne Sing, the first female African-American Firefighter in the State of Mississippi for your dedicated service in fire safety and prevention.

TRUE COST OF H.R. 1

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. COHEN. Mr. Speaker, by recklessly slashing more than $60 billion from the budget, the majority is trying to assume the mantle of fiscal responsibility. They claim that $60 billion in cuts creates $60 billion in savings and deficit reduction. But this claim is simply untrue, for many of the underfunded or eliminated programs actually save the government far more money than they cost. These cuts are penny wise but pound foolish. By eliminating funding for these cost saving programs, the majority is not reducing spending; they are increasing it.

As New York Times columnist Paul Krugman said, the majority's cuts are designed to eat the future by cutting spending in a way that undermines the nation's health and long-term prospects. Nowhere is this failure in fiscal policy more apparent than when it comes to the physical health of the American people. H.R. 1 cuts $60 billion in Fiscal Year 2011 spending, but it increases the deficit dramatically as a result of unseen healthcare costs associated with the degradation of the food we eat, water we drink, and air we breathe. Moreover, H.R. 1 slashes the National Institute of Health's funding for research to find cures for diseases such as Alzheimer's, Parkinson's, diabetes, and cancer.

I believe that it is morally objectionable to leverage our physical health for perceived short-term fiscal and political health. But that is exactly what H.R. 1 does. It allows the majority to fulfill a political promise made during the last campaign. But in doing so, the majority is undermining the long-term health of our citizens and our country by:

Cutting funds for the Food and Drug Administration by $241 million below 2010 and $400 million below the Administration's 2011 budget request.

Cutting funds for the Food Safety and Inspection Service by $88 million below 2010 funding levels and $107 million below the Administration's 2011 budget request.

Cutting appropriations for the National Institutes of Health by $1.6 billion below FY 2010 and $2.5 billion below the President's budget.

Cutting funds for the Clean Water and Drinking Water State Revolving Fund by 56 percent.

Cutting funds for the Environmental Protection Agency by $3 billion, a nearly 30 percent cut from spending in 2010 and the largest percentage cut in EPA's overall budget in 30 years.

Cutting appropriations for the Centers for Medicare and Medicaid Services by $458 million below FY 2010 and $634 million below the President's budget request.

These fiscal cuts have severe physical impacts on the American people and jeopardize the health and well-being of our children. H.R. 1 cuts funding for the Food and Drug Administration's ability to test and regulate medical drugs. It is counterintuitive to think that drugs that people take to cure illnesses may actually create more health problems than they solve. But that is an unfortunate experience that many Americans know all too well. For instance, thousands of Americans took the weight loss drug Fen-phen only to find out years later that it caused severe heart problems and had killed people who had taken the drug for only a short period. The sad truth is that Fen-phen is only one example of a drug that did not undergo the necessary FDA testing and scrutiny, and H.R. 1 will ensure that many more medical drugs receive similar inadequate levels of review. Cutting spending for testing and regulating drugs does not seem like smart fiscal or physical policy to me. It is eating our future.

I believe it is important for parents to be confident that the food they feed their children is making them healthier and not killing them. Unfortunately that is not the case. In the last year alone, we have had food recalls for spinach, peanuts, chicken, eggs, and dozens of other foods. It was not long ago that millions of Americans were combing through their pantries throwing away anything containing peanut butter. This feverish action was a result of a salmonella contamination that claimed the lives of 8 individuals and poisoned more than 500 Americans in 43 states, half of which were children. And it was only a few years ago that E. coli in spinach was responsible for 5 deaths and more than 200 hospitalizations.

The American people deserve better. They deserve the peace of mind of knowing the food they eat and feed their children is safe. But by slashing millions of dollars for the Food Safety and Inspection Service, H.R. 1 denies the American people that peace of mind. In 2010 alone, an estimated 76 million people got sick with foodborne illness and 5,000 individuals died because of the food they ate, according to the U.S. Centers for Disease Control and Prevention. Cutting spending that would prevent many of these deaths and illnesses is not fiscally or physically responsible. It is eating our future.

The irony of H.R. 1 is that not only does it make the American people sicker, but it dramatically cuts funding for the National Institutes of Health (NIH) to develop cures for diseases, instances of which will increase as a result of H.R. 1's attack on safe food, water, and air. The NIH conducts cutting edge research to cure the diseases that plague millions of Americans, from infants to seniors. Nearly every American has watched a friend or loved one fight Alzheimer's, Parkinson's, or cancer or has fought one of these life-threatening battles first-hand. For years, Congress has provided NIH the necessary tools to help people win these battles. But H.R. 1 stops NIH in its tracks by cutting funding for research that would save American lives. That does not seem like smart fiscal or physical policy to me. It is eating our future.

