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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 17, 2011.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

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

PRAYER

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

Lord, may this celebration of the feast of St. Patrick give all people smiling eyes and grateful hearts.

Knowing that all work is sacred in Your sight, and well aware that work in government is very difficult in today's world, we pray that the following Celtic adage may be realized in all who work here in the Congress of these United States.

May you see in what you do, the beauty of your own soul.

May the sacredness of your work bring healing, light and renewal to those who work with you and those who see and receive your work.

May your work never weary you.

May every dawn find you alert, approaching the new day with dreams, possibilities and promises.

May every evening find you gracious and fulfilled.

And may every good work, wrapped in prayer, calm, console and renew you.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BARROW led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

TRIBUTE TO PRIVATE FIRST CLASS ANDREW HARPER

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

Mr. MCKINLEY. Mr. Speaker, this past week, West Virginia experienced a tremendous loss. Private First Class Andrew Harper from Maidsville, West Virginia, died from injuries he sustained while serving in Afghanistan. He represented America with the utmost pride and dignity.

A graduate from University High School in Morgantown, Private Harper was stationed in Kandahar province when he sustained his fatal injuries during a noncombat incident.

The admiration our community felt for this 19-year-old man and his service are immense. So many are shocked by the news of Andrew's passing. This brave young man was so very promising. There is no question that Andrew left a great legacy and his memory should be honored.

My wife, Mary, and I, as well as all West Virginians, will keep Private Harper, his family, his friends and his entire unit, the 3rd Squadron, 2nd Stryker Cavalry Regiment, in our thoughts and prayers.

COMMEMORATING THE 46TH ANNIVERSARY OF BLOODY SUNDAY

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

Mr. BARROW. Mr. Speaker, I rise today to commemorate the 46th anniversary of Bloody Sunday and to recognize the courage of my colleague, Congressman JOHN LEWIS, and the many other heroes of the civil rights movement.

A couple of weeks ago, I was privileged to retrace the footsteps of history with JOHN LEWIS and walk across the Edmund Pettus Bridge in Selma, Alabama. There, nearly 50 years ago, some 600 demonstrators marched to take a stand for African American voting rights. On the bridge, they were savagely attacked by State and local lawmen to prohibit their crossing. Journalists captured those brutal attacks, sparking outrage that led to the passage of the Voting Rights Act of 1965.

Congressman LEWIS recently returned to the Edmund Pettus Bridge. Again he was met by a large group of police—this time as an honor guard.

We have come a long way in the last 50 years, and we still have a long way to go to ensure equality and justice for all. But we never could have come as far as we have without the courage and the devotion of countless men and women just like JOHN LEWIS.

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VOTE ''NO'' ON TROOP WITHDRAWAL FROM AFGHANISTAN

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

Mr. JOHNSON of Ohio. Mr. Speaker, in my nearly 27 years in the United States Air Force, I learned that one of the most critical elements necessary to overcome a determined enemy is the element of surprise. Based on my experience and the proven battle-tested history of the many successful conflicts that our Nation has endured over the years, I must stand in opposition to House Concurrent Resolution 28.

Surprise is a tactical element best determined by field commanders based on battlefield conditions. As such, decisions on troop movements should be made by commanders in the field, not politicians in Washington. Should this bill pass, we give up the element of surprise, we break the trust and relationship we have built with the Afghan people and our allies, and the sacrifice of our young men and women in uniform would be meaningless if we simply walk away.

General Petraeus said, ''The Taliban and al Qaeda obviously would trumpet this as a victory, as a success. Needless to say, it would completely undermine everything that our troopers have fought so much for and sacrificed so much for.''

I urge my colleagues to vote ''no.''

GIVE HEALTH CARE REFORM A CHANCE TO WORK

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

Mr. BUTTERFIELD. Mr. Speaker, 1 year ago, President Obama signed the historic Affordable Care Act into law. Since that time, we have seen an all-out assault by the special interests and health insurance companies.

Americans are tired of this debate. They are tired of the misinformation. Congress must stand up for the middle class. We must protect families. We must stop companies from arbitrarily canceling coverage after patients become sick, prevent children from being denied coverage due to preexisting conditions, and never again let insurance companies place lifetime limits on health coverage.

Mr. Speaker, let's give the reform a chance to work. Reject the special interests and extreme rhetoric. Make sure every American family is protected when it comes to health care.

DISCIPLINED SPENDING BY CONGRESS

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

Mr. CHAFFETZ. Mr. Speaker, the United States Congress is the only place that I know of that we talk about trillions of dollars, trillion with a ''T.''

How much is $1 trillion? It is a number so large it is hard to get your arms around it. But if you were to spend $1 million a day, $1 million every day, it would take you almost 3,000 years to get to $1 trillion.

This Nation right now is more than $14 trillion in debt. The country is going to spend more than $3.5 trillion over 12 months. More than $220 billion was added to our debt just last month.

Somehow, some way, this government has got to recognize that we are going to have to do more with less; that the proper role of government does not allow us to unilaterally use this, the voting card of the United States Congress, as the biggest credit card that has ever faced this planet. We have to do more with less. We have to be disciplined.

CUTS TO RESEARCH AND DEVELOPMENT AND STEM EDUCATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I come to the floor today to talk about a crisis that our country is facing. We all know that our Nation's future strength is directly dependent upon our commitment to a robust science agenda. The cuts to our Nation's science programs in the CR threaten to set our Nation back even as we continue to look forward to our future.

An investment in science is about ensuring our Nation's memories are honored, by investing in dreams that are yet even brighter. As an author of the first bipartisan America COMPETES Act, we responded to many top academic, corporate and business leaders who knew that investments in STEM education is what will ensure that our Nation's future science and engineering leaders will never need to leave our shores in order to obtain a world-class education.

December 2010 was one of our finest hours when, as a Congress, we returned to our triumphant moment of passing the comprehensive, bipartisan America COMPETES Reauthorization Act, to provide our Nation with a roadmap for investing in our global economic competitiveness and our future growth.

Mr. Speaker, our country cannot afford to go backwards by giving up on science and innovation.

An investment in science is about ensuring America's memories are honored by investing in dreams that are even brighter.

We all have a responsibility to preserve this vision in order to help rebuild our economy.

□ 0910

UNAFFORDABLE HEALTH CARE ACT

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, our colleagues on the other side of the aisle continue to refer to the so-called health care reform bill as the Affordable Health Care Act. There are a lot of questions 1 year after passage. But one question has been answered. It is not the Affordable Medical Care Act. It is the Unaffordable Medical Care Act.

Why do I say that? Well, HHS has decided to give over 1,000 waivers to businesses, to unions, and now even to States because they find they can't afford what is required in the bill. Secondly, I haven't met a single constituent whose health care cost by way of their insurance policies or programs has gone down. They have all gone up as a direct result of the bill passed on this floor and signed by the President.

So let's at least have some truth in labeling. It is not the Affordable Health Care Act. It is increasingly becoming the Unaffordable Health Care Act.

WE WILL NOT GO BACK

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

Ms. SCHAKOWSKY. Friday, March 25, marks the 100th anniversary of the Triangle Shirtwaist Factory fire. The deaths of 146 workers—mostly young women—were avoidable. If the owners of the factory had not locked the doors to the stairwells and exits, if they had installed a stable fire escape or put in sprinklers, many of those lives would not have been painfully and tragically lost.

The International Ladies Garment Workers Union didn't just mourn the victims—they organized. Their activism resulted in the passage of major worker protections—not just new fire-safety laws but laws against the 7-day work weeks and child labor. The Triangle tragedy helped expand the right to union representation—a voice at work.

One hundred years later, we confront a coordinated effort to roll back those hard-fought gains. Just as the Triangle fire spurred people into action, the anti-working family agenda of Wisconsin Governor Scott Walker has mobilized millions. The message is clear: We will not go back.

THE NATIONAL DEBT

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

Mr. FATTAH. Let me wish everyone a happy St. Patty's Day.

It is unfortunate that we have so much effort here in the House to recite the problem rather than to focus on solutions. We hear this discussion about our national debt. We have these paltry efforts. We cut $6 billion on the same day that the debt went up $72 billion. We have a proposal by the majority to address the debt by cutting 1½ percent out of a small corner of the budget, doing serious damage to our Nation's

efforts in education and science and innovation.

I would hope that we would think for a minute about what we could actually do to take America's exceptional past and create a real roadmap for our Nation's future, ensuring it on a fiscal footing that will be stronger.

I have introduced this morning H.R. 1125. It is a proposal to address the Nation's debt and create a debt-free America. I invite the House to debate on it.

PROVIDING FOR THE EXPENSES OF CERTAIN COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN THE 112TH CONGRESS

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I call up House Resolution 147 and ask unanimous consent for its immediate consideration.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 147

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED TWELFTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Twelfth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $12,235,047; Committee on Armed Services, $15,050,528; Committee on the Budget, $12,066,370; Committee on Education and the Workforce, $16,692,508; Committee on Energy and Commerce, $22,409,582; Committee on Ethics, $5,868,311; Committee on Financial Services, $17,399,282; Committee on Foreign Affairs, $17,904,940; Committee on Homeland Security, $16,887,448; Committee on House Administration, $10,516,013; Permanent Select Committee on Intelligence, $10,307,500; Committee on the Judiciary, $16,802,812; Committee on Natural Resources, $15,739,532; Committee on Oversight and Government Reform, $21,226,108; Committee on Rules, $6,783,970; Committee on Science, Space, and Technology, $13,346,273; Committee on Small Business, $6,874,000; Committee on Transportation and Infrastructure, $19,830,446; Committee on Veterans' Affairs, $7,285,256; and Committee on Ways and Means, $19,602,731.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2011, and ending immediately before noon on January 3, 2012.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,189,494; Committee on Armed Services, $7,525,264; Committee on the Budget, $6,033,185; Committee on Education and the Workforce, $8,346,254; Committee on Energy and Commerce, $10,980,940; Committee on Ethics, $2,824,535; Committee on Financial Services, $8,441,264; Committee on Foreign Affairs, $8,952,470; Committee on Homeland Security, $8,443,724; Committee on House Administration, $4,949,176; Permanent Select Committee on Intelligence, $5,153,750; Committee on the Judiciary, $8,401,406; Committee on Natural Resources, $7,869,766; Committee on Oversight and Government Reform, $10,613,054; Committee on Rules, $3,391,985; Committee on Science, Space, and Technology, $6,685,637; Committee on Small Business, $3,214,891; Committee on Transportation and Infrastructure, $9,915,223; Committee on Veterans' Affairs, $3,602,745; and Committee on Ways and Means, $9,801,365.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2012, and ending immediately before noon on January 3, 2013.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,045,553; Committee on Armed Services, $7,525,264; Committee on the Budget, $6,033,185; Committee on Education and the Workforce, $8,346,254; Committee on Energy and Commerce, $11,428,642; Committee on Ethics, $3,043,776; Committee on Financial Services, $8,958,018; Committee on Foreign Affairs, $8,952,470; Committee on Homeland Security, $8,443,724; Committee on House Administration, $5,566,837; Permanent Select Committee on Intelligence, $5,153,750; Committee on the Judiciary, $8,401,406; Committee on Natural Resources, $7,869,766; Committee on Oversight and Government Reform, $10,613,054; Committee on Rules, $3,391,985; Committee on Science, Space, and Technology, $6,660,637; Committee on Small Business, $3,659,109; Committee on Transportation and Infrastructure, $9,915,223; Committee on Veterans' Affairs, $3,682,512; and Committee on Ways and Means, $9,801,366.

(c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—None of the amounts provided for in section 1 for a committee named in subsection (b) may be available for expenses of the committee after March 15, 2012, unless the chair or ranking minority member of the committee appears and presents testimony at a hearing of the Committee on House Administration held prior to such date to review the committee's use of the amounts provided for in section 1 during the first session of the One Hundred Twelfth Congress and to determine whether the amount specified in subsection (b) with respect to the committee should be updated on the basis of the review.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1076, PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

Mr. NUGENT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 174

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1076) to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill 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 Energy and Commerce; and (2) one motion to recommit.

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

Mr. NUGENT. For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER). During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. 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 Florida?

There was no objection.

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

Mr. Speaker, House Resolution 174 provides for a closed rule for consideration of H.R. 1076. The rule provides for ample debate on this bill and gives Members of both the minority and the majority an opportunity to participate in the debate.

Mr. Speaker, I rise today in support of this rule and the underlying bill. H.R. 1076 prohibits direct funding to NPR—National Public Radio. In fiscal year 2010, NPR received over $5 million in direct Federal funding from the Corporation for Public Broadcasting, the Department of Education, the Department of Commerce, and the National Endowment for the Arts. Moreover, hundreds of public radio stations received direct radio grants in the amount of $67 million. Radio stations can use these grants for whatever they want. It's unrestricted. Often, stations use these funds to pay dues to NPR and pay fees for NPR programing. According to NPR's Web site, they are ''an independent, self-supporting media organization.'' However, they also admit their revenue ''comes primarily from fees paid by their member stations.'' In fact, membership dues and station programing fees account for 36 percent of NPR funding.

In H.R. 1, we started the process of letting NPR operate on its own, without taxpayer involvement, by defunding it for the remainder of fiscal year 2011. However, H.R. 1 only addressed appropriated funds for the rest of the current fiscal year. The bill we have before us today addresses the authorized use of funds not just for the rest of fiscal year 2011, but going forward.

Under this bill, NPR will continue to provide its programming. They just can't use taxpayer dollars to subsidize it. Moreover, our goal on H.R. 1076 is that there won't be a need for this funding going forward. This is something the Appropriations Committee can factor into their funding decisions for fiscal year 2012 and the future. Let me stress again, this bill does not fully defund NPR.

□ 0920

What this bill does do is start weaning NPR off of Federal dollars. Local radio stations are still allowed to pay membership dues, and they can still buy NPR programs. They just can't use your and my hard-earned tax dollars to pay for them.

Instead, the grants that these local stations get will be used for local needs. They can create more original programming about issues happening in their areas that are important to their communities. They can pay for their staffs and even hire more local producers and hosts for their new programs.

The Federal Government's addiction to spending has driven us to our current $14 trillion debt. We need to refocus on what our core mission is. We should not be using tax dollars that American citizens worked hard to earn for something that could be paid for privately.

Once again, Mr. Speaker, I rise in support of this rule and the underlying legislation, and I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank my friend from Florida for yielding me the customary time, and I yield myself such time as I may consume.

Mr. Speaker, this bill yesterday was brought to the Rules Committee as an emergency meeting. Now, what would be an emergency in the United States? The cost of the war? The damage of the war? Unemployment figures? The deficit? Home foreclosure? The tragedy in Japan? A no-fly zone over Libya?

No. The emergency is that they want to destroy National Public Radio.

This is the latest in a long string of misplaced priorities by the Republican Party. It does nothing to fix the long-term fiscal condition. It doesn't create a single job. In fact, it will lose some. The Congressional Budget Office has determined that the legislation does absolutely zero to reduce the deficit.

When so many Americans want our representatives to create jobs to responsibly reduce the deficit and to bring our sons and daughters home from the battlefields overseas, why are we wasting valuable floor time on an ideological battle that does nothing to achieve any of those goals?

Because the bill is a political stunt, it is being rushed through Congress under draconian rules. Violating their own promises of transparency, the Republican majority held no hearings, no committee action of any kind, listened to no expert testimony, and provided no chance for the American people to weigh in. Just by saying it is an emergency, apparently, in many minds, it does become one. By not providing a true 72 hours and because the bill, itself, omitted the fact that the bill would lay over to allow all Members to review the legislation, they violated the spirit of the transparency they promised the American people just 5 months ago.

My colleagues on the other side know that they must pass this legislation quickly before the American people, at the rate of 69 percent, are allowed to speak and tell their representatives something they don't want to hear, for the American people, unlike the far right-wing, know that NPR is not an ideological news outlet and that NPR radio bases its reporting on fact, which is really an anomaly today in the United States.

NPR doesn't try to blur the line between opinion, fact, and political agenda. Instead, it takes the time and spends the money to do in-depth reporting across the country and around the globe and to go where no other news organization will go. Unlike commercial news outlets that are driven by the need to garner ratings and sell commercial advertising, National Public Radio concerns itself, first and foremost, with informing the Nation on the complex issues that face our country.

In stark contrast to the bare bones and often sensationalist reporting found elsewhere, National Public Radio operates 17 foreign bureaus. In fact, it is one of the few news outlets to maintain a full-time bureau in Afghanistan, reporting from the front lines of a largely forgotten war. It is also in the process of opening a bureau in Turkey in order to report firsthand on the democratic uprisings throughout the Middle East.

In the United States, it has correspondents spread out from Texas to Oregon, telling the stories not covered by the cable news pundits that we see on TV every day. In rural America in particular, NPR can often be the only, best source of news. Defunding NPR will cut off this valuable source of news from the southern tier of western New York to the plains of the upper Midwest, and will put rural communities at a major disadvantage in the information age.

It is because of their valuable and unique reporting that Americans are increasingly turning to NPR in order to learn about our ever-changing world. In fact, despite the challenges facing the news media, a new report by the Pew Foundation has shown that NPR is strong and is growing more popular every day. According to the report, NPR's audience has grown to 27.2 million weekly listeners. This is a 58 percent increase since the year 2000. In addition, the Web site is a premier online news destination, garnering 15.7 million visitors a month, which is an increase of more than 5 million people over the course of a single year—and are those people really going to be angry.

I've been a proud supporter of NPR my whole life in public service. While serving in the New York State Legislature, I fought for the launch of news programming on my local public radio station, WXXI. From that humble beginning over 30 years ago, I find myself standing on the floor of the House of Representatives, fighting for NPR again today.

I stand here because, quite simply, facts matter. This Nation wasn't built because we huffed and puffed and wished it were so. We didn't become a global leader by bloviating on 24-hour cable news, and we aren't solving the fundamental issues that face our Nation by passing this politically driven legislation to appease the far right.

Our Nation was built and will be rebuilt by the quiet efforts of millions of Americans across the country who will never make it on cable news and who will never appear on national television. It is these very Americans whom NPR dedicates its resources to finding, to covering, and to sharing the world with. Their stories aren't simple, and their efforts don't sell advertising space, but their stories matter. NPR's work to find the stories that matter is the in-depth intelligent reporting that I fight for today.

No matter what I say, some will still believe that NPR isn't worth funding because they want it to be true. Some will find it in their interests to scare Americans into believing in an NPR straw man, while others will take comfort in watching the straw man fall.

Yet, deep in our hearts, all of us know that governing through fear and divisive legislation is not a responsible way to move this country forward. It is certainly no replacement for creating jobs. With millions of Americans who are unemployed and struggling to live, we can't waste another minute on the House floor without debating a bill that will put some Americans back to work. We should not waste another minute ignoring the needs of millions of Americans while playing cheap political games.

Yesterday, I asked, Why only National Public Radio? Why not television? I think I know the answer to that.

A few years ago, that was tried. The House of Representatives actually tried to kill Big Bird, to destroy Elmo, and to get rid of Bert and Ernie, but it didn't work. I think they didn't want to try that one yet again.

The backers of this bill said to me yesterday that taxpayers shouldn't have to fund with their hard-earned money what they don't believe in. Well, that's an interesting theory, but democracies don't operate that way. If they could, my husband and I and two-thirds of the people in America would gladly be excused from paying the $8 billion a month that we pay for a war which we profoundly do not believe in. We simply must stop this nonsense. It makes us look ridiculous in the eyes of the world.

National Public Radio is something that you could turn off if you don't want to hear it, but for the millions of Americans who depend on it, this just cannot be done. For this reason, I urge my colleagues to vote ''no'' on the rule and ''no'' on the underlying bill.

I reserve the balance of my time.

□ 0930

Mr. NUGENT. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. I appreciate the gentleman for yielding.

I rise in support of this rule. I think the American people deserve an opportunity to have their Representatives vote on the funding of NPR.

Now, let's also make sure we keep this in context because really what this is ultimately going to do is talk about the funding of less than 5 percent of NPR. It's not as if this is going to go off the radio right away. I'm not here to debate the content or make some editorial comment about their editorial comment, but we have to deal with the fiscal reality of this country.

Every time we turn around, nobody wants to cut anything. We're going to have to figure out in this country how to do more with less. The reality is we're $14 trillion in debt. We pay more than $600 million a day on interest on that debt. We can't be all things to all people. We have to understand the proper role of government.

Every time we make a decision about spending, what we're talking about is, should we go into somebody's pocket, pull money out, and give it to somebody else? And in the case of our Federal Government now, we're also doing that, but we're also borrowing the money. We're borrowing the money.

And so in the case of NPR, which has been wildly successful, as the gentlewoman properly accounted for, Mr. Speaker—their listenership is rising—which gives a lot of us the belief that, really, they should be moving towards a model where they can sustain themselves through their donations and other funding mechanisms rather than relying upon the taxpayers to fund them, because we don't have any money. We're broke.

And so I'm proud of the fact that early in this Republican control of the House of Representatives that we're going to bring this up for a vote, let the will of this body take its course, and I urge my colleagues to vote ''yes'' on the rule so we can have that opportunity to vote.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, I want to thank the ranking member for the time, and I rise in strong opposition to this closed rule and to the underlying bill.

Mr. Speaker, the process in this House is awful. On this bill, H.R. 1076, there were no hearings at all; and to top it off, we had an emergency Rules Committee called last night for consideration, an emergency. Do you think it was about jobs? Do you think it was about health care? No, it was about de-funding NPR. That's what this new majority thinks is an emergency, not jobs, not the economy, but de-funding the National Public Radio.

Mr. Speaker, H.R. 1076 is a horrible idea, and I hope everybody in this Chamber realizes that this bill doesn't cut $1, not one dime, not one penny from the Federal deficit.

We all know what's going on here. The reason this bill is before us is that a discredited, right-wing activist recently made a selectively edited, misleading, 11-minute video of a 2-hour conversation. The target of his little sting was a fund-raising executive at NPR who no longer works there.

Mrs. BLACKBURN from the Energy and Commerce Committee made it clear in the Rules Committee last night that their justification for this bill is that the American people should not be forced to subsidize content with which they might not agree. Well, that's a lousy way to make decisions, in my view; but if my Republican friends insist on going down this road, Mr. Speaker, then we should be fair and balanced in the way we do it.

Over the past several years, it has become clear that the Fox News channel is widely biased. They continue to employ a talk show host who called President Obama a racist. They continue to employ several prospective Republican Presidential candidates as ''analysts,'' giving them hours and hours of free air time, and their parent company has donated millions and millions of dollars to GOP-linked groups.

Yesterday, I offered an amendment in the Rules Committee to prohibit Federal funds, taxpayer dollars from being used for advertising on the partisan political platform of Fox News. If my friends on the other aisle want to strip funding from NPR because they believe wrongly, in my view, that NPR is biased, then we should be given the same opportunity. Unfortunately, my amendment was defeated on a party-line vote. Again, this is a closed rule. So much for the open process that we were promised.

I also offered an amendment to determine how and where hundreds of millions of dollars are spent on television advertising, not particularly controversial. According to a Rand study, the Department of Defense alone spent over $600 million in taxpayer money advertising in 2007, and I believe we should figure out whether that spending is a good use of taxpayer dollars. That amendment was also blocked on a party-line vote. Again, this is a big fat closed rule that we're dealing with here.

Mr. Speaker, this bill was rushed to the House floor again without a single hearing, without a single markup. So much for regular order.

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. MCGOVERN. Mr. Speaker, over the last few days, my office has been flooded with calls from constituents urging me to reject this bill and to continue to support programming on National Public Radio.

My friends talk about the will of the American people. The will of the American people want us to reject what you are doing here today, and that's exactly what I will do today. I urge my colleagues to reject this closed rule and vote ''no'' on the underlying bill.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Thank you very much.

I was actually not going to speak on this rule until I heard the ranking member of the Rules Committee speak, and she made our point so eloquently I wanted to underscore it. I couldn't believe that she suggested that there was somehow a parity between national defense and NPR. She said, if we're going to come here and talk about de-funding NPR, then why shouldn't she get a shot at denying the Defense Department $8 billion or whatever it is.

That's the point we're trying to make. We have a huge deficit, $228 billion in 1 month. In fact, it was the shortest month of the year, which just happened to be the total deficit for, I think, the entire year of 2007. You know, I don't know, I heard people on the other side of the aisle criticizing President Bush for deficits. He's a piker compared to what we're seeing right now in the White House.

But the point is, how do we do anything here on the floor with respect to trying to bring spending under control if, as the gentlelady from New York suggests, we should treat equally the question of national defense and NPR? That's what the American people are rejecting. They're saying to you, why don't you establish priorities the way we establish priorities. And to come to the floor and suggest that somehow NPR is contained in the Constitution, as is the subject of national defense, I think is, frankly, ludicrous.

So I hope the American people are listening. This is a debate on the rule to allow the bill to be brought to the floor. The gentlelady from New York has done a very good job of crystallizing the issue. If you don't believe we

ought to set priorities, if you believe NPR is as important to this Nation as national defense, then reject the rule and reject the bill because the gentlelady is correct. If they're of equal weight, this is unfair because we are talking about NPR. We're not talking about somehow gutting national defense.

But if you believe that somehow national defense has a slightly higher priority in the Constitution and in our constitutional governmental structure than does NPR, then you would reject the gentlelady's suggestion and say we came here to try and change things. We came here to try and somehow balance our books at some point in time in the future, but the way to do that is to establish priorities.

If we, in fact, believe that saving NPR or giving NPR Federal funding is the same as funding our troops, then all is lost, all is lost; but I frankly was surprised to hear the comparison of us debating on money to keep our troops in the war zone versus NPR. That is the best example I have seen on the floor, perhaps the most honest example I've seen on floor, of the difference of the two parties and the difference in, I think, what the American people want us to do and what some in the leadership on the Democratic side want us to do.

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

Mr. NUGENT. I yield the gentleman an additional 1 minute.

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for yielding.

I am, as many are, going home hopefully this afternoon and will have town halls when I'm home, and maybe I will ask the question at my town halls: Do you believe that funding NPR is of the same importance or moment as funding our troops in the war zone? I believe that I will have an overwhelming response by the people of my district who suggest what we are doing with this rule is to allow us to deal with those kinds of issues, setting priorities that they sent us to Washington to do.

□ 0940

So I again thank the gentleman for his time. I thank the gentlelady for explicating the difference between the two parties' approaches on this and understanding the sense of priorities that either exist or don't exist on this floor.

For me, I will easily say that even though it may be a tough decision, I would vote to take Federal funding away from NPR in order to try to balance our books in the future and do what is necessary to defend this country and those other things that are contained in the Constitution.

Ms. SLAUGHTER. I am going to yield myself 30 seconds to tell my colleague from California to calm himself. He doesn't have to worry. We are not equating war and NPR. What I had said was that the basis of this bill today was that people should not have to pay for what they don't believe in. If that's going to be the way the majority is going to run this House, then 66 percent of Americans would like to not pay for the war.

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.

Mr. Speaker, for at least 15 million Americans, this is another day without a job, and tomorrow will be another Friday without a paycheck. What are we doing?

After 11 consecutive weeks of this majority producing not a word, not a bill, not one idea about how to create jobs, what we're doing this morning is debating whether or not to defund and get rid of National Public Radio. Now, the excuse that we've heard is that, well, this will save money. A preliminary estimate from the Congressional Budget Office says this will save zero. So what we are doing is spending the time of the country on whether to defund National Public Radio.

Here is what we should do instead: With gasoline prices approaching $4 a gallon at the pump, why don't we cancel out $40 billion in giveaways to the oil industry. Why don't we take most of that money and use it to reduce the deficit, and why don't we take some of that money and use it to put Americans back to work, building clean water systems, schools, roads, research facilities, and other things that we need? Why aren't we debating that bill? Now, Members of Congress can say they disagree with that bill. They could amend it. They could vote for it or against it. Why don't we debate that bill instead of whether or not to pull the plug on National Public Radio?

Eleven weeks, not one idea on jobs, not one word of debate on jobs, and abandonment of the issue Americans care most about. I am hopeful that the leader on our side of the Rules Committee will give us a chance to vote on a real bill to create jobs for the American people.

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

Ms. SLAUGHTER. I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady.

There are really two questions that this bill raises. The first: Is this a way to deal with the serious problem we have in this country, which is the deficit? And the answer is: It isn't.

I salute the Republicans in this Congress for focusing attention on the need to restore fiscal balance. You are right. But the plan you are pursuing to receive it is dead wrong. You cannot, by cutting 12 percent of the budget, the non-defense discretionary budget, achieve the fiscal balance that we need. And why you have a plan where you attack Vermont Public Radio, where you attack Planned Parenthood, where you attack home heating assistance, but you leave exempt tax expenditures for oil companies, a swollen Pentagon budget, that means that this is not going to succeed. Even if we wiped out the entire non-defense discretionary budget, we would still have a deficit of $1 trillion. So, serious budget cutters have a serious plan that puts everything on the table.

Secondly, why have a proposal that destroys institutions? Vermont Public Radio is the link between 251 towns, cities, and villages in the State of Vermont. Farmers listen to it in their barns. Parents listen to it on their way to bringing their kids to school. People at work listen to it for the weather reports, and it welds together the political discussion in the State of Vermont which is vibrant, which is varied, which has people with different points of view having a common reference point. Public radio is an institution that allows democracy to thrive.

And why do we have to have a budget plan that, A, by it's design, will fail; and, B, by its application and implementation, will destroy institutions that democracy depends on? Vermont Public Radio is an essential institution to all of the people in the State of Vermont: Republicans, Democrats, and Independents. We need to preserve it.

Mr. NUGENT. Mr. Speaker, I yield such time as he may consume to my good friend, the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Speaker, let me begin by extending congratulations to my very good friend, the gentleman from Spring Hill, a former sheriff, Mr. NUGENT, for his maiden voyage in managing this rule. He has done a superb job in taking on this issue.

Let me say at the outset, having listened to the debate from my colleagues on the other side of the aisle, every single thing that we have been doing on the floor of the House of Representatives is focused on job creation and economic growth. Virtually everything that we have done is focused on job creation and economic growth.

Now, some say, Why is it you are talking about National Public Radio now? What does that have to do with creating jobs? Well, the fact of the matter is, if we don't take on the $14 trillion national debt that we have in this country and the $1.6 trillion annual deficits that we have as far as the eye can see, we are not going to be implementing pro-growth economic policies.

Now, my friends on the other side of the aisle might argue that bringing about some kind of reduction in funding for National Public Radio will cost jobs. The disparity is that my friends on the other side of the aisle tend to focus on government-created jobs, and we want to focus on what it is the American people desperately want and

need, which is long-term, good private sector jobs. And so everything that we do to try to reduce the size and scope and reach of government is focused on getting, as my friend from Vermont has just said, getting our fiscal house in order so that we can create jobs.

Yesterday up in the Rules Committee, my California colleague Ms. ESHOO referred to National Public Radio as a ''national treasure.'' Now, Mr. Speaker, I happen to be a fan of National Public Radio. I think that the term ''national treasure'' may just be a little bit of a stretch. I have been proud to support three local stations, two in Los Angeles, KPCC and KCRW; here in Washington, D.C., WAMU. I have been proud to participate in pledge drives for all these stations. I have done it for public television. I believe in voluntary contributions.

Now, yesterday Ms. ESHOO said that every American pays 77 cents for the benefit of National Public Radio. And while I am a proud listener of National Public Radio, I will say that I reckon that there are probably half the American people—that's just a wild guess on my part—maybe half the American people who have never even heard of, much less even listened to, National Public Radio. And the notion of taking 77 cents from them for National Public Radio is, to me, anathema to the whole concept of what it is that we are trying to do as a Nation.

Now, my friend from Rochester, the distinguished ranking member of the committee, the former chairman of the Rules Committee, referred to National Public Radio as—and this is not the exact word that was used—but sort of a paragon of virtue. Rather than bloviating on cable television, we have this great, great model of National Public Radio up there, something to which we can all bow and listen to as the one truth before us.

□ 0950

Well, with all due respect, Mr. Speaker, I've got to say that I've heard some inaccurate things on National Public Radio before, not just things with which I disagree, but there have been inaccuracies. And so, with all of the choices out there, I believe that National Public Radio should be one of them; but they are only one of the choices that people have.

And since National Public Radio and the Corporation for Public Broadcasting came into existence, we all know that we've experienced this explosion of information from all kinds of sources.

So that's why, Mr. Speaker, while this measure doesn't obliterate funding for National Public Radio, what it does is it puts us, as my friend from Spring Hill has said so well, on a glide path towards recognizing that since National Public Radio receives a very small amount of its funding that they utilize totally from the Federal Government, this puts them on a glide path towards something that I believe will dramatically enhance the quality of coverage and the credibility of National Public Radio, and that is to have voluntary support.

And I will say right here that when we are successful, when we are successful at weaning National Public Radio and the Corporation for Public Broadcasting away from compulsory taxpayer dollars used to fund them, I personally will increase my level of contributions, my level of contributions to those local stations and to other aspects.