Although more than 70 percent of the earth is covered in water, only about 1 percent of all the water on the planet is safe to drink. H.R. 1 would reduce that 1 percent by allowing major corporations and developers to pump toxins into our water and by failing to invest in the necessary infrastructure to maintain, treat, and deliver safe drinking water. H.R. 1 reduces the Drinking Water State Revolving Fund by 56 percent, a program that provides low and no-interest loans to states to fund drinking water infrastructure improvement projects. Already too many Americans are suffering from lead poisoning and chronic diarrhea as a result of antiquated infrastructure. We cannot afford to exacerbate the rate of these serious health threats by cutting funding to maintain and repair our water infrastructure. Doing so, does not seem like smart fiscal or physical policy to me. It is eating our future.

H.R. 1 eliminates several million dollars of funding for EPA to implement revised standards for the amount of mercury, lead, and other toxic air pollutants that cement plants across the country can emit into the air we breathe. These revised standards will safeguard the American people from breathing air that will harm their brains, hearts, lungs, and livers. But H.R. 1 strips EPA of any funding to implement this life-saving standard.

Mercury and lead target the developing brains of children and can cause devastating brain damage and death. Millions of American children already suffer from debilitating asthma and brain damage as a result of the dirty air they breathe. H.R. 1 does not try to clean the air; it makes the air even dirtier and exposes more children to air that will impact their health for the rest of their life or in some cases kill them.

According to EPA, these standards will save more than 2,500 lives a year and prevent 50,000 new cases of asthma and respiratory symptoms. But H.R. 1 cuts these funds. That does not seem like smart fiscal or physical policy to me. It is eating our future.

H.R. 1 will also increase the number of individuals in hospitals and doctors' offices as a result of illnesses related to polluted air, dirty water, and bacteria-filled food. And the kicker is that H.R. 1 will make these medical trips more expensive for these individuals and for the government. By eliminating funding for critical components of the Affordable Care Act, millions of Americans will not have access to affordable insurance to cover their respiratory medications to remedy the polluted air they breathe. Parents will have to pay out of pocket—if they can pay at all—for the treatment their children receive thanks to the E. coli in the hamburger they had for dinner. And seniors will no longer have access to free preventative care visits, which are imperative to detect possible ailments caused by inhaling harmful toxins with every breath.

Worse than any of these medical costs is the heartache associated with the tens of thousands of deaths that will occur as a result of the dirtier air, water, and food every American will be consuming thanks to H.R. 1. It is clear that the American people will not be able to afford these costs, so this financial burden will continue to increase our deficit. That does not seem like smart fiscal or physical policy. It is eating our future.

The Republican majority is touting H.R. 1 as a fiscally responsible budget. Sure it looks nice on paper when you take the $60 billion dollars in cuts as $60 billions in savings. But by looking a bit deeper into the programs being cut, one can recognize that many of these cuts will end up costing the federal government billions of dollars. Not to mention that H.R. 1 will reduce the physical health and wellness of millions of Americans.

I urge the majority to go back to the drawing board and create a truly cost-saving budget that looks at cost holistically. I encourage them to create a budget that not only restores the fiscal health of this nation but the physical health as well. And I strongly recommend that we develop a budget that wins the future rather than eats it.

IN REMEMBRANCE OF MR. BILL KELLEY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Bill Kelley, the former director of the Cleveland Aquarium who was known for his ingenuity and creativity.

Bill Kelley was born in 1917 in Elyria, Ohio. From a very early age, he had a deep interest in science, and enjoyed building telescopes and crystal radios. In 1954, after serving as an interpreter for the Army in World War II, he worked to convert a small bathhouse in Gordon Park into Cleveland's first aquarium.

Mr. Kelley was well-known for his innovation. He invented special filters and developed an additive that could be added to tap water to make it habitable for salt-water fish. He travelled to Chicago and the Amazon to secure unique specimens for Cleveland's collection. He went on to head aquariums in Niagara Falls and Mystic, Connecticut.

A true renaissance man, Mr. Kelley's expertise was far from limited to sea life. He was also a fellow of Great Britain's Gemological Society and was known for developing a method to strengthen fragile opals and for founding Opals, Inc. He also served as associate director of the Cleveland Museum of Natural History.

Mr. Speaker and colleagues, please rise with me today in honor and remembrance of a passionate and unwavering individual. Mr. Kelley will be remembered for his many contributions to the sciences and for his hard work and dedication. I extend my sincerest condolences to his wife, Lois; his brother, Carl; and his sister, Jean.