We need to look at ways in which this shortfall that will exist is addressed, and I believe that we can do that.

And I have to say that, procedurally, it's very interesting to listen to people talk about the characterization of this rule that has come down before us. It's simply because less than 48 hours was provided for the announcement of simply the Rules Committee meeting, not the fact that we're here on the floor. And my distinguished friend from Rochester had, on nearly 70 occasions, when she was chairman of the Rules Committee, including the several scenic river studies that were put into place, and other legislation like that called emergency meetings of the House Rules Committee. And so I think that to characterize this procedure as it's been is not quite as appropriate as it should be.

And the fact is, Mr. Speaker, I wish this could have been handled a little differently. We all know that we passed H.R. 1 as it is, that, in fact, does defund the Corporation for Public Broadcasting. But this measure, in and of itself, focuses on a problem that is out there. It needs to be addressed. And I urge my colleagues to support this rule and to support the underlying legislation.

Ms. SLAUGHTER. I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, all I can say is our office is being flooded by calls from people who are saying, I thought you all were working on creating jobs for the American people, on making sure that working class families can support their families. And, instead, we're de-funding Federal funding of National Public Radio. And that seems like just a terrible distraction to the calls that we're getting.

For many people in the San Diego region, we have KPBS radio, it's an NPR station; and it's a way to connect people to local community issues and world events. Where else can you find that kind of in-depth reporting? I don't think we can point to other stations that do that.

So I'm not up here just to defend NPR, but my colleague said it's not a treasure. Well, to a lot of people that participate, yes, they will continue to fund it with their own dollars. But there is a consistency, there is a continuity, there is an expectation that this is something that is important to our communities. And it would endanger over 9,000 jobs at local radio stations if this funding goes away.

Mr. NUGENT. Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my good friend from Florida for yielding, and I'm pleased to serve beside him on the Rules Committee.

And I went to work on the Rules Committee because of my enthusiasm about openness in this process. One of the very first things we learned during freshman orientation was that we have a leadership team that is committed to openness the likes of which this Congress hasn't seen in decades, decades.

I didn't plan to come down and speak this morning, but I'm sitting back in my office, and I'm listening to the characterization of what's happening down here today, and it caused me to think about my 65 days here in Congress so far.

You know, the process was more open and involved more debate on the repeal of health care than it did the implementation of health care. I happen to have brought down the NPR bill today.

Now, I'm here in strong support of the rule that's bringing this bill to the floor, and I hope folks will vote their conscience on the underlying bill. That's what we all came here to do, and I hope that happens.

One, two, three, four, five, six, seven—seven pages here today that we've asked Members to read and digest in 3 days. Seven pages. Now, I wasn't here in the last Congress when thousand-page bills rolled through this body under the same closed process and the same closed length of time.

But I can tell you this: my constituents sent me to read seven pages, and I've read them; and I'll be voting my conscience on the underlying bill. But, folks, we are involved in a process here that we need to be applauding, not condemning. We're involved in a process here that we need to be nurturing, not undercutting.

Have you seen the debate on the floor of the House over the last 2 months? Have you experienced the back-and-forth on the floor of the House in the last 2 months, and do you feel the difference? Because I do. I absolutely do. I don't just feel it; I hear it when I go back home.

We are in the people's House. The chain across the front steps—must be a photo op going on out there this morning. The chain was down. It just felt different walking in this morning because you could just walk up the steps free.

Folks, the chains have come down in this House. The chains have come down in the House, and we're free to engage in this debate, and that's what we're doing. Right here today we're engaged in this debate.

Should we have extensive committee hearings on absolutely everything that comes to the floor? I believe we should. Should we have an open process for absolutely everything that comes to the floor? I think that's a laudable goal.

Do we have constraints that require the rules of the House, because there are 435 of us. It's not like that well-ordered body across the Hall where they only have 100 Members and they get along so well together. We've got 435 folks with lots of passion and lots of opinion, and we need some structure to make that happen.

But this leadership team, with this Congress, both on the left and on the right, has created the most open process with the most extensive amendment process, with the most full debate process that this body has seen in years. And I thank the leadership team for doing that. And I rise in strong support of the rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. We need to go back to basic principles here. In 1934, when the Federal Communications Act was passed, people were given broadcast licenses to serve in the public interest, convenience, and necessity. The public owns the airwaves.

In a country that wasn't run by corporations, we wouldn't be having this debate because the public has the inherent right to ownership of the airwaves. Theoretically, it should all be public radio, but it's not. There's just a small segment now of the airwaves we're talking about here. And this bill would stop that from being funded.

It is absolutely unimaginable that Members of Congress are not aware of the history of how broadcast radio and TV came into being. This isn't about private ownership of the airwaves. This is about a basic public right; and if you take that right away, what you've done is totally capitulate to corporations in America.

Protect NPR.

□ 1000

Mr. NUGENT. Mr. Speaker, I yield 3½ minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support this rule, H. Res. 174, and the underlying bill, my legislation, H.R. 1076, to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content. It is time for American citizens to stop funding an organization that can stand on its own feet.

Long before any of the recent news stories on videos or the Juan Williams fiasco, I sponsored legislation in Congress to pull the plug on taxpayer funding for NPR. I enjoy some programs on NPR, but I have long believed that it can stand on its own.

The point at issue is not the quality or content of programming on NPR. The point is not the degree to which Americans support the arts, radio, news, and educational programs. The point today is whether government programs and services that can be funded privately or that are otherwise available in the private sector should receive taxpayer funding.

Apart from constitutional concerns, as a country we no longer have this luxury anymore. With the national debt over $13 trillion, the government simply can't continue to fund nonessential services.

Let me add that no one can really argue that these programs will disappear if Americans are no longer forced to subsidize them with Federal tax dollars. NPR can survive on its own.

This bill will accomplish three things:

One, it will prohibit direct funding of NPR. It now receives money from the Corporation for Public Broadcasting, the Department of Education and Commerce, and the NEA, among others.

Two, it prohibits the use of Federal funds provided to the Corporation for Public Broadcasting for the payment of dues by local radio stations to NPR.

And, three, it prohibits the use of Federal funds provided through Corporation for Public Broadcasting for acquiring or producing programming.

Now, local stations could use Federal funds from the corporation for their operating expenses, but they would have to produce their content or acquire it with non-Federal funds.

Unemployment is now about 9 percent. When we get Federal spending under control, the economy will be stronger and there will be more jobs. That is why we are doing this.

NPR reports that only 2 percent of its funding comes from the Federal Government; however, that is only half the story. NPR local radio stations directly received congressionally appropriated funds that reached $64 million in 2010 alone. Plus, local stations directly receive grants from other Federal sources such as the National Endowment for the Arts. NPR stations then use these taxpayer dollars on licensing fees for NPR programming which goes back to the headquarters in Washington. Taking this indirect funding into account, Federal funds now make up, I would say, closer to 20 percent of their annual budget.

But let me be clear. This measure will not prohibit local stations from receiving any funding. It will just not allow them to use taxpayer dollars to pay NPR programming and pay NPR dues. They can do it without Federal dollars by embracing the private sector. I want NPR to grow on its own. I want to see it thrive. Just remove the taxpayer from the equation.

I thank the Rules Committee for this resolution. I urge my colleagues to vote ''yes'' on the rule and to vote ''yes'' on the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy and her advocacy here.

I just finished listening to my friend from Colorado, and he gets it half right. First of all, it is ironic that the new Republican majority, having been touted on the floor for its openness, did, in fact, rush this to the floor without the 72-hour notice, not any substantive committee work. If it had been subjected to careful committee analysis, the flaws in the argument would have been revealed.

It is not going to save a single penny of taxpayer dollars, not one, even in the unlikely event that this legislation passed through Congress, which it won't. It won't defund NPR. NPR will exist. And those of us who are in Cleveland or New York or Los Angeles or Washington, D.C., will be able to enjoy it, although it will be diminished a little bit. But what it do is hammer small rural American stations, small town and rural America, where it is more expensive to broadcast and where they rely on this funding to be able to purchase the programs.

It would not just hammer NPR, but it would deny them the ability to use the funds for that subversive show ''Prairie Home Companion,'' for ''This American Life,'' for the car guys. It would prohibit them from purchasing locally produced content from other public broadcasting stations.

This is lunacy. It unravels a carefully crafted partnership that has delivered year after year. It is why the American public strongly supports this investment, less than one-half cent per day per American. In fact, 78 percent of the American public want it maintained or increased. And, most interestingly, that same bipartisan poll showed that two-thirds of American Republicans support keeping the funding or increasing it.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. This bill would wipe ''Car Talk'' off the road. It would wipe ''Lake Woebegone'' right off the map. It would close down ''Marketplace,'' and tell ''Wait Wait . . . Don't Tell Me!'' to take a hike.

GOP used to stand for ''Grand Old Party.'' Now it stands for ''Gut Our Programs.''

This bill prohibits public radio stations from using Federal funds to buy these programs and others produced by National Public Radio or its competitors. As a result, this bill would silence public radio stations across the country, depriving listeners of the news and information they depend on.

Public radio stations can just raise the money from private donors, some say. Not likely. Local public radio stations need signature NPR programs like ''Morning Edition'' and ''All Things Considered'' to attract audiences. By drawing listeners to local stations, these programs and others generate strong financial support from the local listening area. Without these

prominent NPR programs, local stations won't be able to attract the audience and sufficient fundraising base to keep running.

Every month, more than 170 million Americans turn to their local public broadcasting stations for free high-quality programs that focus on the issues most important to them. This bill would pull the plug. It would snuff out stations from coast to coast, many in rural areas where the public radio station is the primary source of news and information. This makes no sense. Public radio is widely supported by large majorities of Americans regardless of party affiliation. It is increasingly relied upon while fewer Americans watch broadcast TV and read newspapers.

This bill was rushed to the floor without a single hearing, completely bypassing the committee process. It is unwise, ill-conceived.

I urge a ''no'' vote.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, I rise in opposition today to this bill.

Today, Republicans are trying to modify the funding structure of National Public Radio, one of the most widely used, universally supported, and efficient journalistic institutions in the country. The problem, Mr. Speaker, is that no one can figure out what my Republican colleagues are trying to accomplish and what they are trying to do with this trivial and misguided legislation. Why are we wasting our time on this? Instead of creating jobs, instead of cutting spending, here we are changing the funding structure for something that fundamentally works.

Mr. Speaker, America is $14.2 trillion in debt. Yet instead of working with Democrats to come to an agreement on reducing our expenditures and getting the economy going, Republicans have decided to use their taxpayer-funded time on symbolic legislation that doesn't address America's fiscal situation, doesn't save money, and, most importantly, won't create a single job.

Mr. Speaker, this is very transparent what is happening here. This bill is a response to a far right agenda based on a manipulative ''got you'' video propagated by conservative activists.

□ 1010

Don't the American people know where this Republican policy agenda comes from? I believe they do.

Mr. Speaker, this bill is a distraction, not a serious piece of legislation. The Republican Caucus can't get themselves to agree on anything substantial, so instead they're bringing this frivolous measure that doesn't save any money or create jobs before us.

I urge a ''no'' vote.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Happy St. Patrick's Day.

Mr. Speaker, today we debate the rule on whether or not to fund National Public Radio. This is an ideologically driven attempt at defunding a revered American institution, and the reason is because you don't like its content. You can't stand balanced, objective news. So let's defund it.

Regardless of whether one supports NPR or not—and I do—we can all be clear this bill does not do one thing: It does not create jobs. We have been here for 11 weeks, Mr. Speaker, and the Republican majority has yet to bring a single jobs bill to the floor of the House. That's why I introduced the Build America Bonds Now to Create Jobs Act, legislation to extend the successful Build America Bonds program—a jobs bill. Creating jobs grows the economy, encourages American innovation and positions us to remain the global economic leader. During the last 2 years, $4.4 billion from the Recovery Act leveraged $181 billion to construct and repair schools, bridges and roads in more than 2,270 projects in every State in the Union.

According to Moody's Analytics chief economist and Senator MCCAIN's 2008 Presidential adviser, infrastructure investments in the Recovery Act resulted in 8 million additional or preserved jobs between 2009 and 2010. By extending the Build America Bonds program, we can do even more.

I ask my colleagues, turn away from this ideologically driven debate on National Public Radio and let's get down to basics. Let's pass a jobs bill. Let's defeat this rule and give ourselves an opportunity to address the underlying issue of the American economy.

I thank my colleague from New York for yielding.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Good morning to the ''fend for yourself'' bill. That's the message of my friends on the other side of the aisle—with short-term CRs, $61 billion in reckless and ludicrous cuts that don't make sense on 20 percent of the budget which is discretionary funding.

But NPR. This morning, I listened to NPR, as I usually do, and someone who designates themselves as a Republican called in and said, ''I'm through. I'm a registered Republican, but I'm leaning Democrat. I've been listening to NPR for most of my life.''

Biased? No. Unbiased. NPR is a voice of reason. Federal funding frivolous? No. Federal funding allows the objectivity. And no one can account for the fact that we believe in the First Amendment, but yet we want to defund NPR.

NPR, National Public Radio, speaks the truth on all of our cases. It provides the American people far and wide an opportunity to hear a fair and balanced presentation.

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

Ms. SLAUGHTER. Mr. Speaker, let me yield the gentlelady an additional 30 seconds.

Ms. JACKSON LEE of Texas. Thank you very much.

The resolution speaks nothing of fact why do you desire to cut NPR. Why do you want to put the burden of a budget or a CR on the NPR? The real issue is that no matter how much they keep doing, no one on the other side wants to address the cause of the issue of the deficit or the debt, that we have to balance, we have to bring in a number of issues that we have to address.

We can't scapegoat. I refuse to scapegoat the National Public Radio, a reasoned and responsible voice for the people, no matter who you are. It is a ridiculous legislation. In my District, KPFT and KTSU are great public communicators for many of the poor in my district—don't shut them down! I ask my colleagues to vote against it.

The SPEAKER pro tempore. The gentlewoman from New York has 3 minutes remaining. The gentleman from Florida has 7 minutes.

Mr. NUGENT. My inquiry is to the gentlewoman from New York, do you have any more speakers?

Ms. SLAUGHTER. I do not. May I inquire if you have more?

Mr. NUGENT. I do not.

Ms. SLAUGHTER. I am prepared to close.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. I thank you very much, Mr. Speaker.

We have had a vigorous debate here this morning, just as we had in the Rules Committee. A lot was said, I guess, because it needed to be said. A lot was said, I think, that we could argue with.

One is that we are doing this because it puts us on the road to deficit reduction. It is clear to everybody who reads, or maybe who listens to good programming, that this bill has no effect whatsoever on the deficit and saves no money. Not a dime. This is purely an ideological bill so that our Members can go home and brag about what they have done to public radio.

I want to talk a moment about what's in a New York Times editorial this morning. This bill is, says the Times, ''The latest example of House Republicans pursuing a longstanding ideological goal in the false name of fiscal prudence.''

The Times says, ''This is not a serious bill. It will never survive the Senate or a Presidential veto.''

And further, ''Cutting off that flow would have no effect on the deficit, but it would allow certain House Members to pretend for the folks back home that they struck a blow for liberty.''

I really don't understand this. I know that the present chair of the Rules Committee this morning said that all the legislation that we have done this

term has been on job creation. I don't believe there's enough evidence to convict on that, Mr. Speaker.

This, again, will cause jobs to be lost and does nothing for the deficit. I don't care what you want to say about it and how you want to dress it up, those are the absolute facts.

In a few moments, I will be calling for a vote on the previous question. Mr. Speaker, if we defeat that previous question, I want to do a real jobs bill here. I am going to offer an amendment to the rule to provide that immediately after the House adopts the rule, it will bring up H.R. 11, the Build America Bonds To Create Jobs Now Act.

This bill will spur job creation here at home by extending through 2012 the successful Build America Bonds program to help State and local governments finance the rebuilding of American schools, hospitals, water systems and transit projects at significantly lower costs. It has been calculated that every $1 billion in Federal funds will create 34,800 jobs and $6.2 billion in economic activity. I ask you, Mr. Speaker, weigh that against taking the little bit of money away from National Public Radio.

Build America Bonds are broadly supported by American business, the construction industry, and State and local governments. At a time of fiscal restraint, they are a good deal for the American taxpayer, wisely using small public investments to leverage significant private funds to rebuild America and create jobs.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote ''no'' and defeat the previous question so that we can debate and pass jobs legislation today, and I urge a ''no'' vote on the rule and the underlying bill.

I yield back the balance of my time.

Mr. NUGENT. I yield myself the balance of my time.

Mr. Speaker, I just want to bring to your attention that the public watching this today on C–SPAN does not receive a single Federal dollar in regards to the operation of C–SPAN.

We're not closing down local radio stations. We're actually giving them the ability to liberate themselves from Federal dollars.

My good friends on the other side of the aisle continue to refuse to prioritize about what's important for America. They continue on a path of just spend, because all programs are inherently good.

While you've heard a lot of us like NPR in regard to certain programming, there's others that we do not. Mr. Speaker, I was reminded the other day of a quote by Thomas Jefferson:

''To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical.''

With that in mind, I can't in good conscience support continuing to fund NPR with tax dollars.

□ 1020

A large number of Americans fundamentally disagree with the content and mission of NPR. Moreover, this is a program that can be privately funded. NPR's own officials said they don't need Federal dollars to continue.

We are not trying to harm NPR. We are actually trying to liberate them from Federal tax dollars. We need to get back to the core mission of the Federal Government. As much as any of us here, including myself, may enjoy programs like ''Car Talk'' and ''Wait, Wait, Don't Tell Me,'' you can't tell me that that is a core mission of the Federal Government. Our good friends in the same sentence talked about war, national defense, and NPR. They don't equate. The Constitution is clear about our requirement to protect the American people.

H.R. 1076 is a return to the normal procedure of the House. Authorizing committees provide us with bills that set out the priorities for the House and the Appropriations Committee funds based on authorizations.

With H.R. 1076, we let the Appropriations Committee know that National Public Radio doesn't need Federal tax dollars anymore. Local stations can create their own programs. They can reorganize their financing so that grant money they might use for membership and programming fees can go elsewhere, and they can do private fund-raising they need for the dues and programming from NPR.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 174 OFFERED BY MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to cause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 11) to amend the Internal Revenue Code of 1986 to extend the Build America Bonds program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. The bill shall be considered as read. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous

question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. 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 ayes appeared to have it.

Ms. SLAUGHTER. 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, if ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 179, not voting 20, as follows:

[Roll No. 189]

YEAS—233

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (UT)
Black
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
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)
Grimm
Guinta
Guthrie
Hall
Hanna
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
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
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
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
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 (FL)
Young (IN)

NAYS—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
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
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Peterson
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
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—20

Bilirakis
Blackburn
Carney
Carter
Clarke (NY)
Cohen
Culberson
Engel
Garamendi
Giffords
Hinojosa
Jordan
Labrador
Maloney
Nadler
Payne
Rooney
Stark
Wasserman Schultz
Young (AK)

□ 1046

Ms. ESHOO and Mr. GEORGE MILLER of California changed their vote from ''yea'' to ''nay.''

Mr. AKIN changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. CARNEY. Mr. Speaker, on rollcall No. 189, had I been present, I would have voted "no."

POINT OF ORDER

Mr. WEINER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. WEINER. Mr. Speaker, I object to the consideration of this bill because it violates rule XXI, clause 11, which requires a 72-hour layover of the bill and for it to be electronically noticed in order for it to be considered by this House. This bill did not lay over for 72 hours. It was noticed at 1:42 p.m. on Tuesday; therefore, it has to wait until 1:42 on Friday to be in compliance with the rules of the House.

The SPEAKER pro tempore. A point of order against consideration of H.R. 1076 is not timely until such time as the bill is called up.

PARLIAMENTARY INQUIRES

Mr. WEINER. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WEINER. Mr. Speaker, as you know, we are about to consider the rule. Members, if they are to vote on and understand it, need to know that they are waiving the rule. This is the statement of the Speaker of the House:

''I will not bring a bill to the floor that hasn't been posted online for at least 72 hours.''

Would the Speaker please clarify for the body that the 72-hour rule is either being waived or does not exist.

The SPEAKER pro tempore. The period of time on which the rule is predicated is not a number of hours but, rather, a number of days, specifically calendar days other than weekends or holidays when the House is not in session. For the sake of brevity, the Chair will call these ''working days.''

Under clause 11 of rule XXI, an unreported measure may not be considered until the third working day on which it has been available to Members.

For example, a measure that was publicly available in electronic form in consonance with clause 3 of rule XXIX as of Tuesday, March 15, 2011, would qualify on or after Thursday, March 17, 2011.

Mr. WEINER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. WEINER. For the clarity of the House, did this bill age for 72 hours, ''yes'' or ''no''?

The SPEAKER pro tempore. The Chair does not enter findings on questions not actually presented..

Without objection, 5-minute voting will continue.

There was no objection.

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.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 181, not voting 15, as follows:

[Roll No. 190]

AYES—236

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
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)
Grimm
Guinta
Guthrie
Hall
Hanna
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
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
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
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
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
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 (FL)
Young (IN)

NOES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
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
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
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)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Clarke (NY)
Cohen
Engel
Garamendi
Giffords
Gutierrez
Hinojosa
Jordan
Labrador
Maloney
Nadler
Rooney
Schock
Wasserman Schultz
Young (AK)

□ 1057

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.

AFGHANISTAN WAR POWERS RESOLUTION

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to the order of the House of March 16, 2011, I call up the concurrent resolution (H. Con. Res. 28) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to the order of the House of Wednesday, March 16, 2011, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 28

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

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

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

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

(2) if the President determines that it is not safe to remove the United States Armed Forces before the end of that period, by no later than December 31, 2011, or such earlier date as the President determines that the Armed Forces can safely be removed.

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 2 hours, with 1 hour controlled by the gentleman from Ohio (Mr. KUCINICH) or his designee and 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

Mr. KUCINICH. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina (Mr. JONES) be allowed to control half of my time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina (Mr. JONES) will control half the time allocated to the gentleman from Ohio (Mr. KUCINICH).

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida.

□ 1100

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to this resolution, as it would undermine the efforts of our military and our international partners in Afghanistan and would gravely harm our Nation's security.

Insanity has been described as doing the same thing over and over again and expecting different results. Three thousand people died on September 11 because we walked away once from Afghanistan, thinking that it didn't matter who controlled that country. We were wrong then. Let us not make the same mistake twice. Completing our mission in Afghanistan is essential to keeping our homeland safe.

As Under Secretary of Defense Michele Flournoy stated in testimony to the Senate Armed Services Committee earlier this week, ''The threat to our national security and the security of our friends and allies that emanates from the borderland of Afghanistan and Pakistan is not hypothetical.

There is simply no other place in the world that contains such a concentration of al Qaeda senior leaders and operational commanders. To allow these hostile organizations to flourish in this region is to put the security of the United States and our friends and allies at grave risk.''

To quit the area before we have routed out the terrorists would not only hand al Qaeda a propaganda victory of immeasurable value, it would cede them a sanctuary from which they could mount fresh strikes at the west with virtual immunity. To withdraw from Afghanistan at this point, before we finish the job, is to pave the way for the next 9/11. Therefore, the question that we must consider is, Can we afford to abandon our mission in Afghanistan? General David Petraeus, commander, International Security Assistance Force, ISAF, commander, U.S. Forces Afghanistan, stated, ''I can understand the frustration. We have been at this for 10 years. We have spent an enormous amount of money. We have sustained very tough losses and difficult, life-changing wounds. But I think it is important to remember why we are there.''

This is about our vital national security interests, Mr. Speaker. It is about doing what is necessary to ensure that al Qaeda and other extremists cannot reestablish safe havens such as the ones they had in Afghanistan when the 9/11 attacks were planned against our Nation and our people. The enemy, indeed, is on the run. It is demoralized and divided. Let us not give up now.

Let us not betray the sacrifices of our men and women serving in harm's way, and they ask for nothing in return, except our full support. Dedicated servants such as my stepson Douglas and daughter-in-law Lindsay, who served in Iraq—and Lindsay also served in Afghanistan. Dedicated servants such as Matt Zweig and Greg McCarthy of our Foreign Affairs Committee majority staff, who just returned from serving a year in Kandahar and Kabul. And we thank them for their service. Let us follow the lead of our wounded warriors who, after long and arduous recoveries, volunteer to return to the battlefield to finish their mission. I urge our colleagues to oppose this dangerous resolution.

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

Mr. KUCINICH. I yield myself 2 minutes.

In the next 2 hours, we are going to demonstrate that the American people oppose this war by a margin of two to one. I will enter into the RECORD this Washington Post poll that was published on March 15 which says that nearly two-thirds of Americans say the war isn't worth fighting.

In the next 2 hours, we are going to demonstrate that we are spending $100 billion per year on this war. There are those who are saying the war could last at least another 10 years. Are we willing to spend another $1 trillion on a war that doesn't have any exit plan, for which there is no timeframe to get out, no endgame, where we haven't defined our mission? The question is not whether we can afford to leave. The question is, can we afford to stay? And I submit we cannot afford to stay.

In the next 2 hours, we are going to demonstrate that the counterintelligence strategy of General Petraeus is an abysmal failure, and it needs to be called as such. So I want to conclude this part of my presentation with an article by Thomas Friedman in The New York Times, which says, ''What are we doing spending $110 billion this year supporting corrupt and unpopular regimes in Afghanistan and Pakistan that are almost identical to the governments we are applauding the Arab people for overthrowing?''

[From The Washington Post, Mar. 15, 2011]

POLL: NEARLY TWO-THIRDS OF AMERICANS SAY AFGHAN WAR ISN'T WORTH FIGHTING

(By Scott Wilson and Jon Cohen)

Nearly two-thirds of Americans now say the war in Afghanistan is no longer worth fighting, the highest proportion yet opposed to the conflict, according to a new Washington Post-ABC News poll.

The finding signals a growing challenge for President Obama as he decides how quickly to pull U.S. forces from the country beginning this summer. After nearly a decade of conflict, political opposition to the battle breaks sharply along partisan lines, with only 19 percent of Democratic respondents and half of Republicans surveyed saying the war continues to be worth fighting.

Nearly three-quarters of Americans say Obama should withdraw a ''substantial number'' of combat troops from Afghanistan this summer, the deadline he set to begin pulling out some forces. Only 39 percent of respondents, however, say they expect him to withdraw large numbers.

The Post-ABC News poll results come as Gen. David H. Petraeus, the U.S. commander in Afghanistan, prepares to testify before Congress on Tuesday about the course of the war. He is expected to face tough questioning about a conflict that is increasingly unpopular among a broad cross section of Americans.

Petraeus will tell Congress that ''things are progressing very well,'' Pentagon spokesman Geoff Morrell said Monday. But because of battlefield gains made by U.S. and coalition forces since last year, Morrell told MSNBC, ''it's going to be heavy and intensive in terms of fighting'' once the winter cold passes.

The poll began asking only in 2007 whether the Afghan war is worth fighting, but support has almost certainly never been as low as it is in the most recent survey.

The growing opposition presents Obama with a difficult political challenge ahead of his 2012 reelection effort, especially in his pursuit of independent voters.

Since Democrats took a beating in last year's midterm elections, Obama has appealed to independents with a middle-of-the-road approach to George W. Bush-era tax cuts and budget negotiations with Republican leaders on Capitol Hill. He called a news conference last week to express concern about rising gasoline prices, an economically pressing issue for many independent voters.

But his approach to the Afghan war has not won over the independents or liberal Democrats who propelled his campaign two years ago, and the most recent Post-ABC News poll reinforces the importance of Republicans as the chief constituency supporting his strategy. The results suggest that the war will be an awkward issue for the president as he looks for ways to end it. Nearly 1,500 U.S. troops have died since the fighting began in 2001.

During his 2008 campaign, Obama promised to withdraw American forces from the Iraq war, which he opposed, and devote more resources to the flagging effort in Afghanistan, which he has called an essential front in combating Islamist terrorism targeting the United States.

After a months-long strategy review in the fall of 2009, he announced the deployment of an additional 30,000 U.S. troops to Afghanistan—taking the total to more than 100,000—and a July 2011 deadline for the start of their withdrawal.

The number of respondents to the Post-ABC News poll who say the war is not worth fighting has risen from 44 percent in late 2009 to 64 percent in the survey conducted last week.

Two-thirds of independents hold that position, according to the poll, and nearly 80 percent said Obama should withdraw a ''substantial number'' of troops from Afghanistan this summer. Barely more than a quarter of independents say the war is worth its costs, and for the first time a majority feel ''strongly'' that it is not.

Obama, who met with Petraeus on Monday at the White House, has said he will determine the pace of the withdrawal by assessing conditions on the ground.

At the same time, U.S. and NATO forces have come under sharp criticism from the Afghan government. Over the weekend, after a NATO bombing killed nine children, Afghan President Hamid Karzai demanded that international troops ''stop their operations in our land,'' a more pointed call than previous ones he has made following such deadly NATO mistakes.

The telephone poll was conducted March 10 to 13 among a random national sample of 1,005 adults. Results from the full poll have a margin of sampling error of plus or minus 3.5 percentage points.

The survey also asked respondents to assess Obama's performance in managing the political changes sweeping across the Middle East and North Africa. Overall, 45 percent of respondents approve of his handling of the situation, and 44 percent disapprove.

In Libya, where Moammar Gaddafi is battling a rebel force seeking to end his 41-year rule, Obama is under increasing pressure to implement a no-fly zone over the country to prevent the Libyan leader from taking back lost territory and to protect civilians from government reprisals.

Nearly six in 10 Americans say they would support U.S. participation in a no-fly zone over Libya, the poll found, despite recent warnings from Defense Secretary Robert M. Gates that doing so would be a ''major operation.''

But the survey found that American support dips under 50 percent when it comes to unilateral U.S. action, as Democrats and independents peel away.

When told that such a mission would entail U.S. warplanes bombing Libyan antiaircraft positions and ''continuous patrols,'' about a quarter of those initially advocating U.S. participation turn into opponents.

After a meeting Monday with Danish Prime Minister Lars Loekke Rasmussen, Obama said, ''We will be continuing to coordinate closely both through NATO as well as the United Nations and other international fora to look at every single option that's available to us in bringing about a better outcome for the Libyan people.''

In general, Americans do not think that the changes in the Middle East and North Africa will prove beneficial to U.S. economic and security interests.

More than seven in 10 respondents said demonstrators are interested in building new governments, although not necessarily democratic ones. Almost half of those surveyed view the turmoil as undermining the United States' ability to fight terrorist groups in the region.

[From the New York Times, March 6, 2011]

THE $110 BILLION QUESTION

(By Thomas L. Friedman)

When one looks across the Arab world today at the stunning spontaneous democracy uprisings, it is impossible to not ask: What are we doing spending $110 billion this year supporting corrupt and unpopular regimes in Afghanistan and Pakistan that are almost identical to the governments we're applauding the Arab people for overthrowing?

Ever since 9/11, the West has hoped for a war of ideas within the Muslim world that would feature an internal challenge to the violent radical Islamic ideology of Osama bin Laden and Al Qaeda. That contest, though, never really materialized because the regimes we counted on to promote it found violent Muslim extremism a convenient foil, so they allowed it to persist. Moreover, these corrupt, crony capitalist Arab regimes were hardly the ideal carriers for an alternative to bin Ladenism. To the contrary, it was their abusive behavior and vicious suffocation of any kind of independent moderate centrist parties that fueled the extremism even more.

Now the people themselves have taken down those regimes in Egypt and Tunisia, and they're rattling the ones in Libya, Yemen, Bahrain, Oman and Iran. They are not doing it for us, or to answer bin Laden. They are doing it by themselves for themselves—because they want their freedom and to control their own destinies. But in doing so they have created a hugely powerful, modernizing challenge to bin Ladenism, which is why Al Qaeda today is tongue-tied. It's a beautiful thing to watch.

Al Qaeda's answer to modern-day autocracy was its version of the seventh-century Caliphate. But the people—from Tunisia to Yemen—have come up with their own answer to violent extremism and the abusive regimes we've been propping up. It's called democracy. They have a long way to go to lock it in. It may yet be hijacked by religious forces. But, for now, it is clear that the majority wants to build a future in the 21st century, not the seventh.

In other words, the Arab peoples have done for free, on their own and for their own reasons, everything that we were paying their regimes to do in the ''war on terrorism'' but they never did.

And that brings me back to Afghanistan and Pakistan. Last October, Transparency International rated the regime of President Hamid Karzai in Afghanistan as the second most corrupt in the world after Somalia's. That is the Afghan regime we will spend more than $110 billion in 2011 to support.

And tell me that Pakistan's intelligence service, ISI, which dominates Pakistani politics, isn't the twin of Hosni Mubarak's security service. Pakistan's military leaders play the same game Mubarak played with us for years. First, they whisper in our ears: ''Psst, without us, the radical Islamists will rule. So we may not be perfect, but we're the only thing standing in the way of the devil.'' In reality, though, they are nurturing the devil. The ISI is long alleged to have been fostering anti-Indian radical Muslim groups and masterminding the Afghan Taliban.