INTRODUCTION OF THE NATIVE HAWAIIAN MEDICAID COVERAGE ACT OF 2011

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Ms. HIRONO. Mr. Speaker, I rise today to reintroduce the Native Hawaiian Medicaid Coverage Act of 2011. This legislation is a companion to S. 36, which was introduced earlier this year by Senator DANIEL K. INOUYE.

This legislation would allow for 100 percent coverage under the Federal Medicaid Assistance Percent, FMAP, formula for Native Hawaiians who are Medicaid eligible and access

care from Federally Qualified Health Centers or through the Native Hawaiian Health Care System.

Native Hawaiians, like American Indians and Alaska Natives, are an indigenous, native people. Currently, states receive a 100 percent FMAP reimbursement for health care services provided through Indian Health Services facilities. The bill I am introducing today would bring parity in the treatment of our country's Native peoples.

Congress has previously recognized the unique and historical relationship between the United States and the indigenous people of Hawaii. I ask for my colleagues continued support for the health and wellbeing of Native Hawaiians.

Mahalo (thank you).

MILITARY HONORS FOR VETERANS' FUNERALS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. FILNER. Mr. Speaker and colleagues, I rise today to speak about a bill that I have just reintroduced, "Providing Military Honors for our Nation's Heroes Act" (H.R. 545), to reimburse expenses of volunteers who provide military funeral honors at veterans' funerals.

Because thousands of service members are deployed in Iraq and Afghanistan while thousands of World War II and Korean War veterans die each day, there is simply not enough military to provide a proper seven-person honors detail for these funerals. Some families of veterans have had to "make do" with a CD playing "Taps." I am saddened by this outrageous situation and determined to provide proper military funeral honors for all families who request them.

This bill will allow reimbursement to volunteers from members of veterans' service organizations (VSOs) and other organizations approved by the Secretary of the Department of Veterans' Affairs (VA). Transportation costs and other expenses, such as cleaning uniforms, incurred in providing funeral honors details will be reimbursed. A second change will allow reimbursement to details that are requested by funeral homes and the VA, as well as the Department of Defense, the current practice.

Currently, members of VSOs and other volunteers can assist the military by providing a color guard, pallbearers, a bugler or firing party, but the law does not address ceremonies in which VSOs render honors without military representation. My bill will allow volunteers to be reimbursed even when no military person is a part of the honor guard. This change will increase the number of honors details available to families. I urge my colleagues to support this bill.

REGARDING THE 50TH ANNIVERSARY OF THE PEACE CORPS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 1, 2011

Mr. VAN HOLLEN. Mr. Speaker, today I rise in recognition of the 50th anniversary of the Peace Corps and to honor the memory of its founder Sargent Shriver.

The Peace Corps was created in 1961 to encourage Americans to travel abroad as ambassadors of good will and to engage other cultures in pursuit of world peace and mutual understanding. For 50 years, Peace Corps volunteers have helped to sow the seeds of friendship around the globe through their industry and enthusiastic service. Today, the Peace Corps endures as a living reminder of the spirit and dedication of Sargent Shriver, who was a tireless crusader for peace and justice, willing to lend a hand wherever one was needed, and building institutions like the Peace Corps that will carry on well into the future.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S1023–S1076

Measures Introduced: Eight bills and seven resolutions were introduced, as follows: S. 422–429, and S. Res. 80–86. **Page S1060**

Measures Reported:

S. Res. 81, authorizing expenditures by committees of the Senate for the periods March 1, 2011, through September 30, 2011, and October 1, 2011, through September 30, 2012, and October 1, 2012, through February 28, 2013. **Page S1060**

Measures Passed:

Pay During Government Shutdown: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 388, to prohibit Members of Congress and the President from receiving pay during Government shutdowns, and the bill was then passed. **Pages S1051–52**

Read Across America Day: Senate agreed to S. Res. 83, designating March 2, 2011, as ''Read Across America Day''. **Page S1075**

Expressing Support for Sri Lanka: Senate agreed to S. Res. 84, expressing support for internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace. **Page S1075**

Condemning the Human Rights Violations in Libya: Senate agreed to S. Res. 85, strongly condemning the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms. **Pages S1075–76**

Measures Considered:

Patent Reform Act—Agreement: Senate continued consideration of S. 23, to amend title 35, United States Code, to provide for patent reform, taking action on the following amendments proposed thereto: **Pages S1030–51, S1052–53**

Adopted:

By 97 yeas to 2 nays (Vote No. 27), Leahy Modified Amendment No. 121, to improve the bill. **Pages S1032, S1034–44, S1050**