Apart from radical Islam, the other pretext the Pakistani military uses for its inordinate grip on power is the external enemy. Just as Arab regimes used the conflict with Israel for years to keep their people distracted and to justify huge military budgets, Pakistan's ISI tells itself, the Pakistani people and us that it can't stop sponsoring proxies in Afghanistan because of the ''threat'' from India.

Here's a secret: India is not going to invade Pakistan. It is an utterly bogus argument. India wants to focus on its own development, not owning Pakistan's problems. India has the second-largest Muslim population on the planet, more even than Pakistan. And while Indian Muslims are not without their economic and political grievances, they are, on the whole, integrated into India's democracy because it is a democracy. There are no Indian Muslims in Guantanamo Bay.

Finally, you did not need to dig very far in Egypt or Jordan to hear that one reason for the rebellion in Egypt and protests in Jordan was the in-your-face corruption and crony capitalism that everyone in the public knew about.

That same kind of pillaging of assets—natural resources, development aid, the meager savings of a million Kabul Bank depositors and crony contracts—has fueled a similar anger against the regime in Afghanistan and undermined our nation-building efforts there.

The truth is we can't do much to consolidate the democracy movements in Egypt and Tunisia. They'll have to make it work themselves. But we could do what we can, which is divert some of the $110 billion we're lavishing on the Afghan regime and the Pakistani Army and use it for debt relief, schools and scholarships to U.S. universities for young Egyptians and Tunisians who had the courage to take down the very kind of regimes we're still holding up in Kabul and Islamabad.

I know we can't just walk out of Afghanistan and Pakistan; there are good people, too, in both places. But our involvement in these two countries—150,000 troops to confront Al Qaeda—is totally out of proportion today with our interests and out of all sync with our values.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Washington (Mr. SMITH), the ranking member of the Armed Services Committee.

Mr. SMITH of Washington. Mr. Speaker, I rise in opposition to this resolution, and I do so as one who does firmly believe that we need to, as soon as we responsibly can, end our military engagement in Afghanistan. The cost is very real.

I represent Joint Base Lewis-McChord, which includes Fort Lewis Army Base, and we have lost many soldiers in Afghanistan. The families understand the cost. We need to wind down this war as quickly and as responsibly as we can. Unfortunately, this resolution does not give us the opportunity to do that. And we have clear national security interests in Afghanistan.

While I may agree with many of the statements about the troubles and challenges that we face in that region, the one thing that you will hear today that I cannot agree with is the idea that we have no national security interests in Afghanistan and Pakistan, or that we somehow do not have a clear mission. We have a clear mission. We do not want the Taliban and their al Qaeda allies back in charge of Afghanistan or any significant part of Afghanistan from which they could plot attacks against us, as they are still trying to do in the parts of Pakistan that they are in.

We need to get an Afghanistan Government that can stand up, and they are going to need our help to get there. Now there are many who have argued—and I am sure some on both sides of the aisle would be sympathetic with the notion that we need to reduce our commitment there—that a full-scale counterinsurgency effort, or 100,000 U.S. troops and 150,000 NATO and U.S. troops combined, is too much. Let's go with a much lighter footprint. Many have advocated that. Focuses on counterterrorism, focuses on going after the terrorists, and allows the Afghans to take the lead on everything else. And there is a plausible argument for that. This resolution does not allow that.

I want the Members of this Chamber to understand this resolution requires complete withdrawal of all U.S. forces by the end of this year. And I can tell you, as the ranking member on the Armed Services Committee, that is not in the national security interest of this country.

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

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

Mr. SMITH of Washington. We may have a legitimate debate about what our presence should be, how we should change it, but the notion that we can simply walk away from this problem, as Ms. ROS-LEHTINEN pointed out, is simply not true. And it is a problem that, believe me, I, as much as anyone in this body, would love to be able to walk away from. It is an enormous challenge. And what Mr. Friedman has to say about the governments of Afghanistan and Pakistan is spot on. But the problem is, we can't simply walk away from them and let them fall because of the national security implications that that has for us right here at home, given what the Taliban and al Qaeda would plan. I am all in favor of a more reasonable plan for how we go forward in Afghanistan, but simply heading for the hills and leaving is not a responsible plan. It's not even really a plan for how to deal with the very difficult challenges that we face in that region, and I urge this body to oppose this resolution.

Mr. JONES. Mr. Speaker, I want to thank the gentleman from Ohio (Mr. KUCINICH) for yielding me half of his time, and I yield myself such time as I may consume.

□ 1110

Mr. Speaker, we are debating how long we are going to be in Afghanistan. Recently, Secretary Gates testified before the Armed Services Committee, which I serve on, and said that he thought by 2014 we could start substantial reduction in our troop strength in

Afghanistan, 2014, that it might be 2015, 2016.

That's why this debate and this resolution is so important, not important for those of us in the House, but important for our military and the American people.

And Mr. KUCINICH did make reference to The Washington Post-ABC poll that was taken a couple of days ago that said 73 percent of the American people said it's time, this year, to bring our troops home.

In addition, I would like to share a quote from the leader of Afghanistan, Mr. Karzai. He's our man in Afghanistan. All right, now, he's our man. This was his quote 3 days ago: ''I request that NATO and America should stop these operations on our soil,'' Karzai said. ''This war is not on our soil. If this war is against terror, then this war is not here. Terror is not here.''

The number of al Qaeda and their presence in Afghanistan is about 20 or 30. Most of them are in Pakistan. I would agree with that. But this debate is critical.

Before I reserve the balance of my time, I want to share very quickly a letter from a retired colonel who's a marine that lives in my district: ''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 too long.''

And I'll go to the bottom of this: ''It makes no sense if we're there 4 years or 40. The results will be the same.''

And he closed his letter this way: ''This war is costing the United States billions of dollars a month to wage, and we still continue to get more young Americans killed. The Afghan war has no end state for us.

''I urge you to make contact with all the current and newly elected men and women in 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.

''Respectfully, Dennis G. Adams, Lieutenant Colonel retired, United States Marine Corps.''

I reserve the balance of my time.

Mr. KUCINICH. I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise in absolute support of the resolution offered by the gentleman from Ohio.

The war in Afghanistan, almost 10 years old, has been an utter failure in every possible way. It hasn't eliminated the terrorist threat. It hasn't destroyed the Taliban. It hasn't advanced national security objectives. It hasn't promoted a vibrant democracy in Afghanistan. It hasn't done any of the things it was supposed to do.

And General Petraeus' testimony this week didn't inspire much confidence either. He continues to offer the same vague reassurances about progress we've supposedly made, while being sure to say that challenges remain so he can continue justifying a substantial troop presence in Afghanistan. But I'm not reassured in the least. And much more importantly, the American people aren't reassured.

After 9½ years, after seeing 1,500 of their fellow citizens killed, after writing a check to the tune of $386 billion, they've had enough. They are angry, they are frustrated, as well they should be.

A new poll shows that nearly two-thirds of Americans, 64 percent, think the war isn't worth fighting. This is one of the least popular things our government is doing, and yet it's just about the only one Republicans don't want to cut.

I think it's about time the people's House listened to the people on the issue of war and peace and life and death. We need to negotiate, and we need to sign the Status of Forces Agreement, SOFA, with Afghanistan.

We need to move quickly toward the massive redeployment in July, as the President promised more than a year ago. In the name of moral decency, fiscal sanity and constitutional integrity, it's time to bring our troops home.

Ms. ROS-LEHTINEN. Mr. Speaker, before I yield to the gentleman from California (Mr. MCKEON), the chairman of the House Armed Services Committee, it is important to underscore, as the Under Secretary of Defense Michele Flournoy has, that to withdraw from Afghanistan at this time, before we finish the job, is to pave the way for the next 9/11.

She and other U.S. and allied officials note that we need look no further than the example of Ahmad Siddiqui, a 36-year-old German of Afghan origin who U.S. interrogators talked to, and he revealed Osama bin Laden was planning an attack on Europe. Without our boots on the ground in Afghanistan the plot against Europe might never have been uncovered. Without our boots on the ground, we will not be able to stop the next wave of attacks against our homeland, our citizens, our families, and ourselves.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCKEON), the esteemed chairman of the House Armed Services Committee.

Mr. MCKEON. Mr. Speaker, I join with my colleagues from the Foreign Services Committee, Foreign Affairs Committee, and my colleagues from the Armed Services Committee in opposition to this resolution. This resolution would undermine the efforts of our military commanders and troops as they work side by side with their Afghan and coalition partners.

Yesterday, in his testimony before the House Armed Services Committee, General Petraeus, commander of the U.S. and allied forces in Afghanistan, described significant progress made by our troops and Afghan forces. But while the United States is on track to accomplish our objectives by 2014, the general also warned that this hard-fought progress is fragile and reversible; and he urged that continued support from this Congress for our mission in Afghanistan is vital to success.

When asked specifically how our troops and enemies would view the resolution before us today, General Petraeus stated: The Taliban and al Qaeda obviously would trumpet this as a victory. Needless to say, it would completely undermine everything our troopers have fought so much and sacrificed so much for.

Mr. Speaker, when the President authorized a surge of 30,000 additional troops, he reminded us of why we are in Afghanistan. It's the epicenter of where al Qaeda planned and launched the 9/11 attacks against innocent Americans. It remains vital to the national security of this country to prohibit the Taliban from once again providing sanctuary to al Qaeda leaders.

Moreover, withdrawing before completing our mission would reinforce extremist propaganda that Americans are weak and unreliable allies and could facilitate extremist recruiting and future attacks.

Like most Republicans, I supported the President's decision to surge in Afghanistan. I believe that with additional forces, combined with giving General Petraeus the time, space and resources he needs, we can win this conflict.

During a visit last week with our troops in Afghanistan, Secretary Gates observed the closer you get to this fight, the better it looks. Having just returned myself from Afghanistan a few weeks ago, I couldn't agree more.

Our delegation to Afghanistan met with senior military commanders and diplomats, talked to airmen at Bagram, marines in Helmand and soldiers in Kandahar. It was clear to our delegation that our forces have made significant gains and have reversed the Taliban's momentum.

□ 1120

Our forces and their Afghan partners have cleared enemy strongholds, swept up significant weapons caches, and given more Afghans the confidence to defy the Taliban. We have made considerable progress in growing and professionalizing Afghanistan's army and police so these forces are more capable and reliable partners to our own troops.

As significant as our troops' achievements in the fields are, they can easily be undone by poor decisions made here in Washington. Today's debate is not being conducted in a vacuum. Our troops are listening. Our allies are listening.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. MCKEON. The Taliban and al Qaeda are also listening. And, finally, the Afghan people are listening.

Mr. Speaker, I want to send a clear message to the Afghan people and government, our coalition partners, our military men and women that this Congress will stand firm in our commitment to free us from the problems that the Taliban created for us on 9/11. We will not have this sanctuary ever happen again.

I urge my colleagues to vote ''no'' on this resolution.

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

I rise in opposition to the resolution.

Mr. Speaker, this is the third debate we have had pursuant to a war powers resolution in the last year.

I completely agree with the gentleman from Ohio that as we are moving into the 10th year of this conflict, it is critical—not just nice, it is really critical for the House to have an open and honest debate on the merits of our ongoing military operations in Afghanistan, and that debate should be outside of the context of a defense spending bill.

But what I also do is take strong issue with the invocation of section 5(c) of the War Powers Act as the basis for this debate. If we are here to respect the law and the procedures, you have to remember that it is that section which authorizes a privileged resolution, like the one we have before us today, to require the withdrawal of U.S. Forces when they are engaged in hostilities and Congress has not authorized the use of military force.

There may be aspects of our operations around the world that people can claim under section 5(c) have not been authorized. No one can make a contention that what we are now doing in Afghanistan was not authorized by the Congress. There can be no doubt this military action in Afghanistan was authorized. It was authorized in 2001, soon after 9/11.

But let's set aside the procedure and the specific dictates of the statute. I do think and share my concerns, well articulated by the ranking member of the House Armed Services Committee, that it is not responsible to demand a complete withdrawal of our troops from Afghanistan by the end of the year without regard to the consequence of our withdrawal, without regard to the situation on the ground, including efforts to promote economic development and expand the rule of law, and without any measurement of whether the current strategy is indeed working.

I am very sensitive to the arguments posed by the gentleman from Ohio. The cost of human life due to the war and the heavy costs incurred by our country at a time of great economic hardship should give any Member of Congress pause.

I am also keenly aware of the concerns regarding our overall U.S. strategy in Afghanistan. It remains to be seen whether a counterinsurgency strategy will succeed there and, equally important, whether the Afghans are taking sufficient responsibility for this war. I am troubled that the war very much remains an American-led effort and that the U.S. presence has created a culture of dependency in Afghanistan.

Notwithstanding all that, I won't support a call for a full withdrawal until we give the President's strategy additional time, at least through the spring, to show results or, without a responsible withdrawal strategy, to ensure gains made thus far will not be lost.

A number of positive developments make me unwilling to throw in the towel just yet. For example, as noted by General Petraeus in testimony yesterday, coalition forces have been making some progress against Taliban forces in southern Afghanistan. In addition, the training of Afghan security forces has exceeded targets, and we are inching slowly toward the point at which they may be able to secure their own borders.

A final plea to my colleagues, and that is to some of my colleagues who are joining me in opposing this resolution. I am sure we are not going to succeed in Afghanistan unless our civilian efforts are fully resourced. When I traveled to Afghanistan last April, I was encouraged to see our military forces, diplomats, and development experts working closely together in the field.

General Petraeus couldn't have been more clear in his testimony: We are setting ourselves up for failure if we fully fund the clear part of the President's counterinsurgency strategy, the part carried out by the military, but shortchange the hold-and-build portions of the strategy, like economic development and building good governance. These are the keys to lasting success in Afghanistan. These are the keys to a successful counterinsurgency strategy. And when we meet those tests and do those works, we may be able to create the environment that will allow our troops to return home.

For all these reasons, I oppose the resolution.

I reserve the balance of my time.

Mr. JONES. Mr. Speaker, we will be debating this probably in 2015 or 2016. If I am not here, somebody else will be, because that is how long we are going to be there.

This general that served in the Marine Corps that has advised me for 11 months, back in November I asked: ''What do you think about 4 more years?''

I am just going to read part of his email:

''I do not believe that 40 more years would guarantee victory, whatever that is; so 4 will do nothing. The war is costing money and lives, all in short supply.''

I yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in strong support of this resolution.

First, I want to thank the gentleman from North Carolina for yielding me this time. And I want to pay tribute to the gentleman from North Carolina (Mr. JONES), who is one of the kindest, most sincere, and most courageous Members that we have in this body.

I voted, Mr. Speaker, for this war, but I sure didn't vote for a 10-year war or a forever or a permanent or an endless war.

There is nothing fiscally conservative about this war, and I think conservatives should be the people most horrified by this war.

Alfred Regnery, the publisher of the Conservative American Spectator magazine, wrote last October: ''Afghanistan has little strategic value, and the war is one of choice rather than necessity.'' And he added that it has been a ''wasteful and frustrating decade.''

The worst thing about Iraq and Afghanistan is all the young people who have been killed. But it is also very sad, Mr. Speaker, that we have spent hundreds of billions of dollars—in fact, some estimates are $2 trillion or $3 trillion now in indirect costs—to carry on these two very unnecessary wars.

Our Constitution does not give us the authority to run another country, and that is basically what we have been doing. We have been doing more nation building and more civilian functions than anything else, and we have been turning the Department of Defense, at least in Iraq and Afghanistan, into the Department of Foreign Aid.

I had a conservative Republican elected official from my district in my office this past Monday. His son is in Afghanistan in the Army, and he said he asked his son recently what we were accomplishing there, and he said his son said, ''Dad, we're accomplishing nothing.''

We seem to be making the same mistakes in our policies toward Afghanistan that we made in Iraq. Even General Petraeus has said some time ago that we should never forget that Afghanistan has been known as the ''graveyard of empires.''

George C. Wilson, a military columnist for the Congress Daily, wrote a few months ago: ''The American military's mission to pacify the 40,000 tiny villages in Afghanistan will look like mission impossible, especially if our bombings keep killing Afghan civilians and infuriating the ones who survive.''

The Center for Defense Information said late last year we have now spent $439.8 billion on war and war-related costs in Afghanistan, and $1.63 trillion so far on the war and war-related costs in Iraq. As I said a moment ago, these figures should astound fiscal conservatives.

Georgie Anne Geyer, a syndicated columnist, wrote a few years ago: ''Critics of the war have said since the beginning of the conflict that Americans, still strangely complacent about overseas wars being waged by minorities in their name, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe.''

I just finished, Mr. Speaker, a few weeks ago doing field hearings around the country in relation to the transportation and highway bill. These were done in Oklahoma, Arkansas, West Virginia, and west Tennessee—very conservative districts. And in each of those places, I said that it's time that we stop spending hundreds of billions on these unnecessary foreign wars and stop rebuilding in Iraq and Afghanistan and start rebuilding the United States of America.

□ 1130

In each of those conservative districts, the people erupted into applause. Only 31 percent of the American people, according to the latest ABC/Newsweek poll that just came out, think this war is still worth it.

William F. Buckley, the conservative icon, wrote a few years ago that he supported the war in Iraq and then he became disillusioned by it, and he wrote these words:

''A respect for the power of the United States is engendered by our success in engagements in which we take part.''

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

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

Mr. DUNCAN of Tennessee. William Buckley said:

''A point is reached when tenacity conveys steadfastness of purpose but misapplication of pride.''

President Karzai last year told ABC News he wanted us to stay there another 15 or 20 more years. That's because he wants our money. This war is more about money and power. Every gigantic bureaucracy always wants more money, but this war has gone too far and too long, and I support this resolution.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 28.

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

There was no objection.

Ms. ROS-LEHTINEN. With that, Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Foreign Affairs Subcommittee on the Middle East and South Asia.

Mr. CHABOT. Thank you, Madam Chair, and thank you for your steadfast commitment to the men and women who gallantly serve our country on the battlefield.

Mr. Speaker, I rise in opposition to the resolution. First, let me get one argument out of the way. I've heard before some of my colleagues who support an American retreat from Afghanistan describe this effort as a fiscal matter. I would respond to that argument by simply stating that it's not a question of whether we can afford to fund a military presence in Afghanistan, it's a matter of whether we can afford not to, particularly at this point.

I think my colleagues know that I'm very uncomfortable spending taxpayer dollars without a solid justification, and I would match my fiscal conservative credentials with anybody in this body. But when it comes to national security and when it comes to the care and protection of our troops in harm's way, we must not be, to use a phrase that you often hear on this floor, penny wise and pound foolish.

Further, a premature withdrawal of American troops from the Afghan theater would send a terrible message to both our friends and also to our adversaries. To our allies in the war on terrorism whom we would leave essentially twisting in the wind, to those 47 other nations that have joined the coalition in Afghanistan, we would essentially be saying, ''Good luck. You're on your own.'' Not exactly what they had in mind when they joined us in this fight.

And, of course, to al Qaeda and to the Taliban, whom we would embolden by adopting this ill-advised resolution, we would be providing, once again, the sanctuary which they enjoyed in Afghanistan before our Armed Forces reversed their momentum.

I don't often find myself in agreement with President Obama's policies, but I did agree with him when he said a little more than a year ago, ''I am convinced that our security is at risk in Afghanistan and Pakistan. This is the epicenter of violent extremism practiced by al Qaeda. It is from here that we were attacked on 9/11, and it is here that new attacks are being plotted as I speak.'' That was President Obama.

I also agree with General Petraeus who said last week that ''our core objective in Afghanistan, needless to say, is to ensure that the country does not become a sanctuary once again for al Qaeda, the way it was prior to 9/11.''

I know memories fade with time, but it's been not quite 10 years since 3,000 lives were lost on American soil—in New York, in Pennsylvania, and just minutes from here down the street at the Pentagon. Let's not forget what al Qaeda did then and let's keep working to prevent it from happening again. Let's not quit until the job is done.

Vote ''no'' on this resolution.

Mr. KUCINICH. I would like to insert into the RECORD a report from the United Nations that says that 2010 was the worst year for civilian casualties in Afghanistan with nearly 3,000 civilians killed.

AFGHANISTAN—ANNUAL REPORT ON PROTECTION OF CIVILIANS IN ARMED CONFLICT 2010

Kabul, Afghanistan, March 2011

Executive Summary

The human cost of the armed conflict in Afghanistan grew in 2010. The Afghanistan Independent Human Rights Commission and UNAMA Human Rights recorded 2,777 civilian deaths in 2010, an increase of 15 per cent compared to 2009. Over the past four years, 8,832 civilians have been killed in the conflict, with civilian deaths increasing each year. The worsening human impact of the conflict reinforces the urgent need for parties to the conflict to do more to protect Afghan civilians, who, in 2010, were killed and injured in their homes and communities in even greater numbers. UNAMA Human Rights and the Afghanistan Independent Human Rights Commission urge the Anti-Government Elements and Pro-Government Forces to strengthen civilian protection and fully comply legal obligations to minimize civilian casualties.

CIVILIAN DEATHS

Of the total number of 2,777 civilians killed in 2010, 2,080 deaths (75 per cent of total civilian deaths) were attributed to Anti-Government Elements, up 28 per cent from 2009. Suicide attacks and improvised explosive devices (IEDs) caused the most civilian deaths, totaling 1,141 deaths (55 per cent of civilian deaths attributed to Anti-Government Elements). The most alarming trend in 2010 was the huge number of civilians assassinated by Anti-Government Elements. Four hundred and sixty two civilians were assassinated representing an increase of more than 105 per cent compared to 2009. Half of all civilian assassinations occurred in southern Afghanistan. Helmand province saw a 588 per cent increase in the number of civilians assassinated by Anti-Government Elements and Kandahar province experienced a 248 per cent increase compared to 2009.

Afghan national security and international military forces (Pro-Government Forces) were linked to 440 deaths or 16 per cent of total civilian deaths, a reduction of 26 per cent from 2009. Aerial attacks claimed the largest percentage of civilian deaths caused by Pro-Government Forces in 2010, causing 171 deaths (39 per cent of the total number of civilian deaths attributed to Pro-Government Forces). Notably, there was a 52 per cent decline in civilian deaths from air attacks compared to 2009. Nine per cent of civilian deaths in 2010 could not be attributed to any party to the conflict.

I would like to put into the RECORD a report from the Afghanistan Rights Monitor relating to the number of civilians killed and wounded and displaced.

ARM ANNUAL REPORT

CIVILIAN CASUALTIES OF WAR

JANUARY—DECEMBER 2010

Kabul, Afghanistan, February 2011

Executive Summary

Over nine years after the internationally-celebrated demise of the repressive Taliban regime in Afghanistan, civilian Afghans increasingly suffer from the armed violence and rights violations committed by various internal and external armed actors. More ordinary Afghans were killed and injured in 2010 than a year before. And while US officials dubbed Afghanistan as their longest foreign war, Afghans suffered it for 32 years relentlessly.

Almost everything related to the war surged in 2010: the combined numbers of Afghan and foreign forces surpassed 350,000; security incidents mounted to over 100 per week; more fighters from all warring side were killed; and the number of civilian people killed, wounded and displaced hit record levels.

Collecting information about every security incident and verifying the often conflicting reports about their impacts on civilian people were extremely difficult and risky. The war was as heatedly fought

through propaganda and misinformation as it was in the battlefields thus making independent and impartial war reporting tricky and complex.

Despite all the challenges, we spared no efforts in gathering genuine information, facts and figures about the impacts of war on civilian communities. Our resources were limited and we lacked the luxury of strategic/political support from one or another side of the conflict because we stood by our professional integrity. We, however, managed to use our indigenous knowledge and delved into a wealth of local information available in the conflict-affected villages in order to seek more reliable facts about the war.

From 1 January to 31 December 2010, at least 2,421 civilian Afghans were killed and over 3,270 were injured in conflict-related security incidents across Afghanistan. This means everyday 6–7 noncombatants were killed and 8–9 were wounded in the war.

ARM does not claim that these numbers—although collected and verified to the best of our efforts—are comprehensive and perfect. Actual numbers of the civilian victims of war in 2010 could be higher than what we gathered and present in this report.

Unsurprisingly, about 63 percent of the reported civilian deaths and 70 percent of the injuries were attributed to the Armed Opposition Groups (AOGs) (Taliban, Hezb-e-Islami and the Haqqani Group); 21 percent of deaths (512 individuals) and 22 percent of injuries (655) were attributed to US/NATO forces; and 12 percent of deaths (278 individuals) and 7 percent (239) injuries were caused by pro-government Afghan troops and their allied local militia forces.

In addition to civilian casualties, hundreds of thousands of people were affected in various ways by the intensified armed violence in Afghanistan in 2010. Tens of thousands of people were forced out of their homes or deprived of healthcare and education services and livelihood opportunities due to the continuation of war in their home areas.

In November 2010, ARM was the first organization to voice concerns about the destruction of hundreds of houses, pomegranate trees and orchards in several districts in Kandahar Province by US-led forces as part of their counterinsurgency operations. In January 2011, an Afghan Government delegation reported the damage costs at over US$100 million. In compensation, US/NATO forces have doled out less than $2 million.

Improvised Explosive Devices (IEDs) are widely considered as the most lethal tools which killed over 690 civilians in 2010. However, as you will read in this report, there is virtually no information about the use of cluster munitions by US/NATO forces. Despite Afghanistan's accession to the international Anti-Cluster Bomb Treaty in 2008, the US military has allegedly maintained stockpiles of cluster munitions in Afghanistan.

A second key issue highlighted in this report is the emergence of the irregular armed groups in parts of Afghanistan which are backed by the Afghan Government and its foreign allies. These groups have been deplored as criminal and predatory by many Afghans and have already been accused of severe human rights violations such as child recruitment and sexual abuse.

I would like to put into the RECORD a report from the Congressional Research Service that the war in Afghanistan has cost over $454 billion to date.

INTRODUCTION: WAR FUNDING TO DATE

Since the terrorist attacks of September 11, 2001, the United States has initiated three military operations: Operation Enduring Freedom (OEF) covering primarily Afghanistan and other small Global War on Terror (GWOT) operations ranging from the Philippines to Djibouti that began immediately after the 9/11 attacks and continues; Operation Noble Eagle (ONE) providing enhanced security for U.S. military bases and other homeland security that was launched in response to the attacks and continues at a modest level; and Operation Iraqi Freedom (OIF) that began in the fall of 2002 with the buildup of troops for the March 2003 invasion of Iraq, continued with counter-insurgency and stability operations, and is slated to be renamed Operation New Dawn as U.S. troops focus on an advisory and assistance role.

In the ninth year of operations since the 9/11 attacks while troops are being withdrawn in Iraq and increased in Afghanistan, the cost of war continues to be a major issue including the total amount appropriated, the amount for each operation, average monthly spending rates, and the scope and duration of future costs. Information on costs is useful to Congress to assess the FY2010 Supplemental for war costs for the Department of Defense (DOD) and State/USAID, FY2011 war requests, conduct oversight of past war costs, and consider the longer-term costs implications of the buildup of troops in Afghanistan and potential problems in the withdrawal of U.S. troops from Iraq. This report analyzes war funding for the Defense Department and tracks funding for USAID and VA Medical funding.

TOTAL WAR FUNDING BY OPERATION

Based on DOD estimates and budget submissions, the cumulative total for funds appropriated from the 9/11 attacks through the FY2010 Supplemental Appropriations Acts for DOD, State/USAID and VA for medical costs for the wars in Iraq, Afghanistan and enhanced security is $1,121 billion including: $751 billion for Iraq; $336 billion for Afghanistan; $29 billion for enhanced security; and $6 billion unallocated.

Of this total, 67% is for Iraq, 30% for Afghanistan, 3% for enhanced security and 1/2% unallocated. Almost all of the funding for Operation Enduring Freedom (OEF) is for Afghanistan.

This total includes funding provided in H.R. 4899/P.L. 111–212, the FY2010 Supplemental Appropriations Act enacted July 29, 2010.

Some 94% of this funding goes to the Department of Defense (DOD) to cover primarily incremental war-related costs, that is, costs that are in addition to DOD's normal peacetime activities. These costs include: military personnel funds to provide special pay for deployed personnel such as hostile fire or separation pay and to cover the additional cost of activating reservists, as well pay for expanding the Army and Marine Corps to reduce stress on troops; Operation and Maintenance (O&M) funds to transport troops and their equipment to Iraq and Afghanistan, conduct military operations, provide in-country support at bases, and repairing war-worn equipment; Procurement funding to cover buying new weapons systems to replace war losses, and upgrade equipment, pay modernization costs associated with expanding and changing the structure of the size of the Army and Marine Corps; Research, Development, Test & Evaluation costs to develop more effective ways to combat war threats such as roadside bombs; Working Capital Funds to cover expanding the size of inventories of spare parts and fuel to provide wartime support; and Military construction primarily to construct facilities in bases in Iraq or Afghanistan or neighboring countries.

In addition, the Administration initiated several programs specifically targeted at problems that developed in the Afghan and Iraq wars: Coalition support to cover the logistical costs of allies, primarily Pakistan, conducting counter-terror operations in support of U.S. efforts; Commanders Emergency Response Program (CERP) providing funds to individual commanders for small reconstruction projects and to pay local militias in Iraq and Afghanistan to counter insurgent or Taliban groups; Afghan Security Forces Fund and the Iraq Security Forces Fund to pay the cost of training, equipping and expanding the size of the Afghan and Iraqi armies and police forces; and Joint Improvised Explosive Device (IEDs) Defeat Fund to develop, buy, and deploy new devices to improve force protection for soldiers against roadside bombs or IEDs.

I would like to put into the RECORD an article by Nobel prize-winning economist Joseph Stiglitz and Linda Bilmes in the Washington Post that says there is no question the Iraq war added substantially to the Federal debt.

[From the Times, Feb. 23, 2008]

THE THREE TRILLION DOLLAR WAR—THE COST OF THE IRAQ AND AFGHANISTAN CONFLICTS HAVE GROWN TO STAGGERING PROPORTIONS

(By Joseph Stiglitz and Linda Bilmes)

The Bush Administration was wrong about the benefits of the war and it was wrong about the costs of the war. The president and his advisers expected a quick, inexpensive conflict. Instead, we have a war that is costing more than anyone could have imagined.

The cost of direct US military operations—not even including long-term costs such as taking care of wounded veterans—already exceeds the cost of the 12-year war in Vietnam and is more than double the cost of the Korean War.

And, even in the best case scenario, these costs are projected to be almost ten times the cost of the first Gulf War, almost a third more than the cost of the Vietnam War, and twice that of the First World War. The only war in our history which cost more was the Second World War, when 16.3 million U.S. troops fought in a campaign lasting four years, at a total cost (in 2007 dollars, after adjusting for inflation) of about $5 trillion (that's $5 million million, or £2.5 million million). With virtually the entire armed forces committed to fighting the Germans and Japanese, the cost per troop (in today's dollars) was less than $100,000 in 2007 dollars. By contrast, the Iraq war is costing upward of $400,000 per troop.

Most Americans have yet to feel these costs. The price in blood has been paid by our voluntary military and by hired contractors. The price in treasure has, in a sense, been financed entirely by borrowing. Taxes have not been raised to pay for it—in fact, taxes on the rich have actually fallen. Deficit spending gives the illusion that the laws of economics can be repealed, that we can have both guns and butter. But of course the laws are not repealed. The costs of the war are real even if they have been deferred, possibly to another generation.

Background

American voters must choose: more benefits or more defence; $3 trillion budget leaves little for Bush to bank on; MoD forced to cut budget by £1.5bn; they're running our tanks on empty.

On the eve of war, there were discussions of the likely costs. Larry Lindsey, President Bush's economic adviser and head of the National Economic Council, suggested that they might reach $200 billion. But this estimate was dismissed as ''baloney'' by the Defence Secretary, Donald Rumsfeld. His deputy, Paul Wolfowitz, suggested that post-war reconstruction could pay for itself

through increased oil revenues. Mitch Daniels, the Office of Management and Budget director, and Secretary Rumsfeld estimated the costs in the range of $50 to $60 billion, a portion of which they believed would be financed by other countries. (Adjusting for inflation, in 2007 dollars, they were projecting costs of between $57 and $69 billion.) The tone of the entire administration was cavalier, as if the sums involved were minimal.

Even Lindsey, after noting that the war could cost $200 billion, went on to say: ''The successful prosecution of the war would be good for the economy.'' In retrospect, Lindsey grossly underestimated both the costs of the war itself and the costs to the economy. Assuming that Congress approves the rest of the $200 billion war supplemental requested for fiscal year 2008, as this book goes to press Congress will have appropriated a total of over $845 billion for military operations, reconstruction, embassy costs, enhanced security at US bases, and foreign aid programmes in Iraq and Afghanistan.

As the fifth year of the war draws to a close, operating costs (spending on the war itself, what you might call ''running expenses'') for 2008 are projected to exceed $12.5 billion a month for Iraq alone, up from $4.4 billion in 2003, and with Afghanistan the total is $16 billion a month. Sixteen billion dollars is equal to the annual budget of the United Nations, or of all but 13 of the US states. Even so, it does not include the $500 billion we already spend per year on the regular expenses of the Defence Department. Nor does it include other hidden expenditures, such as intelligence gathering, or funds mixed in with the budgets of other departments.

Because there are so many costs that the Administration does not count, the total cost of the war is higher than the official number. For example, government officials frequently talk about the lives of our soldiers as priceless. But from a cost perspective, these ''priceless'' lives show up on the Pentagon ledger simply as $500,000—the amount paid out to survivors in death benefits and life insurance. After the war began, these were increased from $12,240 to $100,000 (death benefit) and from $250,000 to $400,000 (life insurance). Even these increased amounts are a fraction of what the survivors might have received had these individuals lost their lives in a senseless automobile accident. In areas such as health and safety regulation, the US Government values a life of a young man at the peak of his future earnings capacity in excess of $7 million—far greater than the amount that the military pays in death benefits. Using this figure, the cost of the nearly 4,000 American troops killed in Iraq adds up to some $28 billion.

The costs to society are obviously far larger than the numbers that show up on the government's budget. Another example of hidden costs is the understating of U.S. military casualties. The Defense Department's casualty statistics focus on casualties that result from hostile (combat) action—as determined by the military. Yet if a soldier is injured or dies in a night-time vehicle accident, this is officially dubbed ''noncombat related''—even though it may be too unsafe for soldiers to travel during daytime.

In fact, the Pentagon keeps two sets of books. The first is the official casualty list posted on the DOD Web site. The second, hard-to-find, set of data is available only on a different website and can be obtained under the Freedom of Information Act. This data shows that the total number of soldiers who have been wounded, injured, or suffered from disease is double the number wounded in combat. Some will argue that a percentage of these noncombat injuries might have happened even if the soldiers were not in Iraq. Our new research shows that the majority of these injuries and illnesses can be tied directly to service in the war.

From the unhealthy brew of emergency funding, multiple sets of books, and chronic underestimates of the resources required to prosecute the war, we have attempted to identify how much we have been spending—and how much we will, in the end, likely have to spend. The figure we arrive at is more than $3 trillion. Our calculations are based on conservative assumptions. They are conceptually simple, even if occasionally technically complicated. A $3 trillion figure for the total cost strikes us as judicious, and probably errs on the low side. Needless to say, this number represents the cost only to the United States. It does not reflect the enormous cost to the rest of the world, or to Iraq.

From the beginning, the United Kingdom has played a pivotal role—strategic, military, and political—in the Iraq conflict. Militarily, the UK contributed 46,000 troops, 10 per cent of the total. Unsurprisingly, then, the British experience in Iraq has paralleled that of America: rising casualties, increasing operating costs, poor transparency over where the money is going, overstretched military resources, and scandals over the squalid conditions and inadequate medical care for some severely wounded veterans.

Before the war, Gordon Brown set aside £ 1 billion for war spending. As of late 2007, the UK had spent an estimated £ 7 billion in direct operating expenditures in Iraq and Afghanistan (76 per cent of it in Iraq). This includes money from a supplemental ''special reserve'', plus additional spending from the Ministry of Defense.

The special reserve comes on top of the UK's regular defense budget. The British system is particularly opaque: funds from the special reserve are ''drawn down'' by the Ministry of Defense when required, without specific approval by Parliament. As a result, British citizens have little clarity about how much is actually being spent.

In addition, the social costs in the UK are similar to those in the U.S.—families who leave jobs to care for wounded soldiers, and diminished quality of life for those thousands left with disabilities.

By the same token, there are macroeconomic costs to the UK as there have been to America, though the long-term costs may be less, for two reasons. First, Britain did not have the same policy of fiscal profligacy; and second, until 2005, the United Kingdom was a net oil exporter.

We have assumed that British forces in Iraq are reduced to 2,500 this year and remain at that level until 2010. We expect that British forces in Afghanistan will increase slightly, from 7,000 to 8,000 in 2008, and remain stable for three years. The House of Commons Defense Committee has recently found that despite the cut in troop levels, Iraq war costs will increase by 2 per cent this year and personnel costs will decrease by only 5 per cent. Meanwhile, the cost of military operations in Afghanistan is due to rise by 39 per cent. The estimates in our model may be significantly too low if these patterns continue.

Based on assumptions set out in our book, the budgetary cost to the UK of the wars in Iraq and Afghanistan through 2010 will total more than £ 18 billion. If we include the social costs, the total impact on the UK will exceed £ 20 billion.

I yield 2 minutes to the gentleman from Massachusetts, Mr. BARNEY FRANK.

Mr. FRANK of Massachusetts. Mr. Speaker, first, any suggestion that this is any way disrespectful of the sacrifice of our troops is nonsense. Saying that we do not want brave Americans to continue in a very difficult situation in which they are at a great disadvantage and that in fact we would like to bring them home is no criticism of them at all, and nothing undermines their ability to be there. There is a policy decision as to whether they should be there.

Now my friend from Washington and my friend from California have said, well, this isn't the right forum parliamentarily, and my friend from Washington said, yes, we should have a change in strategy but not this way. But this is all we've got.

Right now, the Members have a choice, and that's the way this place is now being run: Either you vote for this resolution or you vote it down and you give an implicit and, in some cases, explicit approval to the administration to stay there indefinitely. General Petraeus said the other day he sees us jointly there with the Afghans well after 2014.

Now, yes, there is some gain we could get in deterring terrorism there, although the notion that if we stop terrorism in Afghanistan, that's going to be the end of it when there are unfortunately other places in the world—Somalia, Sudan, Yemen, elsewhere. We can't plug every hole in the world. And in fact this is an effort that, having been tried for 10 years, has not, unfortunately, looked to me like it's going to succeed.

We're told, well, but this was important because we deterred an attack on Europe. But where are the Europeans? The thing that most astounded me today was when my friend from Ohio (Mr. CHABOT) said, well, what about our 47 coalition partners? What about them? They're sitting this one out. They're pulling out. This is a virtually unilateral American action with a couple of flags that we fly for a few other countries. Some of them did have people there and they've suffered casualties, but they're all withdrawing, leaving us alone.

And then let's talk about the cost of this war. The gentleman from Ohio said it's not a fiscal issue. Of course it is. This war costs us well over $100 billion a year. You will see Americans die from a lack of police and fire and public safety here if you continue to fund this futile war.

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

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

I am grateful that we are having this debate from both sides, those that want to stay there for another 4 or 5 years versus those of us who would like to bring our troops home. I want to put a face on this debate if I may, Mr. Speaker.

This young man's name is Tyler Jordan from Cincinnati, Ohio. He is attending his father's funeral. He was a gunnery sergeant, Phillip Jordan, who was killed for this country. The 6-year-

old little boy, you can't see his eyes, but they hurt. They're pained.

How many more Tyler Jordans are going to be waiting for their daddy or mom to come home to be buried if we stay there 4, 5, 6, or 7 more years? And that is what has been indicated by the leadership of the military and this administration.

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How many more moms and dads and wives and husbands are going to be at Dover Air Force Base to receive the remains of their loved ones? That is why this debate is so important, and why we need to have a date and a time to start bringing them home.

My last poster: this absolutely handsome couple. The marine went out with PTSD. His beautiful wife, Katie, and his little boy. Last year at Camp Lejeune, McHugh Boulevard, he pulls his car over in the middle of the day, and he shoots himself in the head and kills himself.

How many more Tom Bagosys will commit suicide? How many Tyler Jordans will not have their daddies coming home? How many moms and dads, wives and husbands will be at Dover to see those in a flag-draped coffin?

I yield 3 minutes to the gentleman from Utah (Mr. CHAFFETZ).

Mr. CHAFFETZ. Mr. Speaker, I am going to be voting in favor of this resolution.

The United States military is the greatest fighting force on the face of the planet. I could not be more proud of our troops who have served our country with such valor and such vigor.

This is the longest war in the history of the United States of America. And let there be no mistake, the global war on terror is real. It is very real.

I reject the notion that polls should matter in any way, shape, or form in this debate. That is not how the United States operates. This is not how we decide whether or not we go to war or we bring our troops home.

I reject the notion that bringing our troops home at some point, which I consider to be victory, is somehow a pathway or paving a pathway to another 9/11. I think that is offensive, and I think it is inaccurate.

Now, in many ways we have had success over the course of the years. Let's understand that according to the National Intelligence Estimate, which has been printed in many newspapers, that the Taliban poses no clear and present danger to the current Afghan Government, nor do they pose a danger to the United States of America. Further, we have had our CIA Director state that there are less than 50 al-Qaeda in the entire boundaries of Afghanistan.

I believe it should be the policy of the United States of America that if we send our troops to war, we go with everything we have. We do not hold back. A politically correct war is a lost war, and at the present time we are playing politics. We aren't going with everything we have. If we are serious about doing it, Mr. President, you go with everything. And until this President attends more funerals than he does rounds of golf, this person will be highly offended.

We have to define the mission. The President of the United States has failed to define success in Afghanistan. We are participating in the business of nation building, and I reject that. We are propping up a government that is fundamentally corrupt, and we all know it. It will not get us to where we want to go.

We must redefine the rules of engagement. Even when I was in Afghanistan visiting with General Petraeus, he admitted that we are using smaller caliber rounds. Again, we are trying to be more politically correct instead of actually protecting American lives.

Let me also say again that terrorism is a global threat. We must use our forces around the world when there is a direct threat on the United States of America. That is not confined to just the boundaries of Afghanistan. It is happening globally, and it is real. We have to deal with the threats in Iran and not take our eye off the ball.

Finally, I would say that our national debt is a clear and present danger to the United States of America, and we must pay attention to that.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair notes a disturbance in the gallery in contravention of the law and rules of the House. The Sergeant-at-Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The gentleman may continue.

Mr. CHAFFETZ. Mr. Speaker, before I continue, may I inquire as to how much time I have left?

The SPEAKER pro tempore. The gentleman has 15 seconds remaining.

Mr. CHAFFETZ. May I ask the gentleman to yield me an additional 15 seconds?

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

Mr. CHAFFETZ. Aaron Nemelka, Carlos Aragon, Nigel Olsen, Matthew Wagstaff: Since I have been in office, these are the gentleman who have lost their lives in Afghanistan. I honor them. I thank them. And as I have talked to each of their parents, they want those rules of engagement changed, and they want to end this war in Afghanistan, with victory. With victory.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), the chairman of the Armed Services Subcommittee on Emerging Threats and Capabilities.

Mr. THORNBERRY. I thank the gentlelady for yielding.

Mr. Speaker, this week General Petraeus testified before Congress, and the essence of his testimony was that we are just now getting the necessary assets in place to make a difference in Afghanistan; that our troops and coalition partners are making a significant difference; that the progress is fragile and reversible; but that it is essential that we keep it up because vital national interests are at stake.

I fear that as time has passed over the last 10 years and so many other events come and go in our Nation's life, that it is all too easy to forget that this country was attacked on 9/11 and that 3,000 Americans lost their lives. And we could come to the floor and hold up their pictures and the pictures of their children, of those who were killed on that day by terrorists, the attacks that were launched from Afghanistan, that were planned in Afghanistan and directed from Afghanistan.

This Congress at the time voted virtually unanimously that we would take military action to go make sure that Afghanistan would no longer be used as a launching pad for attacks against us and that from Afghanistan, people would no longer come here to kill Americans. That is the reason we are still there today, and that is the purpose of our military actions there today.

It is true that we may have a hard time plugging all the holes that could develop somewhere in the world where terrorist groups could squirt out to, but it is also true, in my view, that if we don't plug this hole, if we don't fulfill the mission that we have set out to fulfill in Afghanistan, we are going to have more holes all over the world developing, because people will know that we are not serious about doing what we say, and our security will be severely affected if that happens.

There have clearly been ups and downs in our military efforts there, just as there were in Iraq. But I believe that from General Petraeus on down, we have our best. They deserve our support to fulfill the mission the country has given them.

Mr. KUCINICH. Mr. Speaker, I include for the RECORD a report from the Afghanistan Study Group that says that the current U.S. military effort is helping to fuel the very insurgency we are attempting to defeat.

SUMMARY

At nine years and counting, the U.S. war in Afghanistan is the longest in our history, surpassing even the Vietnam War, and it will shortly surpass the Soviet Union's own extended military campaign there. With the surge, it will cost the U.S. taxpayers nearly $100 billion per year, a sum roughly seven times larger than Afghanistan's annual gross national product (GNP) of $14 billion and greater than the total annual cost of the new U.S. health insurance program. Thousands of American and allied personnel have been killed or gravely wounded.

The U.S. interests at stake in Afghanistan do not warrant this level of sacrifice. President Obama justified expanding our commitment by saying the goal was eradicating Al Qaeda. Yet Al Qaeda is no longer a significant presence in Afghanistan, and there are only some 400 hard-core Al Qaeda members remaining in the entire Af/Pak theater, most of them hiding in Pakistan's northwest provinces.

America's armed forces have fought bravely and well, and their dedication is unquestioned. But we should not ask them to make sacrifices unnecessary to our core national interests, particularly when doing so threatens long-term needs and priorities both at home and abroad.

Instead of toppling terrorists, America's Afghan war has become an ambitious and fruitless effort at ''nation-building.'' We are mired in a civil war in Afghanistan and are struggling to establish an effective central government in a country that has long been fragmented and decentralized.

No matter how desirable this objective might be in the abstract, it is not essential to U.S. security and it is not a goal for which the U.S. military is well suited. There is no clear definition of what would comprise ''success'' in this endeavor. Creating a unified Afghan state would require committing many more American lives and hundreds of billions of additional U.S. dollars for many years to come.

As the WikiLeaks war diary comprised of more than 91,000 secret reports on the Afghanistan War makes clear, any sense of American and allied progress in the conflict has been undermined by revelations that many more civilian deaths have occurred than have been officially acknowledged as the result of U.S. and allied strike accidents. The Pakistan Inter-Services Intelligence continued to provide logistics and financial support to the Afghan Taliban even as U.S. soldiers were fighting these units. It is clear that Karzai government affiliates and appointees in rural Afghanistan have often proven to be more corrupt and ruthless than the Taliban.

Prospects for success are dim. As former Secretary of State Henry Kissinger recently warned, ''Afghanistan has never been pacified by foreign forces.'' The 2010 spring offensive in Marjah was inconclusive, and a supposedly ''decisive'' summer offensive in Kandahar has been delayed and the expectations downgraded. U.S. and allied casualties reached an all-time high in July, and several NATO allies have announced plans to withdraw their own forces.

The conflict in Afghanistan is commonly perceived as a struggle between the Karzai government and an insurgent Taliban movement, allied with international terrorists, that is seeking to overthrow that government. In fact, the conflict is a civil war about power-sharing with lines of contention that are 1) partly ethnic, chiefly, but not exclusively, between Pashtuns who dominate the south and other ethnicities such as Tajiks and Uzbeks who are more prevalent in the north, 2) partly rural vs. urban, particularly within the Pashtun community, and 3) partly sectarian.

The Afghanistan conflict also includes the influence of surrounding nations with a desire to advance their own interests—including India, Pakistan, Iran, Saudi Arabia and others. And with the U.S. intervention in force, the conflict includes resistance to what is seen as foreign military occupation.

Resolving the conflict in Afghanistan has primarily to do with resolving the distribution of power among these factions and between the central government and the provinces, and with appropriately decentralizing authority.

Negotiated resolution of these conflicts will reduce the influence of extremists more readily than military action will. The Taliban itself is not a unified movement but instead a label that is applied to many armed groups and individuals that are only loosely aligned and do not necessarily have a fondness for the fundamentalist ideology of the most prominent Taliban leaders.

The Study Group believes the war in Afghanistan has reached a critical crossroads. Our current path promises to have limited impact on the civil war while taking more American lives and contributing to skyrocketing taxpayer debt. We conclude that a fundamentally new direction is needed, one that recognizes the United States' legitimate interests in Central Asia and is fashioned to advance them. Far from admitting ''defeat,'' the new way forward acknowledges the manifold limitations of a military solution in a region where our interests lie in political stability. Our recommended policy shifts our resources to focus on U.S. foreign policy strengths in concert with the international community to promote reconciliation among the warring parties, advance economic development, and encourage region-wide diplomatic engagement.

We base these conclusions on the following key points raised in the Study Group's research and discussions:

The United States has only two vital interests in the Af/Pak region: 1) preventing Afghanistan from being a ''safe haven'' from which Al Qaeda or other extremists can organize more effective attacks on the U.S. homeland; and 2) ensuring that Pakistan's nuclear arsenal does not fall into hostile hands.

Protecting our interests does not require a U.S. military victory over the Taliban. A Taliban takeover is unlikely even if the United States reduces its military commitment. The Taliban is a rural insurgency rooted primarily in Afghanistan's Pashtun population, and succeeded due in some part to the disenfranchisement of rural Pashtuns. The Taliban's seizure of power in the 1990s was due to an unusual set of circumstances that no longer exist and are unlikely to be repeated.

There is no significant Al Qaeda presence in Afghanistan today, and the risk of a new ''safe haven'' there under more ''friendly'' Taliban rule is overstated. Should an Al Qaeda cell regroup in Afghanistan, the U.S. would have residual military capability in the region sufficient to track and destroy it.

Al Qaeda sympathizers are now present in many locations globally, and defeating the Taliban will have little effect on Al Qaeda's global reach. The ongoing threat from Al Qaeda is better met via specific counter-terrorism measures, a reduced U.S. military ''footprint'' in the Islamic world, and diplomatic efforts to improve America's overall image and undermine international support for militant extremism.

Given our present economic circumstances, reducing the staggering costs of the Afghan war is an urgent priority. Maintaining the long-term health of the U.S. economy is just as important to American strength and security as protecting U.S. soil from enemy (including terrorist) attacks.

The continuation of an ambitious U.S. military campaign in Afghanistan will likely work against U.S. interests. A large U.S. presence fosters local (especially Pashtun) resentment and aids Taliban recruiting. It also fosters dependence on the part of our Afghan partners and encourages closer cooperation among a disparate array of extremist groups in Afghanistan and Pakistan alike.

Past efforts to centralize power in Afghanistan have provoked the same sort of local resistance that is convulsing Afghanistan today. There is ample evidence that this effort will join others in a long line of failed incursions.

Although the United States should support democratic rule, human rights and economic development, its capacity to mold other societies is inherently limited. The costs of trying should be weighed against our need to counter global terrorist threats directly, reduce America's $1.4 trillion budget deficit, repair eroding U.S. infrastructure, and other critical national purposes. Our support of these issues will be better achieved as part of a coordinated international group with which expenses and burdens can be shared.

The bottom line is clear: Our vital interests in Afghanistan are limited and military victory is not the key to achieving them.

On the contrary, waging a lengthy counterinsurgency war in Afghanistan may well do more to aid Taliban recruiting than to dismantle the group, help spread conflict further into Pakistan, unify radical groups that might otherwise be quarreling amongst themselves, threaten the long-term health of the U.S. economy, and prevent the U.S. government from turning its full attention to other pressing problems.

The more promising path for the U.S. in the Af/Pak region would reverse the recent escalation and move away from a counterinsurgency effort that is neither necessary nor likely to succeed. Instead, the U.S. should:

1. Emphasize power-sharing and political inclusion. The U.S. should fast-track a peace process designed to decentralize power within Afghanistan and encourage a power-sharing balance among the principal parties.

2. Downsize and eventually end military operations in southern Afghanistan, and reduce the U.S. military footprint. The U.S. should draw down its military presence, which radicalizes many Pashtuns and is an important aid to Taliban recruitment.

3. Focus security efforts on Al Qaeda and Domestic Security. Special forces, intelligence assets, and other U.S. capabilities should continue to seek out and target known Al Qaeda cells in the region. They can be ready to go after Al Qaeda should they attempt to relocate elsewhere or build new training facilities. In addition, part of the savings from our drawdown should be reallocated to bolster U.S. domestic security efforts and to track nuclear weapons globally.

4. Encourage economic development. Because destitute states can become incubators for terrorism, drug and human trafficking, and other illicit activities, efforts at reconciliation should be paired with an internationally-led effort to develop Afghanistan's economy.

5. Engage regional and global stakeholders in a diplomatic effort designed to guarantee Afghan neutrality and foster regional stability. Despite their considerable differences, neighboring states such as India, Pakistan, China, Iran and Saudi Arabia share a common interest in preventing Afghanistan from being dominated by any single power or being a permanently failed state that exports instability to others.

We believe this strategy will best serve the interests of women in Afghanistan as well. The worst thing for women is for Afghanistan to remain paralyzed in a civil war in which there evolves no organically rooted support for their social advancement.

The remainder of this report elaborates the logic behind these recommendations. It begins by summarizing U.S. vital interests, including our limited interests in Afghanistan itself and in the region more broadly. It then considers why the current strategy is failing and why the situation is unlikely to improve even under a new commander. The final section outlines ''A New Way Forward'' and explains how a radically different approach can achieve core U.S. goals at an acceptable cost.

AMERICA'S INTERESTS

The central goal of U.S. foreign and defense policy is to ensure the safety and prosperity of the American people. In practical terms, this means deterring or thwarting direct attacks on the U.S. homeland, while at the same time maintaining the long-term

health of the U.S. economy. A sound economy is the foundation of all national power, and it is critical to our ability to shape the global order and preserve our core values and independence over the long-term. The United States must therefore avoid an open-ended commitment in Afghanistan, especially when the costs of military engagement exceed the likely benefits.

What Is at Stake in Afghanistan?

The United States has only two vital strategic interests in Afghanistan. Its first strategic interest is to reduce the threat of successful terrorist attacks against the United States. In operational terms, the goal is to prevent Afghanistan from again becoming a ''safe haven'' that could significantly enhance Al Qaeda's ability to organize and conduct attacks on the United States.

The United States drove Al Qaeda out of Afghanistan in 2002, and Al Qaeda's presence in Afghanistan is now negligible. Al Qaeda's remaining founders are believed to be in hiding in northwest Pakistan, though affiliated cells are now active in Somalia, Yemen, and several other countries. These developments suggest that even a successful counterinsurgency campaign in Afghanistan would have only a limited effect on Al Qaeda's ability to conduct terrorist attacks against the United States and its allies. To the extent that our presence facilitates jihadi recruitment and draws resources away from focused counterterror efforts, it may even be counterproductive.

The second vital U.S. interest is to keep the conflict in Afghanistan from sowing instability elsewhere in Central Asia. Such discord might one day threaten the stability of the Pakistani state and the security of Pakistan's nuclear arsenal. If the Pakistani government were to fall to radical extremists, or if terrorists were able to steal or seize either a weapon or sufficient nuclear material, then the danger of a nuclear terrorist incident would increase significantly. It is therefore important that our strategy in Afghanistan avoids making the situation in Pakistan worse.

Fortunately, the danger of a radical takeover of the Pakistani government is small. Islamist extremism in Pakistan is concentrated within the tribal areas in its northwest frontier, and largely confined to its Pashtun minority (which comprises about 15 percent of the population). The Pakistani army is primarily Punjabi (roughly 44 percent of the population) and remains loyal. At present, therefore, this second strategic interest is not seriously threatened.

Beyond these vital strategic interests, the United States also favors democratic rule, human rights, and economic development. These goals are consistent with traditional U.S. values and reflect a longstanding belief that democracy and the rule of law are preferable to authoritarianism. The U.S. believes that stable and prosperous democracies are less likely to threaten their neighbors or to challenge core U.S. interests. Helping the Afghan people rebuild after decades of war is also appealing on purely moral grounds.

Yet these latter goals, however worthy in themselves, do not justify a costly and open-ended commitment to war in Afghanistan. Afghanistan remains one of the poorest countries in the world and is of little intrinsic strategic value to the United States. (Recent reports of sizeable mineral resources do not alter this basic reality.) Afghan society is divided into several distinct ethnic groups with a long history of conflict, it lacks strong democratic traditions, and there is a deeply rooted suspicion of foreign interference.

It follows that a strategy for Afghanistan must rest on a clear-eyed assessment of U.S. interests and a realistic appraisal of what outside help can and cannot accomplish. It must also take care to ensure that specific policy actions do not undermine the vital interests identified above. The current U.S. strategy has lost sight of these considerations, which is why our war effort there is faltering.

Mr. Speaker, I include for the RECORD an article by Amanda Terkel of the Huffington Post that says that military commanders expect the United States to have a significant presence in Afghanistan for another 8 to 10 years, this according to a Member of Congress who was there.

[From huffingtonpost.com, Mar. 10, 2011]

COMMANDERS EXPECT A 'SIGNIFICANT' U.S. PRESENCE IN AFGHANISTAN FOR 8 TO 10 MORE YEARS: DEM REP

(By Amanda Terkel)

WASHINGTON.—Military commanders expect the United States to have a ''significant presence'' in Afghanistan for another eight to 10 years, according to a member of Congress who just returned from a trip to the region and has introduced legislation calling for a full accounting of the costs of the war.

Rep. Bruce Braley (D–Iowa) spent his congressional four-day weekend on a fact-finding trip to Afghanistan, meeting with Gen. David Petraeus, Amb. Karl Eikenberry and members of the Iowa National Guard. In an interview with The Huffington Post on Wednesday, Braley said that while there has clearly been some significant progress, challenges will remain even after 2014, when combat operations are supposed to end.

''It was very clear that under the best-case scenario, there will be some significant U.S. presence, according to them, for the next eight to 10 years,'' Braley said, adding that he expected that presence to include both military and civilian personnel. ''That includes a very clear commitment that the drawdown will begin on schedule in July, and that the targeted date of being out with most combat forces by 2014 will be met. They continue to maintain that they are on pace to maintain those objectives.''

The key transition benchmark, Braley said, will be the readiness of local law enforcement to assume principal responsibility of what are now largely U.S. security operations. ''I think that the whole point is to transition the burden of maintaining security to the Afghan army and Afghan police, but there would be an obviously advisory role, they anticipate, for the U.S. military for the foreseeable future,'' he said. ''The big question right now is when they start drawing down in July, where they're going to do that and the size of the redeployment.''

Pentagon spokespersons told The Huffington Post that the Defense Department is not ready to discuss specific timelines at this point, and so far, no U.S. military or NATO official has publicly cited the time frame mentioned by Braley.

On Monday, Defense Secretary Robert Gates, who was also in Afghanistan to meet with Afghan President Hamid Karzai, said that both countries agree U.S. involvement should continue beyond 2014, although he didn't specify at what levels or for how long.

''I would say that if the Afghan people and the Afghan government are interested in an ongoing security relationship and some sort of an ongoing security presence—with the permission of the Afghan government—the United States, I think, is open to the possibility of having some presence here in terms of training and assistance, perhaps making use of facilities made available to us by the Afghan government for those purposes,'' said Gates. ''We have no interest in permanent bases, but if the Afghans want us here, we are certainly prepared to contemplate that,''

While in Afghanistan, Gates also said that there were unlikely to be U.S. withdrawals in July from the hard-fought areas of the south—Helmand and Kandahar provinces. But he added, ''While no decisions on numbers have been made, in my view, we will be well-positioned to begin drawing down some U.S. and coalition forces this July, even as we redeploy others to different areas of the country.''

Braley said that one of the most profound comments made by Petraeus during their meeting was that there wasn't the ''right combination at play'' in Afghanistan until the fall of last year, which accounts for the slow pace of progress. Incidentally, Petraeus took command in Afghanistan from ousted Gen. Stanley McChrystal in June.

''One of the significant challenges that you face is dealing with a sovereign state that was sovereign in name only, which was a comment that Ambassador Eikenberry made,'' said Braley. ''You've got a country with a high illiteracy rate, so that when Afghan army and police are trained, they are also being taught to read and basic math skills. It's a very long-term project to get Afghanistan to the point where it can sustain itself economically. That doesn't even take into account the activities that are going on in Pakistan, which have enormous implications in Afghanistan.''

On Wednesday, Braley, a member of the House Committee on Veterans. Affairs, introduced the True Cost of War Act, which would require the president and pertinent cabinet members to submit a written report to Congress on the long-term human and financial costs of the war in Iraq and Afghanistan through 2020.

Braley said this legislation has been a priority of his since he came to Congress in 2006, in large part because of the toll the Iraq war was taking on the country.

''The whole point of my legislation is that the American people—especially at a time when Republicans have been pushing all these budget cuts—are entitled to know what the true costs are, because the young men and women coming back with these injuries certainly have a clear understanding of what they are,'' he said.

Braley added that on his trip, he brought up this issue at nearly every single briefing he attended, recounting the experiences he had just before his trip visiting wounded soldiers and their families who had been treated at the National Naval Medical Center in Bethesda, Md. and the Walter Reed Army Medical Center in D.C.

''I wanted them to realize that in a single congressional district in Iowa, the implications of this war were enormous,'' said Braley. ''I have to tell you that I was very impressed by how moved the people I shared those experiences with were. They tend to get caught up in talking policies, numbers and long-term objectives, and I think they appreciated the fact that I brought it down to a very real, human level.''

On Monday, Rasmussen released a poll finding that for the first time, a majority of Americans want U.S. troops withdrawn from Afghanistan within one year.

I include for the RECORD a statement relating to a challenging of the claims of progress in Afghanistan that I issued 2 days ago.

DEAR COLLEAGUE: Today, many of us are hearing from General Petraeus that ''significant'' progress is being made in Afghanistan. We have heard it before. Military and civilian leaders have, for years, told lawmakers and the public that they were making ''progress'' in Afghanistan. For instance:

In a speech to a joint session of Congress in 2004, President Karzai said, ''You [Americans] came to Afghanistan to defeat terrorism, and we Afghans welcomed and embraced you for the liberation of our country. . . . This road, this journey is one of success and victory.''

In a joint press conference with President Karzai after that speech, President Bush said, ''Today we witness the rebirth of a vibrant Afghan culture. Music fills the marketplaces and people are free to come together to celebrate in open. . . . Years of war and tyranny have eroded Afghanistan's economy and infrastructure, yet a revival is under way.''

At another joint press conference with President Karzai in March of 2006, President Bush said, ''We are impressed by the progress that your country is making, Mr. President [Karzai], a lot of it has to do with your leadership.''

In February of 2007, Lt. Gen. Karl Eikenberry told National Public Radio that Afghanistan was ''on the steady path, right now . . . to, I believe, success.''

In April 2008, President Bush told news reporters, ''I think we're making good progress in Afghanistan.''

October 2008, General McKiernan, Commander of NATO forces in Afghanistan, told the press ''We are not losing in Afghanistan.'' In May 2009, he was replaced by General McChrystal.

October 2008, President Bush said Afghanistan is ''a situation where there's been progress and there are difficulties.''

November 2009, President Obama, visiting troops in Afghanistan, reportedly said, ''Because of the progress we're making, we look forward to a new phase next year, the beginning of the transition to Afghan responsibility.''

December 2009, General Stanley McChrystal, the top commander, predicted that the U.S. troop buildup in Afghanistan will make ''significant progress'' in turning back the Taliban and securing the country by the coming summer. ''By next summer I expect there to be significant progress that is evident to us,'' McChrystal said in congressional testimony.

In January 2010, General McChrystal was asked by Diane Sawyer, ''Have you turned the tide?'' McChrystal answered, ''I believe we are doing that now.''

In May 2010, General McChrystal told Congress that he saw ''progress'' in Afghanistan.

In May 2010, President Obama told the press that ''we've begun to reverse the momentum'' in Afghanistan.

In June 2010, Secretary Gates told a Congressional committee that we are ''making headway'' in Afghanistan. In June 2010, General McChrystal was replaced by General Petraeus.

In August 2010, General Petraeus said, ''there's progress being made'' in Afghanistan.

In February 2011, General Petraeus said, ''We have achieved what we set out to achieve in 2010'' which was to reverse the insurgency momentum, solidify our accomplishments, and build on successes. ''We took away safe havens and the infrastructure that goes with it.''

The President has requested another $113.4 billion to continue the war in Afghanistan in FY12. That sum will be on top of $454.7 billion already spent (and borrowed) on the war to date. On Thursday, March 17, 2011, Congress will have the opportunity to consider whether all of this ''progress'' has been worth the money. It is time for Congress to exercise fiscal responsibility and to assume its Constitutional responsibilities and end the war in Afghanistan. Vote YES on H. Con. Res. 28 and direct the President to end this war by the end of the year.

Sincerely,

DENNIS J. KUCINICH,
Member of Congress.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I have a senior member of the Judiciary Committee on the floor with me, the gentleman from California (Mr. BERMAN). I don't see any other members here. But this is an important matter for the Judiciary Committee in that article I, section 8, says only Congress has the right to declare war.