Rejected:

Vitter/Toomey Modified Amendment No. 112, to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached, provided that the Government give equal priority to payment of social security benefits. (By 52 yeas to 47 nays (Vote No. 28), Senate tabled the amendment.) **Pages S1030, S1044, S1050–51**

Withdrawn:

DeMint (for Vitter) Modified Amendment No. 113, to require that the Government give equal priority to payment of social security benefits and payment of all obligations on the debt held by the public in the event that the debt limit is reached. **Pages S1032–33**

Pending:

Leahy Amendment No. 114, to improve the bill. **Page S1030**

Bennet Amendment No. 116, to reduce the fee amounts paid by small entities requesting prioritized examination under Three-Track Examination. **Page S1030**

Bennet Amendment No. 117, to establish additional USPTO satellite offices. **Page S1030**

Lee Amendment No. 115, to express the sense of the Senate in support of a balanced budget amendment to the Constitution. **Page S1030**

Kirk/Pryor Amendment No. 123, to provide a fast lane for small businesses within the U.S. Patent and Trademark Office to receive information and support regarding patent filing issues. **Pages S1033–34**

Menendez Amendment No. 124, to provide for prioritized examination for technologies important to American competitiveness. **Pages S1052–53**

A unanimous-consent agreement was reached providing for further consideration of the bill, upon disposition of H.J. Res. 44, on Wednesday, March 2, 2011. **Page S1076**

Further Continuing Appropriations—Agreement: A unanimous-consent agreement was reached providing that at 11 a.m., on Wednesday, March 2, 2011, Senate begin consideration of H.J. Res. 44, making further continuing appropriations for fiscal year 2011; that the Senate then vote on passage of the resolution, with no intervening action or debate; provided further, that the cloture motion on the motion to proceed to H.R. 359, be vitiated. **Page S1075**

Messages from the House: **Pages S1057–58**

Measures Referred: **Page S1058**

Measures Placed on the Calendar: **Pages S1023, S1058**

Executive Communications: **Pages S1058–60**

Additional Cosponsors: **Pages S1060–61**

Statements on Introduced Bills/Resolutions: **Pages S1061–70**

Additional Statements: **Pages S1056–57**

Amendments Submitted: **Pages S1070–74**

Notices of Hearings/Meetings: **Page S1074**

Authorities for Committees to Meet: **Pages S1074–75**

Record Votes: Two record votes were taken today. (Total—28) **Pages S1050, S1050–51**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:32 p.m., until 9:30 a.m. on Wednesday, March 2, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1076.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine the impacts of a long-term continuing resolution on the Department of Defense and proposed budget estimates for fiscal year 2012 for the Department of Defense, after receiving testimony from William J. Lynn, III, Deputy Secretary, and Robert F. Hale, Under Secretary, Comptroller, Chief Financial Officer, both of the Department of Defense.

DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded open and closed hearings to examine U.S. Special Operations Command and U.S. Central Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Admiral Eric T. Olson, USN, Commander, United States Special Operations Command, and General James N. Mattis, USMC, Commander, U.S. Central Command, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee adopted its rules of procedure for the 112th Congress.

SEMIANNUAL MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine The Semiannual Monetary Policy Report to the Congress, after receiving testimony from Ben Bernanke, Chairman, Board of Governors of the Federal Reserve System.

DEPARTMENT OF EDUCATION BUDGET

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2012 for the Department of Education, after receiving testimony from Arne Duncan, Secretary of Education.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee announced the following subcommittee assignments for the 112th Congress:

Subcommittee on Aviation Operations, Safety, and Security: Senators Cantwell (Chair), Inouye, Boxer, Nelson (FL), Lautenberg, Klobuchar, Udall (NM), Warner, Begich, DeMint, Ensign, Thune, Wicker, Isakson, Blunt, Boozman, and Toomey.

Subcommittee on Communications, Technology, and the Internet: Senators Kerry (Chair), Inouye, Boxer, Nelson (FL), Cantwell, Lautenberg, Pryor, McCaskill, Klobuchar, Udall (NM), Warner, Begich, Ensign, Snowe, DeMint, Thune, Wicker, Isakson, Blunt, Boozman, Toomey, Rubio, and Ayotte.

Subcommittee on Competitiveness, Innovation, and Export Promotion: Senators Klobuchar (Chair), Kerry, Cantwell, Pryor, Udall (NM), Warner, Begich, Blunt, Ensign, DeMint, Thune, Boozman, and Ayotte.