Obviously, we haven't declared war in a very, very long time, so I think that we have to find out what is the constitutional basis that we are operating under in—well, I will skip Iraq. We all know that was based on false information promulgated from the President of the United States.

□ 1150

But, now, getting to Afghanistan, we find that we have a resolution dating back to September 14, 2011, a use of force resolution. But that has expired, by any rational investigation of it. It was designed to respond to the 9/11 terrorist attack and to fight al Qaeda. But today we're in Afghanistan on a long-term effort at rebuilding the nation. Nation building is unrelated to that original resolution. And now we're in Afghanistan and an unlawful incursion into Pakistan.

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

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

Mr. CONYERS. So now we're in Pakistan and the CIA is operating covert combat activities there, and those are unlawful. We're violating the UN Charter, which we are supposed to be a leader in. And so the Obama administration is carrying on the same military operations of its predecessor.

Mr. BERMAN. May I inquire how much time is remaining on the time allotted to me?

The SPEAKER pro tempore. The gentleman from California has 22 minutes remaining.

Mr. BERMAN. Mr. Speaker, I would like to ask unanimous consent that 8 of those 22 minutes be yielded to the gentleman from Indiana (Mr. BURTON), who is now controlling the time for the majority on the committee.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Indiana (Mr. BURTON) will control 8 minutes.

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

I just want to take a couple of minutes to talk about one point. That part of the majority party that is urging the same position I am on this resolution, which is a ''no'' vote, has made the argument a number of times that when you're dealing with fundamental issues of national security, you spend money, even under difficult times, a point that I have no disagreement with. And they argue the issue of what the alternatives will be and the potential for providing new safe havens for terrorists or more safe havens for terrorists or a return of Afghanistan as a safe haven for terrorists if we pass this resolution, and I don't disagree with that point.

What I find upsetting about the majority's position is their denial of the fundamental point. They quote General Petraeus for every position that they find philosophically and factually satisfying and ignore General Petraeus and Secretary Gates on the fundamental concept of how we hope to change the course of what is happening in Afghanistan. Because if we don't change it, then we have to come and address the fundamental question of what we're doing there through a counterinsurgency strategy.

So we talk about clear and hold and build. And it is the military's job to clear and, for a time, to hold, but build is fundamentally a civilian program. General Petraeus over and over again has said this conflict in Afghanistan cannot be won unless we strengthen the governance of a very flawed government in Afghanistan, unless we provide economic opportunities for that society to progress and win the hearts and minds of the people of Afghanistan to the cause for which we are fighting.

It's also a view of Afghanistan as if it's isolated from the rest of the world. I can go through countries around the world—failed states, nearly failing states, terrible problems—which are certainly becoming safe harbors for terrorism.

So when the same party that makes a strong case for our national security interests here at the same time passes legislation which slashes every aspect of efforts to strengthen governance and development assistance and to provide the kinds of opportunities that serve our national security interests, I find it a strange kind of logic and a flaw in their approach to this.

I understand the economic hardships we have. If one wanted to look at the foreign assistance budget and take specific things that aren't working and get rid of them, I understand that, and if one wanted to make proportional cuts in the foreign assistance budget. But to come with the argument of, ''We're broke; we've got to cut spending,'' and then disproportionately focus on that aspect of our national security strategy which will do a tremendous amount and will be fundamental to any effort to stop them from being safe harbors for terrorism, and that is to massively slash disproportionately foreign assistance, it's a terrible mistake. It terribly undermines the national security strategy that we're trying to achieve through our operations and our presence and the money we're spending

in Afghanistan. It's not thinking, I think, as clearly as needs to be thought. And I urge those in the majority to think again about how much the cuts that we need to make should be coming from that part of the budget that constitutes 1 percent of the Federal budget.

I reserve the balance of my time.

Mr. JONES. Mr. Speaker, the gentleman from California, I have great respect for him in many, many ways. We talk about we've got to enhance the governance of Afghanistan. Well, this is President Karzai's quote from March 12, 2001. I have read it before, but I want to submit it for the RECORD:

''I request that NATO and America should stop these operations on our soil,'' Karzai said. ''This war is not on our soil. If this war is against terror, then this war is not here. Terror is not here.''

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Arkansas (Mr. GRIFFIN), the vice chair of the Foreign Affairs Subcommittee on Europe and Eurasia, and an Iraq war veteran who continues to serve as a major in the U.S. Army Reserves.

Mr. GRIFFIN of Arkansas. I rise today in opposition to H. Con. Res. 28 because it would undermine our national security and our ability to keep us safe right here at home. I understand that many Americans are frustrated with the length of this war. I also understand the American people have demanded the U.S. Government get its fiscal house in order. I know we cannot afford to fund this war indefinitely. But some think that cutting and running immediately from Afghanistan is the solution. That's simply not an option.

This is a reckless resolution. We've made progress in Afghanistan, and we cannot afford to abandon that progress by immediately withdrawing our troops. What we must do, however, is demand that our military and civilian leaders set clear and definable goals for our military efforts in Afghanistan. We also must listen to our military commanders who are there on the ground day in and day out.

General Petraeus has testified to our military's substantial progress in impeding the Taliban's influence and increasing the number of Afghan security forces. He cautioned, however, that this recent success is fragile and reversible.

We must allow our troops to remain in Afghanistan to defeat the Taliban and al Qaeda so that we can keep Americans safe here. We must continue to train and support local security forces because this will bring about the safe and successful full transition of the country's security to the Afghan people.

□ 1200

To withdraw now, to withdraw immediately, would be to forfeit that progress and allow the Taliban and other extremists to regain their footing in Afghanistan.

We must honor the men and women of our Armed Forces, who have fought so hard. We must honor the men and women of the international armed forces, who have fought so hard. We must honor the men and women of the Afghan forces, who have fought hard to defend their own country. They have sacrificed so much, and we cannot abandon them now. Most importantly, it is not in our national interest to do so.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank Mr. BERMAN for giving us 8 minutes of his time, and I reserve the balance of my time.

Mr. KUCINICH. May I ask, Mr. Speaker, how much time each group has remaining.

The SPEAKER pro tempore. The gentlewoman from Florida controls 22 minutes; the gentleman from Ohio controls 22 minutes; the gentleman from California controls 9½ minutes; and the gentleman from North Carolina controls 16 minutes.

Mr. KUCINICH. I yield myself 1 minute.

Mr. Speaker, Members of this House are talking about cutting $100 billion from the budget. Well, we can trim the Federal budget of more than $100 billion in out-of-control spending.

Members have been very concerned about out-of-control spending. They are calling for a reduction in the Federal budget. Cutting spending on the war in Afghanistan would solve their concerns. Spending on the war is greater than the minimum amount of Federal spending certain Members believe must be cut from the budget for fiscal responsibility.

In the fiscal year 2012 budget request, the President has requested $113.4 billion to continue the war. In fact, congressional appropriations of over $100 billion for the Afghanistan war has been the rule in recent years; and as we've seen, there is talk of extending this war for another 10 years. $1 trillion, perhaps?

Spending on the Afghanistan war has increased much faster than overall government spending in recent years. Consider a comparison of the average annual rates of growth of government spending versus the Afghanistan war spending from 2008 through 2011.

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

Mr. KUCINICH. I yield myself 10 more seconds.

Overall government spending has increased 9 percent from 2008 through 2011, but Afghanistan war spending has increased 25 percent. If you want to save $100 billion, then vote for this resolution.

I yield 2 minutes to the gentleman from California (Mr. FILNER).

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

Mr. FILNER. Mr. KUCINICH, I thank you for your courage in bringing this debate to the floor. It's like the 600-pound elephant in the Nation. This war has gone on and on—and we never discuss it.

I want to applaud the courage of Mr. JONES from North Carolina. He has taken more than a lot of grief from his own party, and he has stood up to that with courage that is admirable.

I want to look at this debate, my colleagues, from the point of view of former chairman of the Veterans' Affairs Committee, a position in which I was honored to serve.

Mr. KUCINICH, I think you underestimate the cost of this war. I've never seen you so conservative.

I had a hearing last year before the Veterans' Affairs Committee in which Nobel Prize-winning economist Joseph Stigleitz testified. He said these wars in Iraq and Afghanistan will be $5 trillion to $7 trillion wars over their whole course. Let us not forget—and that's not calculated in your costs. Mr. KUCINICH—the veterans, those who have served in this war with great courage, with great professionalism. Treating these veterans costs hundreds of billions of dollars more, and we're not considering that when we talk about ending this war.

We've been told that there have been about 45,000 casualties in these two wars in the last 10 years. Then why have almost 1 million people shown up at the Veterans Administration hospitals for war-related injuries? One million. This is not a rounding error. This is a deliberate attempt to misguide us on the cost of this war. This war is costing, in addition to what the budget says, hundreds of billions more for treating our veterans. We must calculate that into the cost of this war.

When you guys say, ''deficit and debt,'' we are going to say, ''Afghanistan.''

In recent weeks, we have heard much from our Republican colleagues about out-of-control Federal spending. They want to cut $100 billion from our budget.

If my friends are serious about cutting the budget, they should vote for H. Con. Res. 28.

Since 2001, our Nation has wasted $1.121 trillion on the wars in Iraq and Afghanistan. We are spending $5.4 billion a month in Iraq and $5.7 billion a month in Afghanistan. This is a waste of our national resources and taxpayer funding!

For FY2012, the President has requested $113.4 billion to continue the war in Afghanistan.

Between 2008 through 2011, overall government spending went up 9 percent annually. But this is nothing compared to the 25 percent annual increase in spending in Afghanistan.

Furthermore, spending on the Afghanistan war is rising at an accelerating rate. Over just three years (2010, 2011, and 2012), we will spend 45 percent more on the war in Afghanistan than we did in the preceding 8 years!

There is no better example of out-of-control Federal spending.

If Congress is really serious about being fiscally responsible and about cutting the Federal budget by three figures, then cutting spending on the out-of-control, hundred billion dollar a

year war in Afghanistan must be a serious consideration.

Today, we have an opportunity to do just that! A Yes vote will cut the 2012 budget by at least $113.4 billion.

If you are serious about reducing the deficit, then vote "yes" on H. Con. Res. 28!

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

Mr. JONES. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. You're someone who says ''billions of dollars'' and ''Afghanistan'' both.

Mr. Speaker, I rise in support of the resolution and in support of our military personnel who are putting their lives in jeopardy in Afghanistan. They are doing their duty for us, for which every American should be eternally grateful. Now we must do our duty to them. If our military is engaged in a dangerous mission that we believe cannot be successful and but for face-saving we are keeping them there, we are doing a disservice to our defenders and to our Nation.

The people of Afghanistan are as courageous and independent as any on Earth. They are indomitable and unconquerable—a lesson invaders have learned the hard way for centuries. The liberation of Afghanistan from the Taliban was accomplished, not by a massive influx of American troops, but instead by fighters of the Northern Alliance militia and the air support that we provided them. It was a tremendous success.

When they were doing the fighting, it was a success. When we try to do the fighting all over the world, we lose. We cannot be a Nation that occupies the rest of the world. We cannot be a country that sends its troops all over the world to handle every problem.

After the great success of eliminating the Taliban from Afghanistan, our foreign policy bureaucracy, not our troops, set in place a government structure totally inconsistent with the village and tribal culture of the Afghan people. That information is no surprise to anybody. Most of us understand that.

They have a tribal culture there in Afghanistan and a village system. That is what works for them. Our State Department has tried to foist upon them a centralized system in which they don't even elect their provincial governors. After being liberated from the Taliban by Afghans, our troops are now there to force the Afghan people to accept an overly centralized and corrupt system which was put in place by our State Department bureaucracy.

I'm sorry, it won't work. It will not work. Any attempt to subjugate these people and to force them to acquiesce to our vision of Afghanistan will fail. We all understand that. If we are honest with ourselves, we know that that tactic won't succeed. To keep our troops over there any longer is sinful. It is a disservice to our country, and it is also sinful to those young men who are willing to give their legs and their lives for us.

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

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

Mr. ROHRABACHER. It is now up to us in Congress to stand up for those Americans in uniform who will be needlessly giving their lives to accomplish a mission that cannot be accomplished. If it can't be done, we should not be sending them over there.

The most responsible course of action is to, as quickly as possible, get our people out of this predicament, not to dig us in deeper and not to wait until this bloody quagmire kills even more Americans and we have to leave without success. If we can't win, we should pull out now.

Mr. JONES. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 3 minutes to a gentleman who knows a lot about the threats that are facing our Nation, the gentleman from Michigan (Mr. ROGERS), the chairman of the House Permanent Select Committee on Intelligence.

□ 1210

Mr. ROGERS of Michigan. Mr. Speaker, there is a lot of power and emotion in this debate today, and I'm glad for that. There should be.

I recall the first time I had the chance to get to Afghanistan in late 2003. I met a woman there who had been trained as a doctor in the United States. She went to practice medicine in her home country of Afghanistan. When the Taliban took over, they stripped her of her medical duties. They sent her home. She was imprisoned in her own home for 6 years. I met her at a children's hospital, and in the days of the first conflict, she stripped off her burka, she walked 10 miles to the town to show up to provide medical care for the first time to these children as a woman in Afghanistan. With tears in her eyes she said, Thank you. These children have no chance. Afghanistan has no future.

And we saw the soccer field where they took people down and summarily executed them for violations that they deemed to be executable offenses under no law of their own, the burned buses where the modern conveniences were burned to get them out of the system when the Taliban took over to apply sharia law. And none of that would matter from the pain and the loss if you've attended one of these fine soldier's funerals; it is an emotional thing, and there is pain, and hurt, and sorrow, and something lost in all of us.

So none of those other things would be alone a reason to send our soldiers to risk their lives in defense of this country, but because of the things I talked about, because they have imprisoned women in Afghanistan, because of the things that they've done to the people there, it created hate and ignorance and brutality, and al Qaeda saw an advantage, and they took it. They established there a safe haven where they recruited, where they financed, where they planned, where they armed themselves, where they recruited people around the world from other countries to come to train, and they sent some of them to the United States of America to slaughter 3,000 people.

And if you want to talk about money, the trillion-plus dollars that 9/11 has cost us just in economic loss, that's why we're there. We should not forget the mission today and why they risk their lives. If you want to talk about the State Department policies, I'm all in. I'd love to have that debate. If you want to talk about rules of engagement, I'm in, that's a place, let's do it, let's have that debate.

But if you want to tell the enemy today—and by the way, for the first time, we've got information that their commanders are saying we don't want to go fight. The spring offensive is being planned now, right now. Our soldiers are preparing for battle right now. This may be that last great battle in Afghanistan on behalf of our soldiers to eliminate the major components of the Taliban taking over their country.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. ROGERS of Michigan. So if that woman doctor who trained here, taking care of kids, who cried for help and support doesn't move you, and maybe it shouldn't; for the pain of that funeral, that loss, that soldier who gave it all for this country doesn't move; then what ought to move you is the fact that these folks are gearing up and hoping and praying that we give up and we pull these troops out before the mission is done.

We all want them home. We want them home with no safe haven and a way that we can continue to put pressure on al Qaeda and its supporting affiliates.

Mr. KUCINICH. I would like to include in the RECORD an article on AlterNet by Tom Engelhardt which discusses the open-ended nature of the Afghanistan war.

HOW TO SCHEDULE A WAR: THE INCREDIBLE SHRINKING WITHDRAWAL DATE

(By Tom Engelhardt)

Going, going, gone! You can almost hear the announcer's voice throbbing with excitement, only we're not talking about home runs here, but about the disappearing date on which, for the United States and its military, the Afghan War will officially end.

Practically speaking, the answer to when it will be over is: just this side of never. If you take the word of our Afghan War commander, the secretary of defense, and top officials of the Obama administration and NATO, we're not leaving any time soon. As with any clever time traveler, every date that's set always contains a verbal escape hatch into the future.

In my 1950s childhood, there was a cheesy (if thrilling) sci-fi flick, The Incredible Shrinking Man, about a fellow who passed

through a radioactive cloud in the Pacific Ocean and soon noticed that his suits were too big for him. Next thing you knew, he was living in a doll house, holding off his pet cat, and fighting an ordinary spider transformed into a monster. Finally, he disappeared entirely leaving behind only a sonorous voice to tell us that he had entered a universe where ''the unbelievably small and the unbelievably vast eventually meet, like the closing of a gigantic circle.''

In recent weeks, without a radioactive cloud in sight, the date for serious drawdowns of American troops in Afghanistan has followed a similar path toward the vanishing point and is now threatening to disappear ''over the horizon'' (a place where, we are regularly told, American troops will lurk once they have finally handed their duties over to the Afghan forces they are training).

If you remember, back in December 2009 President Obama spoke of July 2011 as a firm date to ''begin the transfer of our forces out of Afghanistan,'' the moment assumedly when the beginning of the end of the war would come into sight. In July of this year, Afghan President Hamid Karzai spoke of 2014 as the date when Afghan security forces ''will be responsible for all military and law enforcement operations throughout our country.''

Administration officials, anxious about the effect that 2011 date was having on an American public grown weary of an unpopular war and on an enemy waiting for us to depart, grabbed Karzai's date and ran with it (leaving many of his caveats about the war the Americans were fighting, particularly his desire to reduce the American presence, in the dust). Now, 2014 is hyped as the new 2011.

It has, in fact, been widely reported that Obama officials have been working in concert to ''play down'' the president's 2011 date, while refocusing attention on 2014. In recent weeks, top administration officials have been little short of voluble on the subject. Secretary of Defense Robert Gates (''We're not getting out. We're talking about probably a years-long process.''), Secretary of State Hillary Clinton, and Chairman of the Joint Chiefs Admiral Mike Mullen, attending a security conference in Australia, all ''cited 2014 . . . as the key date for handing over the defense of Afghanistan to the Afghans themselves.'' The New York Times headlined its report on the suddenly prominent change in timing this way: ''U.S. Tweaks Message on Troops in Afghanistan.''

Quite a tweak. Added Times reporter Elisabeth Bumiller: ''The message shift is effectively a victory for the military, which has long said the July 2011 deadline undermined its mission by making Afghans reluctant to work with troops perceived to be leaving shortly.''

INFLECTION POINTS AND ASPIRATIONAL GOALS

Barely had 2014 risen into the headlines, however, before that date, too, began to be chipped away. As a start, it turned out that American planners weren't talking about just any old day in 2014, but its last one. As Lieutenant General William Caldwell, head of the NATO training program for Afghan security forces, put it while holding a Q&A with a group of bloggers, ''They're talking about December 31st, 2014. It's the end of December in 2014 . . . that [Afghan] President Karzai has said they want Afghan security forces in the lead.''

Nor, officials rushed to say, was anyone talking about 2014 as a date for all American troops to head for the exits, just ''combat troops''—and maybe not even all of them. Possibly tens of thousands of trainers and other so-called non-combat forces would stay on to help with the ''transition process.'' This follows the Iraq pattern where 50,000 American troops remain after the departure of U.S. ''combat'' forces to great media fanfare. Richard Holbrooke, Obama's Special Representative for Afghanistan and Pakistan, was typical in calling for ''the substantial combat forces [to] be phased out at the end of 2014, four years from now.'' (Note the usual verbal escape hatch, in this case ''substantial,'' lurking in his statement.)

Last Saturday, behind ''closed doors'' at a NATO summit in Lisbon, Portugal, Afghan War commander General David Petraeus presented European leaders with a ''phased four-year plan'' to ''wind down American and allied fighting in Afghanistan.'' Not surprisingly, it had the end of 2014 in its sights and the president quickly confirmed that ''transition'' date, even while opening plenty of post-2014 wiggle room. By then, as he described it, ''our footprint'' would only be ''significantly reduced.'' (He also claimed that, post-2014, the U.S. would be maintaining a ''counterterrorism capability'' in Afghanistan—and Iraq—for which ''platforms to . . . execute . . . counterterrorism operations,'' assumedly bases, would be needed.)

Meanwhile, unnamed ''senior U.S. officials'' in Lisbon were clearly buttonholing reporters to ''cast doubt on whether the United States, the dominant power in the 28-nation alliance, would end its own combat mission before 2015.'' As always, the usual qualifying phrases were profusely in evidence.

Throughout these weeks, the ''tweaking''—that is, the further chipping away at 2014 as a hard and fast date for anything—only continued. Mark Sedwill, NATO's civilian counterpart to U.S. commander General David Petraeus, insisted that 2014 was nothing more than ''an inflection point'' in an ever more drawn-out drawdown process. That process, he insisted, would likely extend to ''2015 and beyond,'' which, of course, put 2016 officially into play. And keep in mind that this is only for combat troops, not those assigned to ''train and support'' or keep ''a strategic over watch'' on Afghan forces.

On the eve of NATO's Lisbon meeting, Pentagon spokesman Geoff Morrell, waxing near poetic, declared 2014 nothing more than an ''aspirational goal,'' rather than an actual deadline. As the conference began, NATO's Secretary General Anders Fogh Rasmussen insisted that the alliance would be committed in Afghanistan ''as long as it takes.'' And new British Chief of the Defense Staff General Sir David Richards suggested that, given the difficulty of ever defeating the Taliban (or al-Qaeda) militarily, NATO should be preparing plans to maintain a role for its troops for the next 30 to 40 years.

WAR EXTENDER

Here, then, is a brief history of American time in Afghanistan. After all, this isn't our first Afghan War, but our second. The first, the CIA's anti-Soviet jihad (in which the Agency funded a number of the fundamentalist extremists we're now fighting in the second), lasted a decade, from 1980 until 1989 when the Soviets withdrew in defeat.

In October 2001, in the wake of the 9/11 attacks, the Bush administration launched America's second Afghan War, taking Kabul that November as the Taliban dissolved. The power of the American military to achieve quick and total victory seemed undeniable, even after Osama bin Laden slipped out of Tora Bora that December and escaped into Pakistan's tribal borderlands.

However, it evidently never crossed the minds of President Bush's top officials to simply declare victory and get out. Instead, as the U.S. would do in Iraq after the invasion of 2003, the Pentagon started building a new infrastructure of military bases (in this case, on the ruins of the old Soviet base infrastructure). At the same time, the former Cold Warriors in Washington let their dreams about pushing the former commies of the former Soviet Union out of the former soviet socialist republics of Central Asia, places where, everyone knew, you could just about swim in black gold and run geopolitically wild.

Then, when the invasion of Iraq was launched in March 2003, Afghanistan, still a ''war'' (if barely) was forgotten, while the Taliban returned to the field, built up their strength, and launched an insurgency that has only gained momentum to this moment. In 2008, before leaving office, George W. Bush bumped his favorite general, Iraq surge commander Petraeus, upstairs to become the head of the Central Command which oversees America's war zones in the Greater Middle East, including Afghanistan.

Already the guru of counterinsurgency (known familiarly as COIN), Petraeus had, in 2006, overseen the production of the military's new war-fighting bible, a how-to manual dusted off from the Vietnam era's failed version of COIN and made new and magical again. In June 2010, eight and a half years into our Second Afghan War, at President Obama's request, Petraeus took over as Afghan War commander. It was clear then that time was short—with an administration review of Afghan war strategy coming up at year's end and results needed quickly. The American war was also in terrible shape.

In the new COIN-ish U.S. Army, however, it is a dogma of almost biblical faith that counterinsurgencies don't produce quick results; that, to be successful, they must be pursued for years on end. As Petraeus put it back in 2007 when talking about Iraq, ''[T]ypically, I think historically, counterinsurgency operations have gone at least nine or 10 years.'' Recently, in an interview with Martha Raddatz of ABC News, he made a nod toward exactly the same timeframe for Afghanistan, one accepted as bedrock knowledge in the world of the COINistas.

What this meant was that, whether as CENTCOM commander or Afghan War commander, Petraeus was looking for two potentially contradictory results at the same time. Somehow, he needed to wrest those nine to 10 years of war-fighting from a president looking for a tighter schedule and, in a war going terribly sour, he needed almost instant evidence of ''progress'' that would fit the president's coming December ''review'' of the war and might pacify unhappy publics in the U.S. and Europe.

Now let's do the math. At the moment, depending on how you care to count, we are in the 10th year of our second Afghan War or the 20th year of war interruptus. Since June 2009, Petraeus and various helpers have stretched the schedule to 2014 for (most) American combat troops and at least 2015 or 2016 for the rest. If you were to start counting from the president's December surge address, that's potentially seven more years. In other words, we're now talking about either a 15-year war or an on-and-off again quarter-century one. All evidence shows that the Pentagon's war planners would like to extend those already vague dates even further into the future.

ON TICKING CLOCKS IN WASHINGTON AND KABUL

Up to now, only one of General Petraeus's two campaigns has been under discussion here: the other one, fought out these last years not in Afghanistan, but in Washington and NATO capitals, over how to schedule a war. Think of it as the war for a free hand in determining how long the Afghan War is to be fought.

It has been run from General Petraeus's headquarters in Kabul, the giant five-sided

military headquarters on the Potomac presided over by Secretary of Defense Gates, and various think-tanks filled with America's militarized intelligentsia scattered around Washington—and it has proven a classically successful ''clear, hold, build'' counterinsurgency operation. Pacification in Washington and a number of European capitals has occurred with remarkably few casualties. (Former Afghan war commander General Stanley McChrystal, axed by the president for insubordination, has been the exception, not the rule.)

Slowly but decisively, Petraeus and company constricted President Obama's war-planning choices to two options: more and yet more. In late 2009, the president agreed to that second surge of troops (the first had been announced that March), not to speak of CIA agents, drones, private contractors, and State Department and other civilian government employees. In his December ''surge'' address at West Point (for the nation but visibly to the military), Obama had the temerity as commander-in-chief to name a specific, soon-to-arrive date—July 2011—for beginning a serious troop drawdown. It was then that the COIN campaign in Washington ramped up into high gear with the goal of driving the prospective end of the war back by years.

It took bare hours after the president's address for administration officials to begin leaking to media sources that his drawdown would be ''conditions based''—a phrase guaranteed to suck the meaning out of any deadline. (The president had indeed acknowledged in his address that his administration would take into account ''conditions on the ground.'') Soon, the Secretary of Defense and others took to the airwaves in a months-long campaign emphasizing that drawdown in Afghanistan didn't really mean drawdown, that leaving by no means meant leaving, and that the future was endlessly open to interpretation.

With the ratification in Lisbon of that 2014 date ''and beyond,'' the political clocks—an image General Petraeus loves—in Washington, European capitals, and American Kabul are now ticking more or less in unison.

Two other ''clocks'' are, however, ticking more like bombs. If counterinsurgency is a hearts and minds campaign, then the other target of General Petraeus's first COIN campaign has been the restive hearts and minds of the American and European publics. Last year a Dutch government fell over popular opposition to Afghanistan and, even as NATO met last weekend, thousands of antiwar protestors marched in London and Lisbon. Europeans generally want out and their governments know it, but (as has been true since 1945) the continent's leaders have no idea how to say ''no'' to Washington. In the U.S., too, the Afghan war grows ever more unpopular, and while it was forgotten during the election season, no politician should count on that phenomenon lasting forever.

And then, of course, there's the literal ticking bomb, the actual war in Afghanistan. In that campaign, despite a drumbeat of American/NATO publicity about ''progress,'' the news has been grim indeed. American and NATO casualties have been higher this year than at any other moment in the war; the Taliban seems if anything more entrenched in more parts of the country; the Afghan public, ever more puzzled and less happy with foreign troops and contractors traipsing across the land; and Hamid Karzai, the president of the country, sensing a situation gone truly sour, has been regularly challenging the way General Petraeus is fighting the war in his country. (The nerve!)

No less unsettling, General Petraeus himself has seemed unnerved. He was declared ''irked'' by Karzai's comments and was said to have warned Afghan officials that their president's criticism might be making his ''own position 'untenable,' '' which was taken as a resignation threat. Meanwhile, the COIN-meister was in the process of imposing a new battle plan on Afghanistan that leaves counterinsurgency (at least as usually described) in a roadside ditch. No more is the byword ''protect the people,'' or ''clear, hold, build''; now, it's smash, kill, destroy. The war commander has loosed American firepower in a major way in the Taliban strongholds of southern Afghanistan.

Early this year, then-commander McChrystal had significantly cut back on U.S. air strikes as a COIN-ish measure meant to lessen civilian casualties. No longer. In a striking reversal, air power has been called in—and in a big way. In October, U.S. planes launched missiles or bombs on 1,000 separate Afghan missions, numbers seldom seen since the 2001 invasion. The Army has similarly loosed its massively powerful High Mobility Artillery Rocket System in the area around the southern city of Kandahar. Civilian deaths are rising rapidly.

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

We keep coming back to 9/11. We're near the eighth anniversary of the invasion of Iraq, which had nothing to do with 9/11, and which was predicated on a lie, no weapons of mass destruction. The war in Afghanistan is based on a misreading of history. The Soviet Union understood that at hard cost. The occupation is fueling an insurgency.

Now, Jeremy Scahill in the Nation points out that Taliban leaders have said they've seen a swelling in Taliban ranks since 9/11 in part attributed to the widely held perception that the Karzai government is corrupt and illegitimate, and that Afghans, primarily ethnic Pashtuns, want foreign occupation forces out. They're only fighting to make foreigners leave Afghanistan. Occupation fuels insurgency. That is an ironclad fact.

I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Thank you very much.

Mr. Speaker, I rise today in strong support of this resolution, of which I'm proud to be an original cosponsor, and I'd like to thank Representative KUCINICH for his work on this resolution and also mainly for his continued and passioned defense of congressional war powers authority. Also, I, too, want to commend Congressman JONES for his leadership on this issue and so many other issues.

This resolution is simple and straightforward. It directs the President to end the near decade-long war in Afghanistan and to redeploy United States Armed Forces from Afghanistan by the end of this year. Al Qaeda is not in Afghanistan, and Osama bin Laden still has not been found. This resolution comes at a time when a growing number of Members of Congress, military and foreign policy experts, and, in particular, the American people, are calling for an immediate end to this war. Enough is enough.

Let me just say something. First of all, we've heard that polls are showing that nearly three-quarters of the American public favors action to speed up U.S. withdrawal from Afghanistan. Yes, the Congress authorized the use of force in 2001, which I voted against because it gave the President, any President, a blank check to use force, anytime, anyplace, anywhere in the world for any period of time. It was not a declaration of war, yet this has been the longest war in American history, the longest war in American history.

As the daughter of a 25-year Army officer who served in two wars, let me salute our troops, let me honor our troops and just say our servicemen and -women have performed with incredible courage and commitment in Afghanistan. But they have been put in an impossible situation. It's time to bring them home. There is no military solution in Afghanistan.

As we fight here in Congress to protect investments in education, health care, public health and safety, the war in Afghanistan will cost more than $100 billion in 2011 alone.

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

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

Ms. LEE. No one can deny that the increasing costs of the war in Afghanistan are constraining our efforts to invest in job creation and jump-start the economy.

Yesterday, I joined a bipartisan group of 80 Members of Congress in sending a letter to President Obama calling for a significant and sizeable reduction in United States troop levels in Afghanistan no later than July of this year.

This debate that we're having today here should have occurred in 2001 when Congress authorized this blank check. It was barely debated. It was barely debated, and the rush to war has created not less anger towards the United States but more hostilities, and it's not in our national security nor economic interests to continue.

Mr. KUCINICH. I want to point out that for those Members who are concerned about the finances of this government, U.S. debt soared from $6.4 trillion in March 2003 to $10 trillion.

Joseph Stiglitz, Nobel Prize winner economist, and his associate, Linda Bilmes, pointed out that at least a quarter of that increase is directly attributable to the war in Iraq. As a result of two costly wars, funded by debt, our fiscal house was in abysmal shape even before the financial crisis, and those fiscal woes compounded the downturn. The global financial crisis was due at least in part—this is a quote—to the war.

□ 1220

Now they continue. The Iraq war didn't just contribute to the severity of the fiscal crisis, though it kept us from responding to it effectively. So, my friends, finance is a national security issue. If we are broke, we can't defend ourselves.

I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Mr. Speaker, my colleagues on the other side, America does have a national security interest in protecting American citizens from terrorist attack. But the question before us is this: Is that national security interest being served by 10 years of nation building in the third most corrupt country in the entire world? Is our national security interest being served by sending 100,000 troops and $454 billion in taxpayer money to a country where there are 50 members of al Qaeda? Is it a winning and likely successful strategy when al Qaeda simply moves where we aren't? They move out of Afghanistan into Pakistan, to Sudan, to wherever they can find a safe haven.

Does it make sense to ask our soldiers and our taxpayers to sacrifice when our Afghan partner is so profoundly corrupt? And I mean world-class corrupt: $3 billion in pallets of cash moved out of the Kabul airport to safe havens for warlords; an Afghan Vice President who flies to Dubai with $52 million in walking-around money; when the U.S.-backed Afghan major crimes unit tries to get Karzai to act on corruption and Karzai gets his buddy out of jail. Yes, we have a national security interest in protecting America from attack, but this is a losing strategy.

Mr. KUCINICH. I yield 1½ minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong support of this resolution.

After 10 long years, $336 billion spent, 1,500 American lives lost, and thousands maimed, it is time to bring our troops home. Our servicemen and -women and their coalition allies have performed valiantly. The United States has done everything possible to provide opportunity for the Afghanistan people and the chance for a democratic government there to mature and take hold. Afghanistan must now take responsibility for its own destiny.

The fact of the matter is this: If now is not the time to leave, then when? Afghanistan has become the longest war in U.S. history, with a price tag of $100 billion a year. At a time when we are contemplating cutting services for seniors, educational programs for children, and tuition assistance for working college students, that money could be spent more wisely elsewhere.

Mr. Speaker, too much of our country's treasure has gone toward this war. But more importantly, the cost in human life, American and Afghan, has been enormous. As the world's greatest democracy, what kind of message does this war send to other nations? Do as we say, not as we do?

It is time to make our actions reflect our words. Get out of Afghanistan now.

Mr. KUCINICH. I reserve the balance of my time.

Mr. BERMAN. I reserve the balance of my time.

Mr. JONES. Mr. Speaker, at the present time, I would like to yield 5 minutes to the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. I thank the gentleman.

The question we are facing today is, should we leave Afghanistan? I think the answer is very clear, and it's not complicated. Of course we should, as soon as we can. This suggests that we can leave by the end of the year. If we don't, we'll be there for another decade, would be my prediction.

The American people are now with us. A group of us here in the Congress, a bipartisan group, for nearly a decade have been talking about this, arguing not to expand the war, not to be over there, not to be in nation building. And the American people didn't pay much attention. Now they are. The large majority of the American people now say it's time to get out of Afghanistan. It's a fruitless venture. Too much has been lost. The chance of winning, since we don't even know what we are going to win, doesn't exist. So they are tired of it. Financially, there's a good reason to come home as well.

Some argue we have to be there because if we leave under these circumstances we'll lose face; it will look embarrassing to leave. So how many more men and women have to die, how many more dollars have to be spent to save face? That is one of the worst arguments possible.

We are not there under legal conditions. This is a war. Who says it isn't a war? Everybody talks about the Afghan war. Was the war declared? Of course not. It wasn't declared. There was a resolution passed that said that the President at that time, under the emergency of 9/11, could go and deal with al Qaeda, those who brought upon the 9/11 bombings. But al Qaeda is not there anymore. So we are fighting the Taliban.

The Taliban used to be our allies at one time when the Soviets were there. The Taliban's main goal is to keep the foreign occupation out. They want foreigners out of their country. They are not al Qaeda. Yet most Americans—maybe less so now. But the argument here on the floor is we have got to go after al Qaeda. This is not a war against al Qaeda. If anything, it gives the incentive for al Qaeda to grow in numbers rather than dealing with them.

The money issue, we are talking about a lot of money. How much do we spend a year? Probably about $130 billion, up to $1 trillion now in this past decade.

Later on in the day, we are going to have two votes. We are going to have a vote on doing something sensible, making sense out of our foreign policy, bringing our troops home and saving hundreds of billions of dollars. Then we also will have a vote against NPR, to cut the funding of NPR. There is a serious question about whether that will even cut one penny. But at least the fiscal conservatives are going to be overwhelmingly in support of slashing NPR, and then go home and brag about how they are such great fiscal conservatives. And the very most they might save is $10 million, and that's their claim to fame for slashing the budget. At the same time, they won't consider for a minute cutting a real significant amount of money.

All empires end for fiscal reasons because they spread themselves too far around the world, and that's what we are facing. We are in the midst of a military conflict that is contributing to this inevitable crisis and it's financial. And you would think there would be a message there.

How did the Soviets come down? By doing the very same thing that we're doing: perpetual occupation of a country.

We don't need to be occupying Afghanistan or any other country. We don't even need to be considering going into Libya or anywhere else. Fortunately, I guess for those of us who would like to see less of this killing, we will have to quit because we won't be able to afford it.

The process that we are going through is following the War Powers Resolution. This is a proper procedure. It calls attention to how we slip into these wars.

I have always claimed that it's the way we get into the wars that is the problem. If we would be precise and only go to war with a declaration of war, with the people behind us, knowing who the enemy is, and fight, win, and get it over with, that would be more legitimate. They don't do it now because the American people wouldn't support it. Nobody is going to declare war against Afghanistan or Iraq or Libya.

We now have been so careless for the past 50 or 60 years that, as a Congress and especially as a House, we have reneged on our responsibilities. We have avoided our prerogatives of saying that we have the control. We have control of the purse. We have control of when we are supposed to go to war. Yet the wars continue. They never stop. And we are going to be completely brought down to our knees.

We can't change Afghanistan. The people who are bragging about these changes, even if you could, you are not supposed to. You don't have the moral authority. You don't have the constitutional authority.

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

Mr. JONES. I yield the gentleman 30 additional seconds.

Mr. PAUL. So I would say, the sooner, the better, we can come home. This process says come home. Under the law, it says you should start bringing troops home within 30 days. This allows up to the end of the year after

this would be passed. But this needs to be done. A message needs to be sent. And some day we have to wake up and say, if you are a fiscal conservative, you ought to look at the waste.

□ 1230

This is military Keynesianism to believe that we should do this forever. So I would say this is the day to be on record and vote for this resolution.

Mr. JONES. I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so honored to yield 2 minutes to the gentleman from California (Mr. HUNTER), a member of the Armed Services Committee and a distinguished combat veteran who has served our country honorably in Iraq and Afghanistan with the United States Marine Corps.

Mr. HUNTER. Mr. Speaker, first, I was in the Marine Corps. I did two tours in Iraq and one in Afghanistan. I didn't do anything exceptional; but if anybody else has served in Afghanistan, I will yield to you right now. If anybody in this Congress who has served in a military capacity in these wars in Afghanistan, I'll be happy to yield to you.

You might have taken a few trips over, and you can tell stories about the families that are impacted who you know. You can talk about people who you know that have been impacted. You can talk about those marines and soldiers and sailors and airmen that we see injured at Bethesda and Walter Reed; but if you want to quote somebody, you can quote me. I'm in 223 Cannon.

If you want to talk to a family that's been impacted by three deployments, two of my kids, all of them 10 or under—I have three—two of them have been through three deployments. One child, my youngest daughter, has been through one deployment, the Afghan deployment in 2007.

If you want to talk to somebody, feel free to talk to my family because they understand what it's like. What they also understand is the reason that we're there.

Less than 2 percent of America's population serves. The burden from Afghanistan is on their shoulders. It's on my family's shoulders. They know what's at stake. That's why they basically allowed me to do it. They allowed me to go to Iraq and Afghanistan because of the number one reason that we're there, the number one reason. And it's not to nation-build. It's to make sure that radicalized Muslims stop killing Americans. It's to stop them from destroying this country.

They want to murder us. Every single person in this room, every American, radicalized Muslims want to murder. That's why we have men and women over there right now fighting. That's it. There's no other reason for it.

Nation building is a thing we have to do there on the side to get the people, the Afghan people, on our side. But what we're doing right now is we're taking out the enemy.

And we have to trust General Petraeus. We have to trust President Obama, in this case, that they know what's going on. He's the Commander in Chief, not us. We are not the commanders in chief. There's one of them, and it's the other side's President.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. HUNTER. If you want to quote somebody who's been there, feel free to quote me. If you want to talk about it, feel free to come to my office. And if you want to hold up pictures of families, hold up pictures of mine because they've been impacted by it.

But I thank the gentleman from Ohio for bringing up this debate because what has happened is our side has cut defense by $16 billion in H.R. 1. If we're not going to support our troops while we're fighting, this type of resolution might need a look at later. I don't think now is the right time.

I oppose the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCLINTOCK). All Members are reminded that remarks in debate should be addressed to the Chair and through the Chair and not to each other.

Mr. KUCINICH. I would like to insert into the RECORD a recent report from The Washington Post that says that we've seen the steepest increase in lost limbs among soldiers and marines occurring in the last 4 months.

[From the Washington Post, Mar. 9, 2011]

REPORT REVEALS STEEP INCREASE IN WAR AMPUTATIONS LAST FALL

(By David Brown)

The majority of American soldiers undergoing amputation for war wounds last fall lost more than one limb, according to data presented Tuesday to the Defense Health Board, a committee of experts that advises the Defense Department on medical matters.

Military officials had previously released data showing that amputations, and especially multiple-limb losses, increased last year. The information presented to the 20–member board is the first evidence that the steepest increase occurred over the last four months of the year.

In September 2010, about two-thirds of all war-theater amputation operations involved a single limb (usually a leg) and one-third two or more limbs. The split was roughly 50–50 in October and November. In December, only one-quarter of amputation surgery involved only one limb; three-quarters involved the loss of two or more limbs.

The Marines, who make up 20 percent of the forces in Iraq and Afghanistan, were especially hard hit. Of the 66 wounded severely enough to be evacuated overseas in October, one-third lost a limb.

In the first seven years of the Iraq and Afghanistan wars, about 6 percent of seriously wounded soldiers underwent amputation.

Wounds to the genitals and lower urinary tract—known as genitourinary injuries—accounted for 11 percent of wounds over the last seven months of 2010, up from 4 percent in the previous 17 months, according to data presented by John B. Holcomb, a trauma surgeon and retired Army colonel.

The constellation of leg-and-genital wounds are in large part the consequence of stepping on improvised explosive devices—homemade mines—and are known as ''dismounted IED injuries.''

The data were assembled by Holcomb and two physicians at Landstuhl Regional Medical Center in Germany, where all seriously injured soldiers are taken on their way back to the United States.

The steep increase in both the rate and number of amputations clearly disturbed both Holcomb and members of the board, which met at a Hilton hotel near Dulles International Airport.

Holcomb, who spent two weeks at Landstuhl in December and is a former head of the U.S. Army Institute of Surgical Research, said he had heard of ''unwritten pacts among young Marines that if they get their legs and genitals blown off they won't put tourniquets on but will let each other die on the battlefield.''

Richard H. Carmona, who was U.S. surgeon general from 2002 to 2006 and is now on the board, said the information was ''very disturbing.''

He said it has made him ask: ''What is the endgame here? Is the sacrifice we are asking of our young men and women worth the potential return? I have questions about that now.''

Carmona, 61, served as an Army medic in Vietnam before going to college and medical school. He has a son who is an Army sergeant and is serving in Iraq.

Jay A. Johannigman, an Air Force colonel who has served multiple deployments as a trauma surgeon, said his stint at the military hospital at Bagram Airfield in Afghanistan last fall ''was different'' both personally and medically.

''We see the enormous price our young men and women are paying. It should not be for naught,'' he said. He didn't want to elaborate.

Why amputation-requiring injuries increased so much in recent months isn't entirely understood. It is partly a function of tactics that emphasize more foot patrols in rural areas. Some people have speculated the mines may be constructed specifically to cause the devastating wounds.

''Do the Marines know? Probably,'' said Frank Butler, a doctor and retired Navy captain who has spearheaded improvements in battlefield first aid over the last decade. ''But they're not releasing a thing. And they shouldn't.''

I would also like to insert into the RECORD a report from the ''American Conservative'' which says that late last year IED deaths among our own soldiers were up, not down.

[From The American Conservative, Mar. 10, 2011]

HOW'S THAT POPULATION-CENTRIC COIN GOING?

(Posted by Kelley Vlahos)

If the success or failure of the Afghan military ''surge'' rests on whether the U.S. can bring down the level of violence and protect the civilian population from the Taliban—a metric that the now fading COINdinistas had once insisted could be achieved with the right strategy—then two new statistics to emerge this week don't bode well for the prospects of the nearly 2-year-old counter-insurgency operation in Afghanistan.

First, more of our soldiers today are coming home this year with amputations than in the previous year, according reports coming out of the Defense Health Board this week. According to The Washington Post, which was apparently the only mainstream news outlet to cover the board's meeting in Northern Virginia on Tuesday, the steepest increase in lost limbs among soldiers and Marines occurred in the last four months.

The Marines, who make up 20 percent of the forces in Iraq and Afghanistan, were especially hard hit. Of the 66 wounded severely enough to be evacuated overseas in October, one-third lost a limb.

In the first seven years of the Iraq and Afghanistan wars, about 6 percent of seriously wounded soldiers underwent amputation.

Wounds to the genitals and lower urinary tract—known as genitourinary injuries—accounted for 11 percent of wounds over the last seven months of 2010, up from 4 percent in the previous 17 months, according to data presented by John B. Holcomb, a trauma surgeon and retired Army colonel.

The constellation of leg-and-genital wounds are in large part the consequence of stepping on improvised explosive devices—homemade mines—and are known as ''dismounted IED injuries.''

The data regarding the increased amputations were already reported in Friday's WaPo, but apparently the fact they spiked in the last few months only came out in the meeting. Who knows if that point would've ever seen the light of day if a reporter hadn't been there. A source close to the board told me that media rarely show up to cover the DHB, which is a pity, because its members, which include both civilian and retired military doctors and scientists, probably know more about the ''big picture'' regarding the health and welfare of our troops in the battlefield than anyone else and tend to talk candidly among themselves about conditions there.

The data was presented Tuesday by John B. Holcomb, a trauma surgeon and retired Army colonel. As a former head of the U.S. Army Institute of Surgical Research, he said he had heard of ''unwritten pacts among young Marines that if they get their legs and genitals blown off they won't put tourniquets on but will let each other die on the battlefield.''

New DHB member Richard Carmona, a former U.S. Surgeon General under Bush, apparently didn't get the memo about keeping his emotional responses in check. The Vietnam veteran called the new statistics ''very disturbing,'' and then asked, ''What is the endgame here? Is the sacrifice we are asking of our young men and women worth the potential return? I have questions about that now.''

He should definitely have questions, considering that Gen. David Petraeus, Lt. Gen. William ''svengali'' Caldwell and others have been all over the press in recent weeks talking about how promising it looks in Afghanistan the Taliban's ''halted momentum,'' and all that.

Meanwhile, the other big news today is that civilian deaths in Afghanistan are up, too.

According to a new U.N. report, civilian deaths as a result of war violence rose 15 percent from the year before in Afghanistan (some of the highest levels since the war began in 2001). More than two-thirds of those deaths—2,777—were caused by insurgents (up 28 percent) and 440 were caused by Afghan Army/NATO forces (down 25 percent*). While the Taliban is responsible for most civilian deaths, the U.S. has made ''protecting the population'' a major strategic goal for winning over the Afghan people, legitimizing the Karzai government and draining the Taliban of its authority. Instead, it's been publicly blamed and repudiated by Afghans for a number of civilian bombing deaths, the most recent being nine Afghan boys killed ''by accident'' in a U.S. air strike in Kunar province.

This week, President Karzai, rejected an apology from Petraeus for the killings, and later accepted another attempt at apology from Sec. Def. Bob Gates. It didn't help that Petraeus' apology came a week after he suggested that the young victims of another NATO attack in Kunar had gotten their burn marks not from the strike, but from their parents, who might have hurt the kids themselves in disciplinary actions. It didn't go over so well, especially since Afghan authorities say 65 people were killed, many of them women and children. NATO has now admitted that some civilians may have been hurt, but insists the operation had targeted insurgents.

Again, my mind goes back to the COINdinistas, many of whom remain delusional about the direction of the war, and others who might be furiously back-peddling or remolding themselves as we speak. In June 2009, Triage: The Next Twelve Months in Afghanistan and Pakistan, was published by the pro-COIN Center for a New American Security (CNAS). In it, fellow Andrew Exum, CNAS CEO Nathaniel Fick, David Kilcullen and Ahmed Humayun wrote this (emphasis mine):

''To be sure, violence will rise in Afghanistan over the next year—no matter what the United States and its allies do. What matters, though, is who is dying. And here a particular lesson may be directly imported from the U.S. experience in Iraq. In 2007, during the Baghdad security operations commonly referred to as ''the surge,'' U.S. casualties actually increased sharply. What U.S. planners were looking for, however, was not a drop in U.S. casualties—or even a drop in Iraqi security force casualties but a drop in Iraqi civilian casualties. In the same way, U.S. and allied operations in Afghanistan must be focused on protecting the population even at the expense of allied casualties.''.

Afghan civilian casualties, whether at the hands of the coalition, the Taliban, or the Afghan government, will be the most telling measure of progress.

Well, violence is up, and deaths among NATO and its allies are up. And so are civilian casualties.

Meanwhile, while the CNAS team said in June 2009 that NATO/Afghan soldier deaths were expected to rise, they also claimed that another metric of success would be an eventual flattening of IED (Improvised Explosive Devices) incidents.

Another indicator of cooperation (with local Afghans) is the number of roadside bombs (improvised explosive devices, or IEDs) that are found and cleared versus exploded. IED numbers have risen sharply in Afghanistan since 2006 (though numbers are still low, and IEDs still unsophisticated, compared to Iraq). The coalition should expect an increase in numbers again this year. However, a rise in the proportion of IEDs being found and defused (especially when discovered thanks to tips from the local population) indicates that locals have a good working relationship with local military units a sign of progress.

Despite all his spin to the contrary, Petraeus cannot hide the fact that late last year, IED deaths among our own soldiers were up, not down. A chart issued within its own November progress report to Congress last November shows that, and it shows that the found and cleared IEDs had not risen above the attacks in most areas of the country.

Plus, metric or no metric, the recent data indicating serious injuries of U.S. soldiers this late in the game—while every other assessment outside the military bubble says the Taliban are making more gains not less—should leave any thinking person at this point to question, ''is it really worth it?''

Not sure what it will take before the COINdinistas admit events on the ground are falling short of their own metrics. Sounds like a good follow-up to ''Triage,'' but will anyone there have the guts to write it?

I yield 1 minute to the gentlewoman from Texas, Representative JACKSON LEE.

Ms. JACKSON LEE of Texas. I respect my President, our President.

I thank the previous speaker for his service. I thank all of the United States military, at home and abroad, for their brave and courageous service.

I beg to differ. The Constitution indicates that the Congress can declare war, which has not been so declared. I would make the argument that we have shed our blood in Afghanistan, and my hat is off to those families who have lost their loved ones, and certainly those who fight on the front lines today.

I believe it is important for Congress to be engaged in this effort because this is the people's House. A few months ago, a year ago, I may not have supported this move. But here we are again, facing the same obstacles.

This amendment or resolution says within 30 days, but up to December 31, if necessary.

It is time now to push the Kabul government to be able to negotiate and engage. It is time to use smart power. It is time to let girls go to school, let leaders lead, and for our combat troops and others to come home.

It is time to recognize that our resources are needed around the world. Libya is in need.

But it is time for us to end with Afghanistan and to push them to be a sovereign nation, and to work with them on diplomacy and to be able to save lives.

I support this resolution. I wish that it would pass now.

Mr. KUCINICH. I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in strong opposition to the longest running war in our Nation's history. I want to thank my friend and colleague from Ohio for introducing this resolution.

War is not the answer. It is not the way to peace. We must root out the causes of hate and violence.

Gandhi once said: ''Power is of two kinds. One is obtained by the fear of punishment, and the other by acts of love. Power based on love is a thousand times more effective and permanent than the one derived from the fear of punishment.''

Our path to peace in Afghanistan is not through war; it is not through violence. Enough is enough. The time is long overdue.

We are spending billions of dollars a week. Not another nickel, not another dime, not another dollar, not another hour, not another day, not another week. We must end this war and end it now.

I urge all of my colleagues to support the resolution.

Mr. KUCINICH. I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I thank the gentleman from Ohio for bringing forth this important resolution and finally bringing to the floor of the House the discussion about the war in Afghanistan.

Wrong war, wrong time, wrong place. Intelligence estimates are that there are under 50 al Qaeda operatives in Afghanistan. With the current cost of the war effort, we're spending between $1.5 billion and $2 billion per al Qaeda operative.

There is a very real terrorist threat to our country that comes from the loosely knit al Qaeda terrorist network, but that threat does not emanate from Afghanistan. It does not emanate from any one particular nation-state. It is a stateless menace. They go wherever they're able to thrive on the lack of order.

To effectively combat this menace, we need targeted special operations, we need aggressive intelligence gathering, and we need to make sure that we combat this menace wherever they are with the appropriate resources.

Being bogged down, occupying one particular nation-state is a waste of resources and not the best way to keep the American people safe.

I strongly support this resolution.

□ 1240

Mr. KUCINICH. I reserve the balance of my time.

Mr. BERMAN. I reserve the balance of my time.

Mr. JONES. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. I rise in support of the resolution, and again with great respect and concern for those great people who we are sending overseas to defend us. If we don't think they can succeed, it is incumbent upon us to bring them home as soon as possible.

I was not in the United States military in Afghanistan, but I did participate in a battle in Afghanistan when the Russians were there. I went in with the Mujahideen unit and fought in the Battle of Jalalabad in 1988. I got to know these people of Afghanistan. Foreign troops will never conquer the people of Afghanistan.

And, yes, radicalized Islams did murder Americans on 9/11. By the way, most of them were Saudis. Most all of them who hijacked the planes were Saudis. And Saudi Arabia still has the radical Islamic tenets that we are talking about that supposedly brought us into this battle.

We will not succeed if we are planning to force the Afghan people to accept the centralized government that our State Department has foisted upon them. All we are going to do is lose more people. All we are going to do is have more wounded people and more of our military sent over there, because that is what they are telling us is the method of getting out. To get out, we have to have Karzai accepted.

We have foisted on them the most centralized system of government that would never have even worked here, because we believe that local people should run the police and should elect their own local officials. If we don't believe that that system will work, and that is our plan, we should get our people out of there before more of them are killed and maimed.

Yes, we do respect DUNCAN HUNTER and all those people who have served. That is the reason, that is what motivates me.

Here we have WALTER JONES, who represents the Marine Corps down at Camp Lejeune. If they thought that they were defending our country and were going to save our lives, all of them would give their lives for us. But they are not on that mission. They are on that mission to get the Afghan people and coerce them into accepting a corrupt central government, and that won't work. It didn't work when I was there fighting the Russians. It won't work now.

Mr. JONES. I continue to reserve my time.

Ms. ROS-LEHTINEN. Mr. Speaker, with all due respect to the gentleman from California, I would not compare a staff delegation trip to the valiant forces of our armed services who are fighting overseas.

I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), a member of the Armed Services Committee, a combat veteran of the first gulf war, who served again in Iraq 5 years ago with the United States Marine Corps.

Mr. COFFMAN of Colorado. I thank the gentlewoman from Florida, and I thank the gentleman from Ohio for bringing this resolution forward, and I reluctantly rise in opposition to it.

I volunteered to serve in Iraq not because I believed that invading, pacifying, and administering the country was the right course of action, but I believed that once we had made the commitment that we had to follow it through and bring it to a reasonable and just conclusion.

In Afghanistan, I think that what this Nation first did was great: That we were attacked on 9/11. The Taliban controlled much of the country and gave safe harbor to al Qaeda, and we gave air, logistical, and advisory support to the anti-Taliban forces in the country and they pushed the Taliban out.

We made a wrong turn after that, by forcing the victors on the ground aside instead of using our leverage to have them reach out to the Pashtun elements of the country, and we superimposed a political process on them that doesn't fit the political culture of the country, a government that is mired in corruption and has little capacity to govern outside of Kabul. I believe it is wrong to use conventional forces against an irregular force that make our military vulnerable to asymmetric capability. But we have security interests in Afghanistan that we must accept.

We need to make sure that the Taliban doesn't take over the country where it becomes a permissive environment, where they can use that to destabilize Afghanistan, to assist the Taliban on the other side of the Durand Line. We need some base of operations in Afghanistan to be able to strike al Qaeda targets in the federally administered tribal areas of Afghanistan. I believe that we can do it with a lighter footprint. I think we ought to be focused on supporting factions within this region that share our strategic interests.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. COFFMAN of Colorado. I thank the gentlewoman from Florida.

We have strategic interests in Afghanistan. It would be wrong, it would be irresponsible at this time to expeditiously withdraw all of our forces from Afghanistan, again, without recognizing our strategic interests there.

Although I differ on the strategy that we are using right now, I recognize the security interests of the United States that are vital for us to maintain not only peace and stability in the region but also at home.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the Armed Services, Intelligence, Agriculture, and Ethics Committees.

Mr. CONAWAY. I thank the gentlewoman.

We have to get this right. I rise in opposition to this motion. I use that phrase, it comes from David Petraeus' testimony in the last 2 days in front of the House Armed Services Committee.

He tells a poignant story about a black day in Iraq when he was commander of the 101st in which two helicopters collided midair and 17 troops were killed. Really, one of his darkest days. And in the emotions of all of that and the trauma and the fight to move forward, a young PFC came up to this two-star general, which is pretty odd, and he said: General, I know of 17 reasons why we have to get this right.

That analogy can be spread across all of the lives lost, all of the grievous injuries that we have suffered in this war over the last 10 years in Afghanistan. We have to get this right. And this emotion that they have brought forward is not remotely going to get it right. Whatever your position is, this is not the right thing to do. We should not do this.

These conversations have consequences. They are heard around the world. And while the other side, the folks who will vote for this, the folks who brought this forward have a right to do this and, in their mind, perhaps an obligation to do this, to have this conversation, these conversations affect the men and women in the fight. And for us to stand here over and over to tell them that they cannot win, that they cannot make this happen, is irresponsible on our part.

David Petraeus is the man who knows more about what is going on on

the ground in Afghanistan today than anybody walking the face of the Earth. And, Mr. Speaker, in all deference to the fellows who served 20 years ago there in whatever capacity, that was 20 years ago. Today, David Petraeus says the strategy is correct. We have got the inputs correct. We are moving forward, and we can make the circumstances to get the end results that we want in which the Afghan people are in charge of Afghanistan and responsible for Afghanistan security.

This resolution is incorrect. It will not get it right, and I strongly urge a ''no'' vote on this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, Judge POE, vice chair of the Foreign Affairs Subcommittee on Oversight and Investigation.

Mr. POE of Texas. I thank the gentlewoman for yielding.

War is expensive; and it should not be measured in the cost of money, which has been, really, the discussion today. I have the greatest respect for Mr. JONES and Mr. ROHRABACHER and you, too, Mr. KUCINICH, but this is an important issue before us.

Today, as we are here in the House of Representatives, Mark Wells is being buried. He was killed on March 5, representing us in Afghanistan. He had been to Iraq. And, yes, he is of Irish heritage, so his family decided, ''We want to have his service on St. Patrick's Day.''

I talked to his father, Burl, earlier this week. And Burl is proud of his son's service, and he is proud of America's service in Afghanistan. And Burl told me, he said: ''Congressman POE, it is my fear that there are dark days ahead for America because we may not choose to persevere.''

And what I believe he meant by that was that his son and others who have died for this country, died for that concept of freedom, people that live after them, our soldiers that are over there, and we who make decisions, may not persevere and finish this war.

War is hard. It is expensive. And America never quits, and America should never quit in this war.

Our enemies in Iraq and Afghanistan have always had the policy and philosophy: America will get weary. Americans will quit. They don't have the stomach for it.

□ 1250

We need to send a message to them and the rest of the world and to our troops that are on the front lines in Afghanistan today that we support them and we will not get weary, we will not quit, we will not give in or give up just because this war has been long and hard.

And that's just the way it is.

Mr. KUCINICH. I would like to put into the RECORD an article from the National Interest which states that many U.S. and western troops cannot leave their bases without encountering IEDs or more coordinated attacks from insurgents.

[From The National Interest, Mar. 9, 2011]

PULLING A FAST ONE IN AFGHANISTAN

(By Christopher A. Preble)

I have just returned from a discussion of U.S. strategy in Afghanistan and Pakistan hosted by the Foundation for the Defense of Democracies. The meeting of 25 or so journalists, think tankers, and current and former government officials featured introductory remarks by Gilles Dorronsoro, visiting scholar at the Carnegie Endowment, and FDD's Bill Roggio. FDD President, Cliff May, moderated the session. The meeting was officially on the record, but I'm relying solely on my hand-written notes, so I won't quote the other attendees directly.

I would characterize the general mood as grim. A few attendees pointed to the killing of a number of Taliban figures in both Afghanistan and Pakistan, and reports of progress in Marja and the rest of Helmand province as evidence of progress. These gains, one speaker maintained, were sustainable and would not necessarily slip in the event that U.S. forces are directed where elsewhere.

Dorronsoro disputed these assertions. He judged that the situation today is worse than it was a year ago, before the surge of 30,000 additional troops. The killing of individual Taliban leaders, or foot-soldiers, was also accompanied by the inadvertent killing of innocent bystanders, including most recent nine children. So there is always the danger that even targeted strikes based on timely, credible intelligence, will over the long term replace one dead Talib with two or four or eight of his sons, brothers, cousins, and tribesman. How many people have said ''We can't kill our way to victory''?

For Dorronsoro, the crucial metric is security, no number of bad guys and suspected bad guys killed. And, given that he can't drive to places that he freely visited two or three years ago, he judges that security in the country has gotten worse, not better. Many U.S. and Western troops cannot leave their bases without encountering IEDs or more coordinated attacks from insurgents. U.S. and NATO forces don't control territory, and there is little reason to think that they can. Effective counterinsurgencies (COIN) are waged by a credible local partner, a government that commands the respect and authority of its citizens. That obviously doesn't exist in Afghanistan. The Afghan militia, supposedly the key to long-term success, is completely ineffective.

Secretary Gates asserted on Monday that the draw down of U.S. troops would begin as scheduled this July, although, as the Washington Post's Greg Jaffe writes, ''he cautioned that any reductions in U.S. forces would likely be small and that a significant U.S. force will remain in combat for the rest of 2011.'' NATO remains committed to 2014 as the date to hand over security to the Afghan government. Whether the United States retains a long-term presence in the country is the subject of much speculation.

For the people from FDD, it shouldn't be. Roggio stressed that the problem with U.S. strategy is that Americans were looking for an exit, when we should be making a long-term commitment to Afghanistan. May concurred. When I asked them to clarify how long term, both demurred (Roggio said ''a decade or more'' but didn't elaborate). I also inquired about the resources that would be required to constitute ''commitment''. Given that we have over 100,000 troops on the ground, and that we will spend over $100 billion in Afghanistan in this year alone, how much more of a commitment would they find acceptable? Again, no definitive answer.

Roggio did claim, however, that a long-term commitment would increase the prospect of turning the Pakistanis. This is the crucial other piece in the puzzle. Nearly everyone in the meeting agreed that the unwillingness of the Pakistanis to cooperate with the United States had allowed a safe haven to be created in North Waziristan and elsewhere along the AfPak border. Most in the meeting admitted that Pakistan's interests in Afghanistan did not always align with our own. None had an answer for decisively changing this calculus, but some agreed with Roggio that evidence of progress in Afghanistan—combined with a credible commitment on the part of the U.S. to remain for the long-haul—would convince the Pakistanis to side with the Americans.

If you're reading carefully, you can see a circular logic here, brilliantly encapsulated by Dorronsoro. I paraphrase: We cannot win Afghanistan without turning Pakistan, but we cannot turn the Pakistanis without warning in Afghanistan. It is no wonder that one attendee declared herself growing increasingly depressed as the meeting wore on.

I would like to insert into the RECORD an article from Cato-at-Liberty's Web site entitled America's Aimless Absurdity in Afghanistan.

AMERICA'S 'AIMLESS ABSURDITY' IN AFGHANISTAN

(Posted By Malou Innocent On March 7, 2011)

Rasmussen reports that 52% of Americans want U.S. troops home from Afghanistan within a year, up from 43% last fall. Of course, polls are ephemeral snapshots of public opinion that can fluctuate with the prevailing political winds; nonetheless, it does appear that more Americans are slowly coming to realize the ''aimless absurdity'' of our nation-building project in Central Asia.

Earlier today, former Republican senator Judd Gregg of New Hampshire said on MSNBC's ''Morning Joe'': ''I don't think we can afford Afghanistan much longer.'' He continued: ''The simple fact is that it's costing us. Good people are losing their lives there, and we're losing huge amounts of resources there. . . . So I think we should have a timeframe for getting out of Afghanistan, and it should be shorter rather than longer.''

Gregg is absolutely right. It is well past time to bring this long war to a swift end. Yet Gregg's comments also reflect a growing bipartisan realization that prolonging our land war in Asia is weakening our country militarily and economically.

To politicians of any stripe, the costs on paper of staying in Afghanistan are jarring. Pentagon officials told the House Defense Appropriations Subcommittee that it costs an average of $400 per gallon of fuel for the aircraft and combat vehicles operating in land-locked Afghanistan. The U.S. Agency for International Development has spent more than $7.8 billion on Afghanistan reconstruction since 2001, including building and refurbishing 680 schools and training thousands of civil servants. Walter Pincus, of The Washington Post, reported that the Army Corps of Engineers spent $4 billion last year on 720 miles of roads to transport troops in and around the war-ravaged country. It will spend another $4 to $6 billion this year, for 250 more miles.