Subcommittee on Consumer Protection, Product Safety, and Insurance: Senators Pryor (Chair), Kerry, Boxer, McCaskill, Klobuchar, Udall (NM), Wicker, Ensign, Thune, Boozman, and Toomey.

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard: Senators Begich (Chair), Inouye, Kerry, Nelson (FL), Cantwell, Lautenberg, Klobuchar, Warner, Snowe, Ensign, Wicker, Isakson, Boozman, Rubio, and Ayotte.

Subcommittee on Science and Space: Senators Nelson (FL) (Chairman), Inouye, Kerry, Cantwell, Pryor, Warner, Boozman, Ensign, Wicker, Rubio, and Ayotte.

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security: Senators Lautenberg (Chair), Inouye, Kerry, Boxer, Cantwell, Pryor, McCaskill, Klobuchar, Udall (NM), Warner, Begich, Thune, Ensign, DeMint, Wicker, Isakson, Blunt, Boozman, Toomey, Rubio, and Ayotte.

Senators Rockefeller and Hutchison are ex officio members of each subcommittee.

TAX POLICY

Committee on Finance: Committee concluded a hearing to examine changes in the law and tax environment since the Tax Reform Act of 1986, after receiving testimony from Fred T. Goldberg, Jr., Jonathan Talisman, Mark A. Weinberger, Pamela F. Olson, and Eric Solomon, all former Assistant Secretary of the Treasury for Tax Policy.

NORTH KOREAN PROVOCATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine breaking the cycle of North Korean provocations, after receiving testimony from Stephen W. Bosworth, Special Representative for North Korea Policy, and Kurt Campbell, Assistant Secretary for East Asian and Pacific Affairs, both of the Department of State; L. Gordon Flake, Maureen and Mike Mansfield Foundation, and Marcus Noland, Peterson Institute for International Economics, both of Washington, D.C.; and Robert Carlin, Stanford University Center for International Security and Cooperation, Stanford, California.

GENERAL SERVICES ADMINISTRATION'S HEARTLAND REGION

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Contracting Oversight concluded a hearing to examine public relations contracts at the General Services Administration's Heartland Region, after receiving testimony from Brian D. Miller, Inspector General, Martha Johnson, Administrator, and Robert Peck, Commissioner, and Mary Ruwwe, Regional Commissioner, Heartland Region, both of the Public Buildings Service, all of the General Services Administration.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2011, through September 30, 2011, and October 1, 2011, through February 28, 2013.

DISABLED AMERICAN VETERANS

Committee on Veterans' Affairs: Committee concluded a joint hearing with the House Committee on Veterans' Affairs to examine a legislative presentation from Disabled American Veterans, after receiving testimony from Wallace E. Tyson, Washington, D.C., and Joseph A. Violante, Fayetteville, North Carolina, both of Disabled American Veterans.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 22 public bills, H.R. 845–866; and 6 resolutions, H.Res. 130–135 were introduced. **Pages H1454–55**

Additional Cosponsors: **Page H1456**

Reports Filed: Reports were filed today as follows:

H. Res. 128, providing for consideration of the bill (H.R. 662) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs (H. Rept. 112–20) and

H. Res. 129, providing for consideration of the bill (H.R. 4) to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes (H. Rept. 112–21). **Page H1454**

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H1393**

Recess: The House recessed at 11:28 a.m. and reconvened at 12 noon. **Page H1402**

Chaplain: The prayer was offered by the guest chaplain, Pastor Alisa Lasater Wailoo, Capitol Hill United Methodist Church, Washington, DC. **Pages H1402–03**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Page H1403**

Further Continuing Appropriations Amendments, 2011: The House passed H.J. Res. 44, making further continuing appropriations for fiscal year 2011, by a recorded vote of 335 ayes to 91 noes, Roll No. 154. **Pages H1406–28**

Rejected the Keating motion to recommit the joint resolution to the Committee on Appropriations with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 176 yeas to 249 nays, Roll No. 153. **Pages H1426–27**

H. Res. 115, the rule providing for consideration of the resolution, was agreed to by a yea-and-nay vote of 251 yeas to 170 nays, Roll No. 152, after the previous question was ordered by a yea-and-nay vote of 241 yeas to 179 nays, Roll No. 151. **Pages H1406–15**

Senate Message: Message received from the Senate today appears on pages H1403–04.

Senate Referrals: S. Con. Res. 8 was referred to the Committee on Armed Services. **Page H1452**

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H1414, H1414–15, H1427, H1427–28. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies Appropriations held a hearing on FY 2012 Budget Request. Testimony was heard from Tom Vilsack, Secretary of Agriculture.