War should no longer be a left-right issue. It's a question of scarce resources and limiting the power of government. Opposition to the war in Afghanistan can no longer be swept under the carpet or dismissed as an issue owned by peaceniks and pacifists, especially when our men and women in uniform are being deployed to prop up a regime Washington doesn't trust, for goals our president can't define.

I would like to put into the RECORD an article from Truthdig posted on

AlterNet entitled Afghanistan: Obscenely Well-Funded but Largely Unsuccessful War Rages on Out of Sight of the American Public.

[From AlterNet, Nov. 18, 2010]

AFGHANISTAN: OBSCENELY WELL-FUNDED, BUT LARGELY UNSUCCESSFUL WAR RAGES ON OUT OF SIGHT OF THE AMERICAN PUBLIC

(By Juan Cole)

Not only is it unclear that the U.S. and NATO are winning their war in Afghanistan, the lack of support for their effort by the Afghanistan president himself has driven the American commander to the brink of resignation. In response to complaints from his constituents, Afghanistan's mercurial President Hamid Karzai called Sunday for American troops to scale back their military operations. The supposed ally of the U.S., who only last spring petulantly threatened to join the Taliban, astonished Washington with this new outburst, which prompted a warning from Gen. David Petraeus that the president was making Petraeus' position ''untenable,'' which some speculated might be a threat to resign.

During the past two months, the U.S. military has fought a major campaign in the environs of the southern Pashtun city of Kandahar, launching night raids and attempting to push insurgents out of the orchards and farms to the east of the metropolis. Many local farmers were displaced, losing their crops in the midst of the violence, and forced to become day laborers in the slums of Kandahar. Presumably these Pashtun clans who found themselves in the crossfire between the Taliban and the U.S. put pressure on Karzai to call a halt to the operation.

That there has been heavy fighting in Afghanistan this fall would come as a surprise to most Americans, who have seen little news on their televisions about the war. Various websites noted that 10 NATO troops were killed this past Saturday and Sunday alone, five of them in a single battle, but it was hardly front page news, and got little or no television coverage.

The midterm campaign circus took the focus off of foreign affairs in favor of witches in Newark and eyes of Newt in Georgia. Distant Kandahar was reduced to an invisible battle in an unseen war, largely unreported in America's mass media, as though it were irrelevant to the big campaign issues—of deficits and spending, of taxes and public welfare. Since it was President Obama's offensive, Democrats could not run against it. Since it is billed as key to U.S. security, Republicans were not interested in running against it. Kandahar, city of pomegranates and car bombs, of poppies and government cartels, lacked a partisan implication, and so no one spoke of it.

In fact, the war is costing on the order of $7 billion a month, a sum that is still being borrowed and adding nearly $100 billion a year to the already-burgeoning national debt. Yet in all the talk in all the campaigns in the hustings about the dangers of the federal budget deficit, hardly any candidates fingered the war as economically unsustainable.

The American public cannot have a debate on the war if it is not even mentioned in public. The extreme invisibility of the Afghanistan war is apparent from a Lexis Nexis search I did for ''Kandahar'' (again, the site of a major military campaign) for the period from Oct. 15 to Nov. 15. I got only a few dozen hits, from all American news sources (National Public Radio was among the few media outlets that devoted substantial airtime to the campaign).

The campaign in the outskirts of Kandahar had been modeled on last winter's attack on the farming area of Marjah in Helmand Province. Marjah was a demonstration project, intended to show that the U.S., NATO and Afghanistan security forces could ''take, clear, hold and build.''

Petraeus' counterinsurgency doctrine depends on taking territory away from the insurgents, clearing it of guerrillas, holding it for the medium term to keep the Taliban from returning and to reassure local leaders that they need not fear reprisals for ''collaborating,'' and then building up services and security for the long term to ensure that the insurgents can never again return and dominate the area. But all these months later, the insurgents still have not been cleared from Marjah, which is a site of frequent gun fights between over-stretched Marines and Taliban.

There is no early prospect of Afghan army troops holding the area, or of building effective institutions in the face of constant sniping and bombing. Marjah is only 18 square miles. Afghanistan is more than 251,000 square miles. If Marjah is the model for the campaign in the outskirts of Kandahar, then the latter will be a long, hard slog. Kandahar is even more complicated, since the labyrinthine alleyways of the city and its hundreds of thousands of inhabitants offer insurgents new sorts of cover when they are displaced there from the countryside.

Counterinsurgency requires an Afghan partner, but all along the spectrum of Afghan institutions, the U.S. and NATO are seeking in vain for the ''government in a box'' once promised by Gen. Stanley McChrystal. The people in the key provinces of Helmand and Kandahar are largely hostile to U.S. and NATO troops, seeing them as disrespecting their traditions and as offering no protection from violence. They see cooperating with the U.S. as collaboration and want Mullah Omar of the Taliban to join the government.

Although the U.S. and NATO have spent $27 billion on training Afghan troops, only 12 percent of them can operate independently. Karzai and his circle are extremely corrupt, taking millions in cash payments from Iran and looting a major bank for unsecured loans, allowing the purchase of opulent villas in fashionable Dubai. It is no wonder that Petraeus is at the end of his rope. The only question is why the Obama administration is not, and how long it will hold to the myth of counterinsurgency.

I would like to put into the RECORD an article published on AlterNet titled Totally Occupied: 700 Military Bases Spread Across Afghanistan, by Nick Turse at TomDispatch.com.

[From AlterNet, Posted on February 10, 2010, Printed on March 17, 2011]

TOTALLY OCCUPIED: 700 MILITARY BASES SPREAD ACROSS AFGHANISTAN

(By Nick Turse, Tomdispatch.com)

In the nineteenth century, it was a fort used by British forces. In the twentieth century, Soviet troops moved into the crumbling facilities. In December 2009, at this site in the Shinwar district of Afghanistan's Nangarhar Province, U.S. troops joined members of the Afghan National Army in preparing the way for the next round of foreign occupation. On its grounds, a new military base is expected to rise, one of hundreds of camps and outposts scattered across the country.

Nearly a decade after the Bush administration launched its invasion of Afghanistan, TomDispatch offers the first actual count of American, NATO, and other coalition bases there, as well as facilities used by the Afghan security forces. Such bases range from relatively small sites like Shinwar to mega-bases that resemble small American towns. Today, according to official sources, approximately 700 bases of every size dot the Afghan countryside, and more, like the one in Shinwar, are under construction or soon will be as part of a base-building boom that began last year.

Existing in the shadows, rarely reported on and little talked about, this base-building program is nonetheless staggering in size and scope, and heavily dependent on supplies imported from abroad, which means that it is also extraordinarily expensive. It has added significantly to the already long secret list of Pentagon property overseas and raises questions about just how long, after the planned beginning of a drawdown of American forces in 2011, the U.S. will still be garrisoning Afghanistan.

400 FOREIGN BASES IN AFGHANISTAN

Colonel Wayne Shanks, a spokesman for the U.S.-led International Security Assistance Force (ISAF), tells TomDispatch that there are, at present, nearly 400 U.S. and coalition bases in Afghanistan, including camps, forward operating bases, and combat outposts. In addition, there are at least 300 Afghan National Army (ANA) and Afghan National Police (ANP) bases, most of them built, maintained, or supported by the U.S. A small number of the coalition sites are mega-bases like Kandahar Airfield, which boasts one of the busiest runways in the world, and Bagram Air Base, a former Soviet facility that received a makeover, complete with Burger King and Popeyes outlets, and now serves more than 20,000 U.S. troops, in addition to thousands of coalition forces and civilian contractors.

In fact, Kandahar, which housed 9,000 coalition troops as recently as 2007, is expected to have a population of as many as 35,000 troops by the time President Obama's surge is complete, according to Colonel Kevin Wilson who oversees building efforts in the southern half of Afghanistan for the U.S. Army Corps of Engineers. On the other hand, the Shinwar site, according to Sgt. Tracy J. Smith of the U.S. 48th Infantry Brigade Combat Team, will be a small forward operating base (FOB) that will host both Afghan troops and foreign forces.

Last fall, it was reported that more than $200 million in construction projects—from barracks to cargo storage facilities—were planned for or in-progress at Bagram. Substantial construction funds have also been set aside by the U.S. Air Force to upgrade its air power capacity at Kandahar. For example, $65 million has been allocated to build additional apron space (where aircraft can be parked, serviced, and loaded or unloaded) to accommodate more close-air support for soldiers in the field and a greater intelligence, surveillance, and reconnaissance capability. Another $61 million has also been earmarked for the construction of a cargo helicopter apron and a tactical airlift apron there.

Kandahar is just one of many sites currently being upgraded. Exact figures on the number of facilities being enlarged, improved, or hardened are unavailable but, according a spokesman for ISAF, the military plans to expand several more bases to accommodate the increase of troops as part of Afghan War commander Stanley McChrystal's surge strategy. In addition, at least 12 more bases are slated to be built to help handle

the 30,000 extra American troops and thousands of NATO forces beginning to arrive in the country.

''Currently we have over $3 billion worth of work going on in Afghanistan,'' says Colonel Wilson, ''and probably by the summer, when the dust settles from all the uplift, we'll have about $1.3 billion to $1.4 billion worth of that [in the South].'' By comparison, between 2002 and 2008, the Army Corps of Engineers spent more than $4.5 billion on construction projects, most of it base-building, in Afghanistan.

At the site of the future FOB in Shinwar, more than 135 private construction contractors attended what was termed an ''Afghan-Coalition contractors rodeo.'' According to Lieutenant Fernando Roach, a contracting officer with the U.S. Army's Task Force Mountain Warrior, the event was designed ''to give potential contractors a walkthrough of the area so they'll have a solid overview of the scope of work.'' The construction firms then bid on three separate projects: the renovation of the more than 30-year old Soviet facilities, the building of new living quarters for Afghan and coalition forces, and the construction of a two-kilometer wall for the base.

In the weeks since the ''rodeo,'' the U.S. Army has announced additional plans to upgrade facilities at other forward operating bases. At FOB Airborne, located near Kane-Ezzat in Wardak Province, for instance, the Army intends to put in reinforced concrete bunkers and blast protection barriers as well as lay concrete foundations for Re-Locatable Buildings (prefabricated, trailer-like structures used for living and working quarters). Similar work is also scheduled for FOB Altimur, an Army camp in Logar Province.

THE AFGHAN BASE BOOM

Recently, the U.S. Army Corps of Engineers, Afghanistan District-Kabul, announced that it would be seeking bids on ''site assessments'' for Afghan National Security Forces District Headquarters Facilities nationwide. The precise number of Afghan bases scattered throughout the country is unclear.

When asked by TomDispatch, Colonel Radmanish of the Afghan Ministry of Defense would state only that major bases were located in Kabul, Pakteya, Kandahar, Herat, and Mazar-e-Sharif, and that ANA units operate all across Afghanistan. Recent U.S. Army contracts for maintenance services provided to Afghan army and police bases, however, suggest that there are no fewer than 300 such facilities that are, according to an ISAF spokesman, not counted among the coalition base inventory.

As opposed to America's fast-food-franchise-filled bases, Afghan ones are often decidedly more rustic affairs. The police headquarters in Khost Farang District, Baghlan Province, is a good example. According to a detailed site assessment conducted by a local contractor for the Army Corps of Engineers and the Afghan government, the district headquarters consists of mud and stone buildings surrounded by a mud wall. The site even lacks a deep well for water. A trench fed by a nearby spring is the only convenient water source.

The U.S. bases that most resemble austere Afghan facilities are combat outposts, also known as COPs. Environmental Specialist Michael Bell of the Army Corps of Engineers, Afghanistan Engineer District-South's Real Estate Division, recently described the facilities and life on such a base as he and his co-worker, Realty Specialist Damian Salazar, saw it in late 2009:

''COP Sangar . . . is a compound surrounded by mud and straw walls. Tents with cots supplied the sleeping quarters . . . A medical, pharmacy and command post tent occupied the center of the COP, complete with a few computers with internet access and three primitive operating tables. Showers had just been installed with hot [water] . . . only available from 8 a.m. to 10 a.m. and 2 p.m. to 4 p.m. . . .

''An MWR [Morale, Welfare and Recreation] tent was erected on Thanksgiving Day with an operating television; however, the tent was rarely used due to the cold. Most of the troops used a tent with gym equipment for recreation . . . A cook trailer provided a hot simple breakfast and supper. Lunch was MREs [meals ready to eat]. Nights were pitch black with no outside lighting from the base or the city.''

WHAT MAKES A BASE?

According to an official site assessment, future construction at the Khost Farang District police headquarters will make use of sand, gravel, and stone, all available on the spot. Additionally, cement, steel, bricks, lime, and gypsum have been located for purchase in Pol-e Khomri City, about 85 miles away.

Constructing a base for American troops, however, is another matter. For the far less modest American needs of American troops, builders rely heavily on goods imported over extremely long, difficult to traverse, and sometimes embattled supply lines, all of which adds up to an extraordinarily costly affair. ''Our business runs on materials,'' Lieutenant General Robert Van Antwerp, commander of the Army Corps of Engineers, told an audience at a town hall meeting in Afghanistan in December 2009. ''You have to bring in the lumber, you have to bring in the steel, you have to bring in the containers and all that. Transport isn't easy in this country—number one, the roads themselves, number two, coming through other countries to get here—there are just huge challenges in getting the materials here.''

To facilitate U.S. base construction projects, a new ''virtual storefront''—an online shopping portal—has been launched by the Pentagon's Defense Logistics Agency (DLA). The Maintenance, Repair and Operations Uzbekistan Virtual Storefront website and a defense contractor-owned and operated brick-and-mortar warehouse facility that supports it aim to provide regionally-produced construction materials to speed surge-accelerated building efforts.

From a facility located in Termez, Uzbekistan, cement, concrete, fencing, roofing, rope, sand, steel, gutters, pipe, and other construction material manufactured in countries like Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, and Turkmenistan can be rushed to nearby Afghanistan to accelerate base-building efforts. ''Having the products closer to the fight will make it easier for warfighters by reducing logistics response and delivery time,'' says Chet Evanitsky, the DLA's construction and equipment supply chain division chief.

AMERICA'S SHADOWY BASE WORLD

The Pentagon's most recent inventory of bases lists a total of 716 overseas sites. These include facilities owned and leased all across the Middle East as well as a significant presence in Europe and Asia, especially Japan and South Korea. Perhaps even more notable than the Pentagon's impressive public foreign property portfolio are the many sites left off the official inventory. While bases in the Persian Gulf countries of Bahrain, Kuwait, Oman, and the United Arab Emirates are all listed, one conspicuously absent site is Al-Udeid Air Base, a billion-dollar facility in nearby Qatar, where the U.S. Air Force secretly oversees its on-going unmanned drone wars.

The count also does not include any sites in Iraq where, as of August 2009, there were still nearly 300 American bases and outposts. Similarly, U.S. bases in Afghanistan—a significant percentage of the 400 foreign sites scattered across the country—are noticeably absent from the Pentagon inventory.

Counting the remaining bases in Iraq—as many as 50 are slated to be operating after President Barack Obama's August 31, 2010, deadline to remove all U.S. ''combat troops'' from the country—and those in Afghanistan, as well as black sites like Al-Udeid, the total number of U.S. bases overseas now must significantly exceed 1,000. Just exactly how many U.S. military bases (and allied facilities used by U.S. forces) are scattered across the globe may never be publicly known. What we do know—from the experience of bases in Germany, Italy, Japan, and South Korea—is that, once built, they have a tendency toward permanency that a cessation of hostilities, or even outright peace, has a way of not altering.

After nearly a decade of war, close to 700 U.S., allied, and Afghan military bases dot Afghanistan. Until now, however, they have existed as black sites known to few Americans outside the Pentagon. It remains to be seen, a decade into the future, how many of these sites will still be occupied by U.S. and allied troops and whose flag will be planted on the ever-shifting British-Soviet-U.S./Afghan site at Shinwar.

General Petraeus and others in the administration continue their PR campaign. Overwhelming evidence is proving their upbeat assessments of our strategy is false. A recent article by the Los Angeles Times cited a report released by the Foreign Affairs Committee and the British Parliament that concluded that ''despite the optimistic appraisals we heard from some military and official sources, the security situation across Afghanistan as a whole is deteriorating. Counterinsurgency efforts in the south and east have allowed the Taliban to expand its presence and control in other previously relatively stable areas in Afghanistan.''

Mr. Speaker, I yield 1 minute to the gentleman from New York, Mr. CHARLES RANGEL.

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

Mr. RANGEL. This afternoon sometime, I will reintroduce my bill calling for a mandatory draft, making certain that every young person has an opportunity one way or the other to serve this great nation of ours, whether we're talking about in our schools, our hospitals, or just to provide some public service.

But the main part of this bill is that the President, when he asked us to declare war, or however we get involved in these things with loss of lives, we're going to have these people that come to the well and explain how we have to get involved, we have to fight, we can't give up, to see whether or not if their kids and grandchildren were mandated that they would have to go into these areas and put themselves in harm's way, how soon it will be before we take another look at this.

Let me congratulate the gentleman from Ohio for allowing our priests, our rabbis, our ministers to recognize that

we're talking about human lives being lost because of our concern about oil in this part of the world. It hasn't got a darn thing to do with our national security. I just hope and pray that one day we would be able to say we know we made a mistake and withdraw from this type of thing now and for the future of this great country.

Thank you for this opportunity.

Mr. BERMAN. I reserve the balance of my time.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT), the chairman of the Armed Services Subcommittee on Tactical Air and Land Forces.

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

Mr. BARTLETT. Thank you very much for yielding.

If our only reason for being in Afghanistan was to deny sanctuary to al Qaeda, I probably would have asked time from the gentleman from Ohio and be speaking from the other side, because when we are successful in Afghanistan, that will not have denied sanctuary to al Qaeda because they will simply go over into Pakistan. If not there, they'll go to Yemen and Somalia. If we leave Afghanistan now or if we leave Afghanistan before victory in Afghanistan, we will have sent a message to the world that their suspicions are really true, that all you have to do to the United States is make it tough for them and they will pull out. We did it in Beirut. We did it in Somalia. It is absolutely essential that we win here, or our credibility is gone forever as a major player in geopolitical things in the world.

A second good reason for staying in Afghanistan is that if we can have a fledgling democracy there, that will send a very powerful message to the Middle East from which most of the world's oil comes. There is a lot of upheaval there, and a stable democracy in Afghanistan would be enormously important.

Beyond denying sanctuary to al Qaeda, there are very good reasons for staying in Afghanistan until we have victory. Our young people there are doing an incredible job. I just came from there a bit over a week ago. We can succeed there, and I think we must succeed for the two reasons I mentioned.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. GIBSON), a member of the Armed Services Committee and a decorated combat veteran who ended his 24-year military career as a colonel in the United States Army.

Mr. GIBSON. I thank the lady.

Mr. Speaker, I rise today in opposition to the resolution. I served in Iraq when it was hard and unpopular, and I thank God that I live in a country that had the intestinal fortitude to see it through.

This year, we're going to complete our objectives in Iraq, and the remaining 48,000 troops that are there are going to come home. There's going to be a small contingent, about 150 or so, that are going to move underneath the Embassy, but we will have completed our objectives and Iraq will be stable and friendly.

Now, Afghanistan is different from Iraq, but our approach should be similar. The surge has accomplished its primary aim, to seize the initiative from the Taliban. But now we need to finish the job of building out the institution, the security and the civil institutions.

I'm recently back from Afghanistan, and I had an opportunity to meet the leadership there. I feel confident we've got the right plan going forward. And I support the President's plan, the President's plan to begin withdrawal this year and to complete combat operations by 2014, because I believe this plan will stabilize Afghanistan and help protect our cherished way of life, preventing al Qaeda from regaining sanctuary.

Now going forward, I think we need to learn from these experiences. Some comments were made here earlier about us, whether or not we're a Republic or an empire. I share those concerns and those sentiments. We're a Republic, and we need to learn from these experiences. But we need to see this through. We need to stand with our Commander in Chief. We need to stand with our troops. Complete this task.

And then finally let me say that I join all today on both sides of the aisle who honor our service men and women who have fell in the line of battle. We pray for their souls. We pray for their families. We remember those wounded in battle, those who bear physical scars. Those who bear no physical scars who are emotionally scarred, we pray for them. We honor them.

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

Ms. ROS-LEHTINEN. I yield the gentleman an additional 30 seconds.

Mr. GIBSON. And let me say this: That going forward, that this body, whether it be this issue or any issue, that this body and that this country shall be worthy of the sacrifices of our service men and women.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO), a member of the Armed Services Committee and a Marine veteran of the first gulf war who continues to serve with the Army National Guard.

Mr. PALAZZO. Mr. Speaker, the resolution proposed by my colleague from Ohio does a disservice to the men and women who have courageously defended our country from our enemies in Afghanistan. This past weekend I had the distinct pleasure and honor of welcoming home the 287th Engineering Company, commonly referred to as Sappers, based in Lucedale, Mississippi. They have the most dangerous mission in Afghanistan. They were the ones that cleared routes so that our men and women in uniform could have safe passage. They're the ones that rooted out the IEDs and the roadside bombs. And I'm happy to say they came back 100 percent, with one wounded warrior, but they did their mission.

While they were obviously overjoyed to see their loved ones again, the soldiers I spoke with were good to go with that mission and what they had accomplished. They fully understand that there are those who want to indiscriminately kill and maim Americans and we would rather take the fight to them overseas and abroad instead of having them come to our backyard, to our schools and our playgrounds.

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Just yesterday, I had the chance to speak personally with General Petraeus after his testimony before the House Armed Services Committee. Again, as a Marine veteran of the Persian Gulf war and currently serving in the Mississippi National Guard, I know firsthand what good military commands look like, and General Petraeus is a great leader, a professional soldier, and someone whose opinion I respect very much.

Based on this resolution, his quote was, ''The Taliban and al Qaeda obviously would trumpet this as a victory, as a success. Needless to say, it would completely undermine everything that our troopers have fought and sacrificed so much for.''

Mr. Speaker, Congress' constitutional responsibility is to ensure that the courageous men and women in our armed services have the tools and equipment and training to do their job and come home safely to their family. Our warfighters don't need armchair generals in this Congress arbitrarily dictating terms that will cause irreparable harm to them and to the national security of this country.

I urge my colleagues to oppose this resolution.

Mr. KUCINICH. Mr. Speaker, may I inquire how much time is remaining for each individual.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. KUCINICH) has 5¾ minutes remaining; the gentlewoman from Florida (Ms. ROS-LEHTINEN) has 3½ minutes remaining; the gentleman from California (Mr. BERMAN) has 9½ minutes remaining; and the gentleman from North Carolina (Mr. JONES) has 5 minutes remaining.

Mr. KUCINICH. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, spending on the Afghanistan war is rising at an accelerating rate. Over just 3 years, in a period of 3 years—2010, 2011, and 2012—we will spend 45 percent more on the war in Afghanistan than we did in the preceding

8 years, $336.9 billion versus $231.2 billion. This is an example of out-of-control Federal spending.

If Congress is serious about being fiscally responsible and about cutting the Federal budget by three figures, then cutting spending on the out-of-control $100 billion-a-year war in Afghanistan must be a serious consideration. This legislation, House Concurrent Resolution 28, gives those who are concerned about the costs of this war an opportunity finally to have a choice.

I reserve the balance of my time.

The SPEAKER pro tempore. Who seeks recognition?

The Chair will recognize Members for closing speeches in the reverse order of opening. That is, the gentleman from North Carolina, the gentleman from California, the gentleman from Ohio, and finally the gentlewoman from Florida.

PARLIAMENTARY INQUIRIES

Mr. KUCINICH. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KUCINICH. Is it the province of the Chair to determine that closing statements are in order?

The SPEAKER pro tempore. Recognition is in the discretion of the Chair.

Mr. KUCINICH. Further parliamentary inquiry. Does the Chair have the right to determine that closing statements are the order of business here?

The SPEAKER pro tempore. It is the custom of the House for the Chair to recognize Members in the reverse order of their opening statements to make their closing statements.

Mr. KUCINICH. Further parliamentary inquiry. Does the Chair have the ability to direct individual Members that they are to give their closing statements?

The SPEAKER pro tempore. A Member may yield his last amount of time to another Member at his discretion.

The Chair recognizes the gentleman from North Carolina.

Mr. JONES. I yield myself 3 minutes.

Mr. Speaker, first I would like to say to every Member that has been on the floor that served in our military, thank you and God bless you, as I say all the time to those who are overseas for this country.

Because I did not serve, I sought out a Marine general that every Marine that spoke on the floor today, if I said his name—but I don't have permission—they would salute him. They know him.

Let me share with you what this Marine general said to me back in November when I told him I read an article in The New York Times that an Army colonel was saying, Oh, the training of Afghans is going so well. So I emailed him. This is a six-point response, and I am going to read three very quickly:

''Continued belief that we can train the Afghan army to be effective in the time we have is nonsense. The vast majority cannot even read. They are people from the villages hooked on drugs, illiterate, and undisciplined. The South Vietnamese soldiers were much better trained, and they could not stem the tide.''

He further states, ''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.''

He closed by saying this: ''What do we say to the mother and father, the wife, of the last Marine killed to support a corrupt government and a corrupt leader in a war that cannot be won?''

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, if I could ask my good friend the gentleman from California if he would yield 2 minutes of his time to me.

Mr. BERMAN. Mr. Speaker, I would like to ask unanimous consent to yield 2 minutes of my remaining time to my chairman, the gentlewoman from Florida (Ms. ROS-LEHTINEN).

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Florida may control that time.

Ms. ROS-LEHTINEN. Mr. Speaker, how much would I have, then, to close?

The SPEAKER pro tempore. The gentlewoman from Florida has 5½ minutes remaining.

Ms. ROS-LEHTINEN. I reserve the balance of my time.

The SPEAKER pro tempore. Who seeks recognition?

Seeing none, we will proceed with the closing statements in the reverse order of the opening statements.

First, the gentleman from North Carolina.

Mr. JONES. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from North Carolina has 3½ minutes remaining.

Mr. JONES. I yield the balance of my time to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. The 2001 authorization of military force and the justification for our continued military presence in Afghanistan is that the Taliban in the past provided a safe haven for al Qaeda or could do so again in the future. General Petraeus has already admitted that al Qaeda has little or no presence in Afghanistan. Al Qaeda is an international organization, and, yes, they are a threat to America. The Taliban is only a threat to us as long as we continue our military occupation in Afghanistan.

After more than 9 years of military occupation of Afghanistan, can we really continue to claim to be acting in self-defense? The premise that the presence of our troops on the ground keeps us safer at home has been repudiated by recent terrorist attacks on the United States, all done by people other than Afghans outraged at continuing U.S. military occupation of predominantly Muslim countries. That is not to justify what they do, but it is to clarify the condition that we have in Afghanistan.

For how long are we going to continue to dedicate hundreds of billions of dollars and thousands of lives before we realize we can't win Afghanistan militarily?

At the end of the year, the administration and U.S. military leaders were touting peace talks to end the war with high-level Taliban leaders. These Taliban leaders turned out to be fake.

A November 2010 article in The New York Times detailed joint U.S. and Afghan negotiations with Mullah Akhtar Muhammad Mansour, a man the U.S. claimed was one of the most senior commanders in the Taliban. According to the New York Times, ''the episode underscores the uncertain and even bizarre nature of the atmosphere in which Afghan and American leaders search for ways to bring the American-led war to an end. The leaders of the Taliban are believed to be hiding in Pakistan, possibly with assistance of the Pakistani government, which receives billions of dollars in U.S. aid.''

How can we claim that a cornerstone of our counterinsurgency strategy is to take out Taliban strongholds across the country while at the same time conducting negotiations with the Taliban in an effort to end the war?

This episode further underlies the significant weakness in our strategy. We think we can separate the Taliban from the rest the Afghan population. Our counterinsurgency strategy fails to recognize a basic principle: Occupations fuel insurgencies. Occupations fuel insurgencies. Occupations fuel insurgencies.

The Taliban is a local resistance movement that is part and parcel of the indigenous population.

□ 1310

We lost the Vietnam war because we failed to win the hearts and minds of the local population. Without providing them with a competent government that provided them with basic security and a decent living, we're committing the same mistake in Afghanistan.

News reports indicate the Taliban is regaining momentum. The increase in civilian casualties due to higher levels of violence by insurgents further undermines the assurances of progress. As we send more troops into the country and kill innocent civilians with errant air strikes, the Taliban gains more support as resistors of foreign occupation. If we accept the premise that we can never leave Afghanistan until the Taliban is eradicated, we'll be there forever.

I would like to insert into the RECORD an article from The Nation, ''America's Failed War in Afghanistan—No Policy Change Is Going to Affect the Outcome.'' That's by Jeremy Scahill.

[From The Nation, Mar. 17, 2011]

AMERICA'S FAILED WAR IN AFGHANISTAN—NO POLICY CHANGE IS GOING TO AFFECT THE OUTCOME

(By Jeremy Scahill)

At the end of the NATO summit in Lisbon, Portugal this weekend, the leadership of the Afghan Taliban issued a statement characterizing the alliance's adoption of a loose timeline for a 2014 end to combat operations as ''good news'' for Afghans and ''a sign of failure for the American government.'' At the summit, President Barack Obama said that 2011 will begin ''a transition to full Afghan lead'' in security operations, while the Taliban declared: ''In the past nine years, the invaders could not establish any system of governance in Kabul and they will never be able to do so in future.''

While Obama claimed that the U.S. and its allies are ''breaking the Taliban's momentum,'' the reality on the ground tells a different story. Despite increased Special Operations Forces raids and, under Gen. David Petraeus, a return to regular U.S.-led airstrikes, the insurgency in Afghanistan is spreading and growing stronger. ''By killing Taliban leaders the war will not come to an end,'' said the Taliban's former foreign minister, Wakil Ahmad Muttawakil, in an interview at his home in Kabul. ''On the contrary, things get worse which will give birth to more leaders.''

Former and current Taliban leaders say that they have seen a swelling in the Taliban ranks since 9–11. In part, they say, this can be attributed to a widely held perception that the Karzai government is corrupt and illegitimate and that Afghans—primarily ethnic Pashtuns—want foreign occupation forces out. ''We are only fighting to make foreigners leave Afghanistan,'' a new Taliban commander in Kunduz told me during my recent trip to the country. ''We don't want to fight after the withdrawal of foreigners, but as long as there are foreigners, we won't talk to Karzai.''

''The Americans have very sophisticated technology, but the problem here in Afghanistan is they are confronting ideology. I think ideology is stronger than technology,'' says Abdul Salam Zaeef, a former senior member of Mullah Mohammed Omar's government. ''If I am a Taliban and I'm killed, I'm martyred, then I'm successful. There are no regrets for the Taliban. It's very difficult to defeat this kind of idea.''

But it is not simply a matter of ideology versus technology. The Taliban is not one unified body. The Afghan insurgency is fueled by fighters with a wide variety of motivations. Some are the dedicated jihadists of which Zaeef speaks, but others are fighting to defend their land or are seeking revenge for the killing of family members by NATO or Afghan forces. While al Qaeda has been almost entirely expelled from Afghanistan, the insurgency still counts a small number of non-Afghans among its ranks. Bolstering the Taliban's recruitment efforts is the perception in Afghanistan that the Taliban pays better than NATO or the Afghan army or police.

The hard reality U.S. officials don't want to discuss is this: the cultural and religious values of much of the Pashtun population—which comprises 25–40 percent of the country—more closely align with those of the Taliban than they do with Afghan government or U.S./NATO forces. The Taliban operate a shadow government in large swaths of the Pashtun areas of the country, complete with governors and a court system. In rural areas, land and property disputes are resolved through the Taliban system rather than the Afghan government, which is widely distrusted. ''The objectives and goal of the American troops in Afghanistan are not clear to the people and therefore Afghans call the Americans 'invaders,'" says Muttawakil. ''Democracy is a very new phenomenon in Afghanistan and most people don't know the meaning of democracy. And now corruption, thieves and fakes have defamed democracy. Democracy can't be imposed because people will never adopt any value by force.''

The U.S. strategy of attempting to force the Taliban to surrender or engage in negotiations rests almost exclusively on attempts to decapitate the Taliban leadership. While Taliban leaders acknowledge that commanders are regularly killed, they say the targeted killings are producing more radical leaders who are far less likely to negotiate than the older school Taliban leaders who served in the government of Mullah Mohammed Omar. ''If today Mullah Omar was captured or killed, the fighting will go on,'' says Zaeef, adding: ''It will be worse for everyone if the [current] Taliban leadership disappears.''

In October, there were a flurry of media reports that senior Taliban leaders were negotiating with the Karzai government and that U.S. forces were helping to insure safe passage for the Taliban leaders to come to Kabul. The Taliban passionately refuted those reports, saying they were propaganda aimed at dividing the insurgency. Last week the Taliban appeared vindicated on this point as Karzai spoke in markedly modest terms on the issue. He told The Washington Post that three months ago he had met with one or two ''very high'' level Taliban leaders. He characterized the meeting as ''the exchange of desires for peace,'' saying the Taliban ''feel the same as we do here—that too many people are suffering for no reason.''