COMMERCE, JUSTICE, SCIENCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies Appropriations held a hearing on FY 2012 Budget Request. Testimony was heard from Eric Holder, Attorney General, Department of Justice.

ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies Appropriations held a hearing on the Department of Energy Weapons Activities FY 2012 Budget Request. Testimony was heard from Thomas D'Agostino, Under Secretary for Nuclear Security; Donald L. Cook, Deputy Administrator for Defense Programs; and Brig. Gen. Sandra E. Finan, Principal Assistant Deputy Administrator for Military Application.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Committee on Appropriations: Subcommittee on Financial Services and General Government Appropriations held a hearing on FY 2012 Budget. Testimony was heard from Douglas H. Shulman, Commissioner, IRS.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies Appropriations held a hearing on Major Management Challenges at the Department of the Interior. Testimony was heard from Anu Mittal, Director, Natural Resources and Environment, GAO; Frank Rusco, Director, Natural Resources and Environment, GAO; and Mary L. Kendall, Acting Inspector General, Department of the Interior.

INTERIOR, ENVIRONMENT

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies Appropriations held a hearing on Major Management Challenges at the U.S. Forest Service. Testimony was heard from Anu Mittal, Director, Natural Resources and Environment, GAO; and Phyllis K. Fong, Inspector General, Department of Agriculture.

FY 2012 BUDGET

Committee on Armed Services: Held a hearing on the FY 2012 national defense authorization budget request from the Department of the Navy. Testimony was heard from Ray Maybus, Secretary of the Navy; ADM Gary Roughhead, Chief of Naval Operations, USN; and Gen. James F. Amos, Commandant, USMC.

FY 2012 BUDGET

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities held a hearing on the FY 2012 national defense authorization budget request for the Department of Defense Science and Technology programs. Testimony was heard from Zachary J. Lemnios, Director, Defense Research and

Engineering, DOD; Marilyn Freeman, Deputy Assistant Secretary of the Army for Research and Technology, USA; Rear Admiral Nevin P. Carr, Jr., Chief of Naval Research, USN; Stephen Walker, Deputy Assistant Secretary of the Air Force for Science, Technology and Engineering, Office of the Assistant Secretary for Acquisition, USAF; and Regina Dugan, Director, Defense Advanced Research Projects Agency, DOD.

AFGHANISTAN WARFIGHTER

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on equipping the warfighter in Afghanistan. Testimony was heard from Thomas Dee, Director, Joint Rapid Acquisition Cell, Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, DOD; and William M. Solis, Director, Defense Capabilities and Management, GAO.

EDUCATION REGULATIONS

Committee on Education and the Workforce: Held a hearing on Education Regulations: Weighing the Burden on Schools and Students. Testimony was heard from public witnesses.

MEDICAID AND STATE HEALTH CARE REFORM

Committee on Energy and Commerce: Held a hearing entitled ''The Consequences of Obamacare: Impact on Medicaid and State Health Care Reform.'' Testimony was heard from Gary R. Herbert, Governor of Utah; Deval Patrick, Governor of Massachusetts; and Haley Barbour, Governor of Mississippi.

GREENHOUSE GAS REGULATIONS

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled ''EPA's Greenhouse Gas Regulations and Their Effect on American Jobs.'' Testimony was heard from Gina A. McCarthy, Assistant Administrator, Office of Air and Radiation, EPA; and public witnesses.

MORTGAGE FINANCE REFORM

Committee on Financial Services: Held a hearing entitled ''Mortgage Finance Reform: An Examination of the Obama Administration's Report to Congress.'' Testimony was heard from Timothy F. Geithner, Secretary of the Treasury.

HUD OVERSIGHT

Committee on Financial Services: Held an oversight hearing of the Department of Housing and Urban Development, including the Department's budget request for FY 2012. Testimony was heard from Shaun Donovan, Secretary of Housing and Urban Development.

ASSESSING U.S. FOREIGN POLICY PRIORITIES AND NEEDS

Committee on Foreign Affairs: Held a hearing on Assessing U.S. Foreign Policy Priorities and Needs Amidst Economic Challenges. Testimony was heard from Hillary Rodham Clinton, Secretary of State.

COMMITTEE ORGANIZATION

Committee on House Administration: Held a hearing on Committee Funding for the 112th Congress.

IMMIGRATION AND AMERICAN MINORITIES

Committee on the Judiciary: Subcommittee on Immigration Policy and Enforcement held a hearing on Making Immigration Work for American Minorities. Testimony was heard from public witnesses.

U.S. INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition and the Internet held a hearing on Oversight of the Office of the U.S. Intellectual Property Enforcement Coordinator. Testimony was heard from Victoria Espinel, Intellectual Property Enforcement Coordinator, Executive Office of the President.

WILD LANDS ORDER

Committee on Natural Resources: Held an oversight hearing on the Impact of the Administration's Wild Lands Order on Jobs and Economic Growth. Testimony was heard from C.L. ''Butch'' Otter, Governor of Idaho; Gary R. Herbert, Governor of Utah; Robert Abbey, Director, Bureau of Land Management, Department of the Interior; and public witnesses.

DC OPPORTUNITY SCHOLARSHIP

Committee on Oversight and Government Reform: Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing on the DC Opportunity Scholarship Program: Keeping the Door Open. Testimony was heard from public witnesses.

SURFACE TRANSPORTATION EXTENSION ACT OF 2011

Committee on Rules: The Committee granted, by voice vote, a structured rule. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule makes in order

the amendments printed in the Rules Committee report accompanying the resolution, if offered by Representative Mica of Florida, or his designee, which shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. The rule waives all point of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Mica.

SMALL BUSINESS PAPERWORK MANDATE ACT OF 2011

Committee on Rules: The Committee granted, by voice vote, a structured rule. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The rule makes in order the amendments printed in the Rules Committee report accompanying the resolution, if offered by Representative Mica of Florida, or his designee, which shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. The rule waives all point of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Camp; Rep. Levin; and Rep. Crowley.

FY 2012 BUDGET

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on a Review of the Administration's FY 2012 Budget Requests for the U.S. Coast Guard, Federal Maritime Commission, and Federal Maritime Administration; Finding Ways to do More with Less. Testimony was heard from ADM Robert J. Papp, Jr., Commandant, USCG; Michael P. Leavitt, Master Chief Petty Officer, USCG; Richard A. Lidinsky, Jr., Chairman, Federal Maritime Commission; and David T. Matsuda, Administrator, Maritime Administration.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 2, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Department of Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Homeland Security, 10 a.m., SD–138.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of State and Foreign Operations, 2 p.m., SD–192.

Committee on the Budget: To hold hearings to examine the President's proposed budget request for fiscal year 2012 for the Department of Energy, 10 a.m., SD–608.

Committee on Commerce, Science, and Transportation: To hold hearings to examine the future of American manufacturing, focusing on maintaining America's competitive edge, 10 a.m., SR–253.

Committee on Energy and Natural Resources: To hold hearings to examine the President's proposed budget request for fiscal year 2012 for the Department of the Interior, 10 a.m., SD–366.

Committee on Environment and Public Works: To hold hearings to examine the President's proposed budget request for fiscal year 2012 for the Environmental Protection Agency, 2:30 p.m., SD–406.

Committee on Finance: To hold hearings to examine preventing health care fraud, focusing on new tools and approaches to combat old challenges, 10 a.m., SD–215.

Committee on Foreign Relations: To hold hearings to examine national security and foreign policy priorities in the fiscal year 2012 International Affairs Budget, 9:30 a.m., SD–106.

Committee on Health, Education, Labor, and Pensions: To hold hearings to examine improving employment opportunities for people with intellectual disabilities, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: To hold hearings to examine eliminating bottlenecks, focusing on streamlining the nominations process, 10 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine preventing abuse of the Military's Tuition Assistance Program, 2:30 p.m., SD–342.

Committee on the Judiciary: To hold hearings to examine helping law enforcement find missing children, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit, Kevin Hunter Sharp, to be United States District Judge for the Middle District of Tennessee, Roy Bale Dalton, Jr., to be United States District Judge for the Middle District of Florida, and Claire C. Cecchi, and Esther Salas, both to be United

States District Judge for the District of New Jersey, 2:45 p.m., SD–226.

Committee on Veterans' Affairs: To hold hearings to examine the President's proposed budget request for fiscal year 2012, 10:30 a.m., SR–418.

Special Committee on Aging: To hold hearings to examine ending elder abuse, neglect and financial exploitation, 2 p.m., SD–106.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, FDA, and Related Agencies Appropriations, on FY 2012 Budget Request, 10 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, Science, and Related Agencies Appropriations, on Patent and Trademark Office FY 2010 Budget Request, 10 a.m., H–309 Capitol.

Subcommittee on Defense, on Department of Defense Budget Review, 10 a.m., 2359 Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies Appropriations, on Department of Energy, Defense Nuclear Nonproliferation and Naval Reactors FY 2012 Budget Requests, 10 a.m., 2362–B Rayburn.

Subcommittee on Financial Services and General Government Appropriations, on Election Assistance Commission, 10 a.m., H–140 Capitol.

Subcommittee on Homeland Security Appropriations, on Department of Homeland Security, 2 p.m., 2359 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies Appropriations, on Major Management Challenges at the EPA, 9:30 a.m., B–308 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies Appropriations, on FY 2012 Budget Request, 2 p.m., H–140 Capitol.

Committee on Armed Services, hearing on the FY 2012 national defense authorization budget request from the Department of the Army, 10 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces, hearing on the status of U.S. Strategic Forces, 3:30 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, to mark up H.J. Res. 37, Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, 9:30 a.m., 2123 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Waste, Fraud, and Abuse: A Continuing Threat to Medicare and Medicaid,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, hearing on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''The Effect of Dodd-Frank on Small Financial Institutions and Small Businesses,'' 2 p.m., 2128 Rayburn.

Subcommittee on Insurance, Housing and Community Opportunity, hearing entitled ''Legislative Proposals to End Taxpayer Funding for Ineffective Foreclosure Mitigation Programs,'' 2 p.m., 2220 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''Terrorist Threat to the U.S. Homeland—Al Qaeda in the Arabian Peninsula (AQAP),'' 10 a.m., 311 Cannon.

Committee on House Administration, continued hearing on Committee Funding for the 112th Congress, 10:30 a.m., 1310 Longworth.

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife, Oceans, and Insular Affairs, oversight hearing on the Department of the Interior spending for the U.S. Fish and Wildlife Service and the Office of Insular Affairs and the President's Fiscal Year 2012 budget request for the U.S. Fish and Wildlife Service and the Office of Insular Affairs, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, oversight hearing on examining the spending, priorities and the missions of the Bureau of Reclamation and the U.S. Geological Survey's Water Resources program, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on National Security, Homeland Defense, and Foreign Operations, hearing on U.S. Military Leaving Iraq: Is the State Department Ready? 9:30 a.m., 2154 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, hearing on Pushing the Envelope: The Looming Crisis at USPS, 1:30 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, hearing on the National Aeronautics and Space Administration FY 2012 Budget Request, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing on the Small Business Administration FY 2012 Budget Request, 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on Review of the FY 2010 Budget and Priorities of the Environmental Protection Agency: Impacts on Jobs, Liberty, and the Economy, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, to continue to meet for organizational purposes, and to hold a hearing on Improving Efforts to Combat Health Care Fraud, 2 p.m., 1100 Longworth.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED TWELFTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 5 through February 28, 2011

	Senate	*House*	*Total*
Days in session	17	21	..
Time in session	115 hrs., 45′	162 hrs., 56′	..
Congressional Record:			
Pages of proceedings	1,022	1,392	..
Extensions of Remarks	..	380	..
Public bills enacted into law	1	2	3
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Measures passed, total	50	48	98
Senate bills	5	1	..
House bills	2	10	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	5	2	..
House concurrent resolutions	2	3	..
Simple resolutions	36	32	..
Measures reported, total	*21	*18	39
Senate bills	3	..	..
House bills	..	7	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	18	11	..
Special reports	..	1	..
Conference reports	..	..	..
Measures pending on calendar	11	4	..
Measures introduced, total	517	1,025	1,542
Bills	421	831	..
Joint resolutions	9	44	..
Concurrent resolutions	8	23	..
Simple resolutions	79	127	..
Quorum calls	1	2	..
Yea-and-nay votes	26	35	..
Recorded votes	..	112	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 1 written report has been filed in the Senate, 19 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 5 through February 28, 2011

Civilian nominations, totaling 162, disposed of as follows:	
Confirmed	8
Unconfirmed	154
Other Civilian nominations, totaling 383, disposed of as follows:	
Unconfirmed	383
Air Force nominations, totaling 448, disposed of as follows:	
Unconfirmed	448
Army nominations, totaling 211, disposed of as follows:	
Unconfirmed	211
Navy nominations, totaling 80, disposed of as follows:	
Unconfirmed	80
Marine Corps nominations, totaling 1,240, disposed of as follows:	
Unconfirmed	1,240

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	2,524
Total confirmed	8
Total unconfirmed	2,516
Total withdrawn	0
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Wednesday, March 2

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of H.J. Res. 44, Further Continuing Appropriations, and vote on passage of the resolution at approximately 11 a.m. Upon disposition of H.J. Res. 44, Senate will continue consideration of S. 23, Patent Reform Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 2

House Chamber

Program for Wednesday: Consideration of H.R. 662—Surface Transportation Extension Act of 2011 (Subject to a Rule). Begin consideration of H.R. 4—Small Business Paperwork Mandate Elimination Act of 2011 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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