Update: [On Tuesday, The New York Times reported that NATO and the Afghan government have held a series of ''secret'' peace negotiations with a man who posed as a senior Taliban leader, Mullah Akhtar Muhammad Mansour. A Western diplomat involved in the discussions told the Times, ''[W]e gave him a lot of money.'' It is unclear who, if anyone, the impostor was working for, though the Times speculated that he could have been deployed by Pakistan's ISI spy agency or by the Taliban itself. ''The Taliban are cleverer than the Americans and our own intelligence service,'' said a senior Afghan official who is familiar with the case. ''They are playing games.'' Last month, the White House asked the Times to withhold Mansour's name ''from an article about the peace talks, expressing concern that the talks would be jeopardized—and Mr. Mansour's life put at risk—if his involvement were publicized. The Times agreed to withhold Mr. Mansour's name,'' according to the paper.

This incident is significant on a number of levels. If true, it underscores the ineffective and inaccurate nature of U.S., NATO and Afghan government intelligence. It also confirms what Taliban leaders have stated publicly and to The Nation, namely that it has not negotiated with the Afghan government or NATO and that it will not negotiate unless foreign troops leave Afghanistan. The fake Mullah Mansour, according to the Times, ''did not demand, as the Taliban have in the past, a withdrawal of foreign forces or a Taliban share of the government.''

In October, a U.S. official said that reports in U.S. media outlets of senior Taliban negotiating are propaganda aimed at sowing dissent among the Taliban leadership. ''This is a psychological operation, plain and simple,'' the official with firsthand knowledge of the Afghan government's strategies told the McClatchy news service. ''Exaggerating the significance of it is an effort to sow distrust within the insurgency.''

Today on MSNBC, Pentagon spokesperson Geoff Morrell continued to insist that U.S. and NATO forces have facilitated safe passage for Taliban leaders for reconciliation meetings in Kabul. The Taliban maintain there have been no meetings.

The Taliban impostor incident also calls into question scores of deadly night raids that have resulted in the deaths of innocent Afghans. Several survivors of night raids recently told The Nation that they believed they were victims of bad intelligence provided by other Afghans for money or to settle personal grudges.

Contrary to the rhetoric emanating from NATO and Washington, the Taliban are not on the ropes and, from their perspective, would gain nothing from negotiating with the U.S. or NATO. As far as they are concerned, time is on their side. ''The bottom line for [NATO and the U.S.] is to immediately implement what they would ultimately have to implement . . . after colossal casualties,'' stated the Taliban declaration after the recent NATO summit. ''They should not postpone withdrawal of their forces.''

Depending on who you ask, the fact that Gen. Petraeus has brought back the use of heavy U.S. airstrikes and is increasing night raids and other direct actions by Special Operations Forces could be seen as a sign of either fierce determination to wipe out ''the enemy'' or of desperation to prove the U.S. and its allies are ''winning.'' Over the past three months, NATO claims that Special Operations Forces' night raids have resulted in more than 360 ''insurgent leaders'' being killed or captured along with 960 ''lower-level'' leaders and the capture of more than 2400 ''lower-level'' fighters. In July, Special Operations Forces averaged 5 raids a night. Now, according to NATO, they are conducting an average of 17. Secretary of State Hillary Clinton called the raids ''intelligence-driven precision operations against high value insurgents and their networks,'' adding, ''There is no question that they are having a significant impact on the insurgent leadership.''

The raids undoubtedly have produced scores of successful kill or capture operations, but serious questions abound over the NATO definitions of Taliban commanders, sub-commanders and foot soldiers. Most significantly, the raids consistently result in the killing of innocent civilians, a fact that is problematic for NATO and the Karzai government. ''A lot of times, yeah, the right guys would get targeted and the right guys would get killed,'' says Matthew Hoh a former senior State Department official in Afghanistan who resigned in 2009 in protest of U.S. war strategy. ''Plenty of other times, the wrong people would get killed.

Sometimes it would be innocent families.'' Hoh, who was the senior U.S. civilian in Zabul province, a Taliban stronghold, describes night raids as ''a really risky, really violent operation,'' saying that when Special Operations Forces conduct them, ''We might get that one guy we're looking for or we might kill a bunch of innocent people and now make ten more Taliban out of them.''

Hoh describes the current use of U.S. Special Operations Forces in Afghanistan as a ''tremendous waste of resources,'' saying, ''They are the best strike forces the world's ever known. They're very well trained, very well equipped, have a tremendous amount of support, and we've got them in Afghanistan chasing after mid-level Taliban leaders who are not threatening the United States, who are only fighting us really because we're in their valley.''

In an interview with The Washington Post in mid-November, President Karzai called for an end to the night raids. ''I don't like it in

any manner and the Afghan people don't like these raids in any manner,'' Karzai said. ''We don't like raids in our homes. This is a problem between us and I hope this ends as soon as possible. . . . Terrorism is not invading Afghan homes and fighting terrorism is not being intrusive in the daily Afghan life.''

Karzai's comments angered the Obama administration. At the NATO summit, President Obama acknowledged that civilian deaths have sparked ''real tensions'' with the Karzai government, but reserved the right to continue US raids. ''[Karzai's] got to understand that I've got a bunch of young men and women . . . who are in a foreign country being shot at and having to traverse terrain filled with IEDs, and they need to protect themselves,'' Obama said. ''So if we're setting things up where they're just sitting ducks for the Taliban, that's not an acceptable answer either.'' Republican Senator Lindsey Graham blasted Karzai's statement calling for an end to night raids, saying, ''it would be a disaster for the Petraeus strategy.''

Along with Afghan government corruption, including a cabal of war lords, drug dealers and war criminals in key positions, the so-called Petraeus strategy of ratcheting up air strikes and expanding night raids is itself delivering substantial blows to the stated U.S. counterinsurgency strategy and the much-discussed battle for hearts and minds. The raids and airstrikes are premiere recruiting points for the Taliban and, unlike Sen. Graham and the Obama administration, Karzai seems to get that. In the bigger picture, the U.S. appears to be trying to kill its way to a passable definition of a success or even victory. This strategy puts a premium on the number of kills and captures of anyone who can loosely be defined as an insurgent and completely sidelines the blowback these operations cause. ''We found ourselves in this Special Operations form of attrition warfare,'' says Hoh, ''which is kind of like an oxymoron, because Special Operations are not supposed to be in attrition warfare. But we've found ourselves in that in Afghanistan''

I would like to put into the RECORD an article from Aljazeera.net, which points out that for all practical purposes, Washington has given up on its counterinsurgency strategy.

[From Aljazeera.net, Mar. 7, 2011]

FAILING IN AFGHANISTAN SUCCESSFULLY—DESPITE HUNDREDS OF BILLIONS OF DOLLARS AND THOUSANDS OF TROOPS, THE U.S. IS UNABLE TO CONCLUDE ITS LONGEST WAR

(By Marwan Bishara)

While we have been fixated on successive Arab breakthroughs and victories against tyranny and extremism, Washington is failing miserably but discreetly in Afghanistan.

The American media's one-obsession-at-a-time coverage of global affairs might have put the spotlight on President Obama's slow and poor reaction to the breathtaking developments starting in Tunisia and Egypt. But they spared him embarrassing questions about continued escalation and deaths in Afghanistan.

In spite of its international coalition, multiple strategies, hundreds of billions of dollars, and a surge of tens of thousands of troops, the U.S. is unable to conclude its longest war yet or at least reverse its trend.

Recent ''reports'' from the war front have been of two kinds. Some official or analytical in nature and heavily circulated in Washington portray a war going terribly well. On the other hand, hard news from the ground tell a story of U.S. fatigue, backtracking and tactical withdrawals or redeployments which do not bode well for defeating the Taliban or forcing them to the negotiations' table.

For example, while the U.S. military's decision to withdraw from the Pech valley was justified on tactical need to redeploy troops for the task of ''protecting the population'', keen observers saw it as a humiliating retreat from what the Pentagon previously called a very strategic position and sacrificed some hundred soldiers defending it.

Likewise, strategic analysts close to the administration speak triumphantly of U.S. surge and hi-tech firepower inflicting terrible cost on the Taliban, killing many insurgents and driving many more from their sanctuaries.

But news from the war front show the Taliban unrelenting, mounting counter-attacks and escalating the war especially in areas where the U.S. has ''surged'' its troops. And while the majority of the 400 Afghan districts are ''calmer'', they remain mostly out of Kabul's control.

What success?

Those with relatively long memories recall the then defence secretary Donald Rumsfeld's claims that most of Afghanistan was secure in early 2003 and that American forces had changed their strategy from major combat operations to stabilisation and reconstruction project.

But the Taliban continued to carry daily attacks on government buildings, U.S. positions and international organisations. Two years later, the U.S. was to suffer the worst and deadliest year since the war began.

Today's war pundits are in the same state of denial. For all practical purpose, Washington has given up on its counterinsurgency (COIN) strategy devised under McChrystal and Petreaus.

Instead, it is pursuing a heavy handed and terribly destructive crackdown that includes special operations, assassinations, mass demolitions, air and night raids etc. that have led to anything but winning the country, let alone its hearts and minds.

The killing of nine Afghan children last week—all under the age of 12—by U.S. attack helicopters has once again put the spotlight on the U.S. military's new aggressive methods.

The results are so devastating for the conduct of the war and to Washington's clients, that President Karzai not only distanced himself from the U.S. methods, but also publicly rejected Washington's apology for the killings.

Nor is the recruitment and training of the Afghan forces going well. Indeed, many seem to give up on the idea that Afghan security forces could take matters into their hands if the U.S. withdraws in the foreseeable future.

Worse, U.S. strategic co-operation with Pakistan—the central pillar of Obama's PakAf strategy—has cooled after the arrest of a CIA contractor for the killing of two Pakistanis even though he presumably enjoys diplomatic immunity.

Reportedly, it has also led to a ''breakdown'' in co-ordination between the two countries intelligence agencies, the CIA and the ISI.

But the incident is merely a symptom of a bigger problem between the two countries. A reluctant partner, the Pakistani establishment and its military are unhappy with U.S. strategy which they reckon could destabilise their country and strengthen Afghanistan and India at their expense.

That has not deterred Washington from offering ideas and money to repair the damage. However, it has become clear that unlike in recent years, future improvement in their bilateral relations will most probably come as a result of the U.S. edging closer to Pakistan's position, not the opposite.

All of which makes one wonder why certain Washington circles are rushing to advance the ''success story''.

Running out of options

The Afghan government's incapability to take on the tasks of governing or securing the country beyond the capital, and the incapacity of the Obama administration to break the Taliban's momentum does not bode well for an early conclusion of the war.

To their credit some of Obama's war and surge supporters realise that there is no military solution for Afghanistan. Clearly, their claims of battlefield successes help justify the rush to talk to the Taliban.

But it is not yet clear whether the presumably ongoing exploratory secret negotiations with the Taliban are serious at all, or will lead to comprehensive negotiations and eventually a lasting deal. The last ''Taliban commander'' Washington dialogued with in the fall turned out to be an impostor—a shopkeeper from Quetta!

If the Taliban does eventually accept to sit down with Obama or Karzai envoys, the U.S. needs to explain why it fought for 10 years only to help the group back to power.

Secretary of state Hillary Clinton has begun the humiliating backtracking last month: ''Now, I know that reconciling with an adversary that can be as brutal as the Taliban sounds distasteful, even unimaginable. And diplomacy would be easy if we only had to talk to our friends. But that is not how one makes peace.''

Facing up to the reality

The mere fact that the world's mightiest superpower cannot win over the poorly armed Taliban after a long decade of fighting, means it has already failed strategically, regardless of the final outcome.

The escalation of violence and wasting billions more cannot change that. It is history. The quicker the Obama administration recognises its misfortunes, minimises its losses and convenes a regional conference over the future of Afghanistan under UN auspices, the easier it will be to evacuate without humiliation.

Whether the U.S. eventually loses the war and declares victory; negotiates a settlement and withdraw its troops, remains to be seen. What is incontestable is that when you fight the week for too long, you also become weak.

All of which explains the rather blunt comments made in a speech at the end of February, by U.S. Defence Secretary Robert Gates when he said ''. . . 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.''

Amen.

I would like to insert into the RECORD, from AlterNet, an article by Derrick Crowe and Robert Greenwald posted on February 6, 2011, titled Damning New Report Shows U.S. Strategy is Blocking Chance for Peace in Afghanistan.

[From AlterNet, Feb. 6, 2011]

DAMNING NEW REPORT SHOWS U.S. STRATEGY IS BLOCKING CHANCE FOR PEACE IN AFGHANISTAN

(By Derrick Crowe and Robert Greenwald)

See: http://www.alternet.org/story/149815/

The new report from NYU's Center for International Cooperation is a damning description of the U.S. policies in Afghanistan since 2001, and a warning that the escalated military strategy blocks the road to peace while making the Taliban more dangerous.

Separating the Taliban from al-Qaeda: The Core of Success in Afghanistan is the latest

in a continuous string of statements from Afghanistan experts that the U.S. war policies that were launched a year ago aren't making us safer and aren't worth the substantial costs: $1 million per U.S. troop in Afghanistan per year, for a total of more than $375.5 billion wasted so far. The report is written by Alex Strick van Linschoten and Felix Kuehn, Kandahar-based researchers who've spent more than four years researching the Taliban and the recent history of southern Afghanistan.

I would like to place into the RECORD an article from ABC News titled Afghan Security the Worst in a Decade, according to the U.N.

ABC NEWS—AFGHAN SECURITY THE WORST IN A DECADE: UN

The security situation in Afghanistan has worsened to its lowest point since the toppling of the Taliban a decade ago and attacks on aid workers are at unprecedented levels, a United Nations envoy said.

Robert Watkins, the outgoing UN deputy special representative of the Secretary General for Afghanistan, says from a humanitarian perspective, security ''is on everyone's minds''.

''It is fair to say that security in the country is at its lowest point since the departure of the Talibans,'' he said.

Mr Watkins says before last year's surge in NATO military forces, the insurgency was centred in the south and south-east of the country.

''Since the surge of NATO forces last year, we have seen the insurgency move to parts of the country where we've never seen before,'' he said.

''We've now confronted with security problems that we'd never dream that we'd have.

''While NATO is claiming that it has turned the corner . . . we still see these very difficult security problems.''

UN relief agencies now have regular access to just 30 per cent of the country. Access is mixed for another 30 per cent while there is hardly any access to the remaining 40 per cent.

Mr Watkins says a key issue is the ''conflation of political, military, developmental and humanitarian aid''.

''Because of the way aid is dispersed in Afghanistan . . . it has contributed to perception in parts of the Afghan population that somehow humanitarian work is lumped into this political and military effort,'' he said.

''We have to emphasise that we recognise that there has to be separation and we have to be very careful to try to address this perception.''

But he pointed out that a positive development was that the international and Afghan military have publicly acknowledged that some kind of negotiated settlement was necessary to end the instability.

''[This year] can be a crucial year if there is a breakthrough in finding some kind of reconciliation efforts,'' he said.

The Taliban, a hardline Islamist movement, was forced from power in late 2001 after a US invasion launched in the wake of the September 11 attacks on New York and Washington.

I would like to place into the RECORD an article from The New York Times discussing the counterintelligence strategy titled U.S. Pulling Back in Afghan Valley it Called Vital to War.

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

U.S. PULLING BACK IN AFGHAN VALLEY IT CALLED VITAL TO WAR

(By C. J. Chivers, Alissa J. Rubin and Wesley Morgan)

KABUL, AFGHANISTAN.—After years of fighting for control of a prominent valley in the rugged mountains of eastern Afghanistan, the United States military has begun to pull back most of its forces from ground it once insisted was central to the campaign against the Taliban and Al Qaeda.

The withdrawal from the Pech Valley, a remote region in Kunar Province, formally began on Feb. 15. The military projects that it will last about two months, part of a shift of Western forces to the province's more populated areas. Afghan units will remain in the valley, a test of their military readiness.

While American officials say the withdrawal matches the latest counterinsurgency doctrine's emphasis on protecting Afghan civilians, Afghan officials worry that the shift of troops amounts to an abandonment of territory where multiple insurgent groups are well established, an area that Afghans fear they may not be ready to defend on their own.

And it is an emotional issue for American troops, who fear that their service and sacrifices could be squandered. At least 103 American soldiers have died in or near the valley's maze of steep gullies and soaring peaks, according to a count by The New York Times, and many times more have been wounded, often severely.

Military officials say they are sensitive to those perceptions. ''People say, 'You are coming out of the Pech'; I prefer to look at it as realigning to provide better security for the Afghan people,'' said Maj. Gen. John F. Campbell, the commander for eastern Afghanistan. ''I don't want the impression we're abandoning the Pech.''

The reorganization, which follows the complete Afghan and American withdrawals from isolated outposts in nearby Nuristan Province and the Korangal Valley, runs the risk of providing the Taliban with an opportunity to claim success and raises questions about the latest strategy guiding the war.

American officials say their logic is simple and compelling: the valley consumed resources disproportionate with its importance; those forces could be deployed in other areas; and there are not enough troops to win decisively in the Pech Valley in any case.

''If you continue to stay with the status quo, where will you be a year from now?'' General Campbell said. ''I would tell you that there are places where we'll continue to build up security and it leads to development and better governance, but there are some areas that are not ready for that, and I've got to use the forces where they can do the most good.''

President Obama's Afghan troop buildup is now fully in place, and the United States military has its largest-ever contingent in Afghanistan. Mr. Obama's reinforced campaign has switched focus to operations in Afghanistan's south, and to building up Afghan security forces.

The previous strategy emphasized denying sanctuaries to insurgents, blocking infiltration routes from Pakistan and trying to fight away from populated areas, where NATO's superior firepower could be massed, in theory, with less risk to civilians. The Pech Valley effort was once a cornerstone of this thinking.

The new plan stands as a clear, if unstated, repudiation of earlier decisions. When Gen. Stanley A. McChrystal, the former NATO commander, overhauled the Afghan strategy two years ago, his staff designated 80 ''key terrain districts'' to concentrate on. The Pech Valley was not one of them.

Ultimately, the decision to withdraw reflected a stark—and controversial—internal assessment by the military that it would have been better served by not having entered the high valley in the first place.

''What we figured out is that people in the Pech really aren't anti-U.S. or anti-anything; they just want to be left alone,'' said one American military official familiar with the decision. ''Our presence is what's destabilizing this area.''

Gen. Mohammed Zaman Mamozai, a former commander of the region's Afghan Border Police, agreed with some of this assessment. He said that residents of the Pech Valley bristled at the American presence but might tolerate Afghan units. ''Many times they promised us that if we could tell the Americans to pull out of the area, they wouldn't fight the Afghan forces,'' he said.

It is impossible to know whether such pledges will hold. Some veterans worry that the withdrawal will create an ideal sanctuary for insurgent activity—an area under titular government influence where fighters or terrorists will shelter or prepare attacks elsewhere.

While it is possible that the insurgents will concentrate in the mountain valleys, General Campbell said his goal was to arrange forces to keep insurgents from Kabul, the country's capital.

''There are thousands of isolated mountainous valleys throughout Afghanistan, and we cannot be in all of them,'' he said.

The American military plans to withdraw from most of the four principal American positions in the valley. For security reasons, General Campbell declined to discuss which might retain an American presence, and exactly how the Americans would operate with Afghans in the area in the future.

As the pullback begins, the switch in thinking has fueled worries among those who say the United States is ceding some of Afghanistan's most difficult terrain to the insurgency and putting residents who have supported the government at risk of retaliation.

''There is no house in the area that does not have a government employee in it,'' said Col. Gul Rahman, the Afghan police chief in the Manogai District, where the Americans' largest base in the valley, Forward Operating Base Blessing, is located. ''Some work with the Afghan National Army, some work with the Afghan National Police, or they are a teacher or governmental employee. I think it is not wise to ignore and leave behind all these people, with the danger posed to their lives.''

Some Afghan military officials have also expressed pointed misgivings about the prospects for Afghan units left behind.

''According to my experience in the military and knowledge of the area, it's absolutely impractical for the Afghan National Army to protect the area without the Americans,'' said Major Turab, the former second-in-command of an Afghan battalion in the valley, who like many Afghans uses only one name. ''It will be a suicidal mission.''

The pullback has international implications as well. Senior Pakistani commanders have complained since last summer that as American troops withdraw from Kunar Province, fighters and some commanders from the Haqqani network and other militant groups have crossed into Afghanistan from Pakistan to create a ''reverse safe haven'' from which to carry out attacks against Pakistani troops in the tribal areas.

The Taliban and other Afghan insurgent groups are all but certain to label the withdrawal a victory in the Pech Valley, where they could point to the Soviet Army's withdrawal from the same area in 1988. Many Afghans remember that withdrawal as a symbolic moment when the Kremlin's military campaign began to visibly fall apart.

Within six months, the Soviet-backed Afghan Army of the time ceded the territory to mujahedeen groups, according to Afghan military officials.

The unease, both with the historical precedent and with the price paid in American

blood in the valley, has ignited a sometimes painful debate among Americans veterans and active-duty troops. The Pech Valley had long been a hub of American military operations in Kunar and Nuristan Provinces.

American forces first came to the valley in force in 2003, following the trail of Gulbuddin Hekmatyar, the leader of the Hezb-i-Islami group, who, like other prominent insurgent leaders, has been said at different times to hide in Kunar. They did not find him, though Hezb-i-Islami is active in the valley.

Since then, one American infantry battalion after another has fought there, trying to establish security in villages while weathering roadside bombs and often vicious fights.

Along with other slotlike canyons that the United States has already largely abandoned—including the Korangal Valley, the Waygal Valley (where the battle of Wanat was fought in 2008), the Shuryak Valley and the Nuristan River corridor (where Combat Outpost Keating was nearly overrun in 2009)—the Pech Valley was a region rivaled only by Helmand Province as the deadliest Afghan acreage for American troops.

On one operation alone in 2005, 19 service members, including 11 members of the Navy Seals, died.

As the years passed and the toll rose, the area assumed for many soldiers a status as hallowed ground. ''I can think of very few places over the past 10 years with as high and as sustained a level of violence,'' said Col. James W. Bierman, who commanded a Marine battalion in the area in 2006 and helped establish the American presence in the Korangal Valley.

In the months after American units left the Korangal last year, insurgent attacks from that valley into the Pech Valley increased sharply, prompting the current American battalion in the area, First Battalion, 327th Infantry, and Special Operations units to carry out raids into places that American troops once patrolled regularly.

Last August, an infantry company raided the village of Omar, which the American military said had become a base for attacks into the Pech Valley, but which earlier units had viewed as mostly calm. Another American operation last November, in the nearby Watapor Valley, led to fighting that left seven American soldiers dead.

This article has been revised to reflect the following correction:

Correction: February 24, 2011

An earlier version of this article referred incorrectly to a pullback of American forces in eastern Afghanistan. It is a pullback from remote territory within Kunar Province, not from the province as a whole.

The SPEAKER pro tempore. The gentleman from California (Mr. BERMAN) has 7½ minutes remaining.

Mr. BERMAN. I simply would very quickly make the case that the resolution should be voted against for several reasons. Initially, because it improperly invokes a provision of the War Powers Act that's inapplicable. This war was authorized by the U.S. Congress. Secondly, the manner in which it would force withdrawal is irresponsible and I don't think is the right way to do it. And, thirdly, that I am not prepared, from this point of view, to say that failure is in any way inevitable, and that we should not at this time make the judgment to pull the plug out from what we are doing in Afghanistan.

I would urge a ''no'' vote on the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. KUCINICH) has 5¼ minutes remaining.

Mr. KUCINICH. Thank you, Mr. Speaker.

We've stated over and over in this debate the cost of this war in this budget alone will be over $113 billion—$113 billion. There are Members who have come to this floor trying to whack a billion dollars in spending here and there. This is $113 billion. You want to cut out waste, let's get out of Afghanistan.

Keep in mind that when you go to the Pentagon, and some of our Members have, and have gone to Afghanistan, there's an open-ended war going on here. There's no end in sight. I've submitted for the RECORD articles with respect to that. Hear this: We're going to be there through at least 2020. And that's going to cost us an extra, at least an extra trillion dollars.

Where are we going to get that money? Are we going to cut Social Security for that? Are we going to cut health care and cut funds for education? Are we going to cut more funds for home heating aid?

Where are we going to get this money? Are we ready to give up our entire domestic agenda so that we can continue on the path of a war to prop up a corrupt regime whose friends are building villas in Dubai, presumably with money that comes through the United States that's shipped out in planes out of the Kabul airport?

We have to start standing up for America here.

I appreciate and respect every Member of this Congress who served in the military. We honor them, just as I honor the members of my own family; my father, Frank, who was a World War II veteran; my brother Frank, who was a Vietnam veteran; my brother Gary, a Vietnam-era veteran; my sister Beth Ann, an Army veteran. I come from a family that appreciates service to our country.

But how are we serving our troops by letting them in a situation that is absolutely impossible, whether it's greater numbers of them returning home with injuries from IEDs. How are we serving our troops by telling them we're going to keep extending the period of the war? Who's speaking up truly for our troops here? Is it General Petraeus, who says, Well, we'll just keep the war going and maybe—maybe—we'll send 2,000 troops out of Afghanistan or redirect them by 2014. He doesn't get to make the choice. That choice must be made by the Congress of the United States.

It's time that we started to stand up for the Constitution of the United States, which, last I checked, in Article I, section 8 provides that Congress has to make the decision whether or not to send our troops into war. We have not the right to give that over to a President, over to a general, or anybody else. It's our prerogative inside this Congress.

In 2001, Mr. Speaker, I joined with Members of this House in voting for the authorization of military force following the terrorist attacks on 9/11. I don't take a backseat to anyone in standing up to defend this country. But as the United States continues in what is now the longest war in our history, it has become clear that the authorization for military force is being used as a carte blanche for circumventing Congress' role as a coequal branch of government.

I want you to hear this. We're a coequal branch of government. We're not lap dogs for the President. We're not servants of generals. We are a coequal branch of government expressing the sovereign will of the American people.

It has become clear this administration, just as the last administration, is willing to commit us to an endless war and an endless stream of money, just a year after a commitment of an additional 30,000 troops to Afghanistan and continued assurances of ''progress.'' They have been walking that dog down the road for the last 7 years. Progress.

My legislation invokes the War Powers Resolution of 1973, and if enacted, would require this President to withdraw U.S. Armed Forces out of Afghanistan by December 31, 2011.

Regardless of your support or opposition to the war in Afghanistan, this debate has been a critical opportunity to evaluate the human and the economic cost as this Congress works to address our country's dire financial straits. Those of us that supported the withdrawal may not agree on a timeline, but an increasing number of us agree it's time to think and rethink our current national security strategy. And we have to know the costs are great. We can't get away from the costs of this war.

Nobel Prize-winning economist Joe Stiglitz and Linda Bilmes, his associate, wrote a book about the Iraq war. They projected then a minimum of $3 trillion in costs.

I would like to include in the RECORD, Mr. Speaker, a statement that I made over 8 years ago at the beginning of the Iraq war, where I pointed out there was nothing—no reason why we should be going to war in Iraq because there was no proof that Iraq had weapons of mass destruction.

I mention that in terms of this debate because we're at the confluence of the events—the anniversary of the Iraq war; the confluence of the funding of the war in Afghanistan. We've got to get out of Afghanistan. We've got to get out of Iraq. We've got to start taking care of things here at home.

ANALYSIS OF JOINT RESOLUTION ON IRAQ BY DENNIS J. KUCINICH

WASHINGTON, Oct 2, 2002.—Whereas in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq;

KEY ISSUE: In the Persian Gulf war there was an international coalition. World support was for protecting Kuwait. There is no world support for invading Iraq.

Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;

KEY ISSUE: UN inspection teams identified and destroyed nearly all such weapons. A lead inspector, Scott Ritter, said that he believes that nearly all other weapons not found were destroyed in the Gulf War. Furthermore, according to a published report in the Washington Post, the Central Intelligence Agency has no up to date accurate report on Iraq's WMD capabilities.

Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;

KEY ISSUES: Iraqi deceptions always failed. The inspectors always figured out what Iraq was doing. It was the United States that withdrew from the inspections in 1998. And the United States then launched a cruise missile attack against Iraq 48 hours after the inspectors left. In advanced of a military strike, the US continues to thward (the Administration's word) weapons inspections.

Whereas in 1998 Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in ''material and unacceptable breach of its international obligations'' and urged the President ''to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations'' (Public Law 105–235);

Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;

KEY ISSUES: There is no proof that Iraq represents an imminent or immediate threat to the United States. A ''continuing'' threat does not constitute a sufficient cause for war. The Administration has refused to provide the Congress with credible intelligence that proves that Iraq is a serious threat to the United States and is continuing to possess and develop chemical and biological and nuclear weapons. Furthermore there is no credible intelligence connecting Iraq to Al Qaida and 9/11.

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;

KEY ISSUE: This language is so broad that it would allow the President to order an attack against Iraq even when there is no material threat to the United States. Since this resolution authorizes the use of force for all Iraq related violations of the UN Security Council directives, and since the resolution cites Iraq's imprisonment of non-Iraqi prisoners, this resolution would authorize the President to attack Iraq in order to liberate Kuwaiti citizens who may or may not be in Iraqi prisons, even if Iraq met compliance with all requests to destroy any weapons of mass destruction. Though in 2002 at the Arab Summit, Iraq and Kuwait agreed to bilateral negotiations to work out all claims relating to stolen property and prisoners of war. This use-of-force resolution enables the President to commit U.S.046 troops to recover Kuwaiti property.

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

KEY ISSUE: The Iraqi regime has never attacked nor does it have the capability to attack the United States. The ''no fly'' zone was not the result of a UN Security Council directive. It was illegally imposed by the United States, Great Britain and France and is not specifically sanctioned by any Security Council resolution.

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

KEY ISSUE: There is no credible intelligence that connects Iraq to the events of 9/11 or to participation in those events by assisting Al Qaida.

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;

KEY ISSUE: Any connection between Iraq support of terrorist groups in Middle East, is an argument for focusing great resources on resolving the conflict between Israel and the Palestinians. It is not sufficient reason for the U.S. to launch a unilateral preemptive strike against Iraq.

Whereas the attacks on the United States of September 11, 2001 underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;

KEY ISSUE: There is no connection between Iraq and the events of 9/11.

Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;

KEY ISSUE: There is no credible evidence that Iraq possesses weapons of mass destruction. If Iraq has successfully concealed the production of such weapons since 1998, there is no credible evidence that Iraq has the capability to reach the United States with such weapons. In the 1991 Gulf War, Iraq had a demonstrated capability of biological and chemical weapons, but did not have the willingness to use them against the United States Armed Forces. Congress has not been provided with any credible information, which proves that Iraq has provided international terrorists with weapons of mass destruction.

Whereas United Nations Security Council Resolution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949;

KEY ISSUE: The UN Charter forbids all member nations, including the United States, from unilaterally enforcing UN resolutions.

Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) has authorized the President ''to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677'';

KEY ISSUE: The UN Charter forbids all member nations, including the United States, from unilaterally enforcing UN resolutions with military force.

Whereas in December 1991, Congress expressed its sense that it ''supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102–1),'' that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and ''constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region,'' and that Congress, ''supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688'';

KEY ISSUE: This clause demonstrates the proper chronology of the international process, and contrasts the current march to war. In 1991, the UN Security Council passed a resolution asking for enforcement of its resolution. Member countries authorized their troops to participate in a UN-led coalition to enforce the UN resolutions. Now the President is asking Congress to authorize a unilateral first strike before the UN Security Council had asked its member states to enforce UN resolutions.

Whereas the Iraq Liberation Act (Public Law 105–338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

KEY ISSUE: This ''Sense of Congress'' resolution was not binding. Furthermore, while Congress supported democratic means of removing Saddam Hussein it clearly did not endorse the use of force contemplated in this resolution, nor did it endorse assassination as a policy.

Whereas on September 12, 2002, President Bush committed the United States to ''work with the United Nations Security Council to meet our common challenge'' posed by Iraq and to ''work for the necessary resolutions,'' while also making clear that ''the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable'';

Whereas the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary;

KEY ISSUE: Unilateral action against Iraq will cost the United States the support of the world community, adversely affecting the war on terrorism. No credible intelligence exists which connects Iraq to the events of 9/11 or to those terrorists who perpetrated 9/11. Under international law, the United States does not have the authority to unilaterally order military action to enforce UN Security Council resolutions.

Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001 or harbored such persons or organizations;

KEY ISSUE: The Administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11.

Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

KEY ISSUE: The Administration has not provided Congress with any proof that Iraq is in any way connected to the events of 9/11. Furthermore, there is no credible evidence that Iraq has harbored those who were responsible for planning, authorizing or committing the attacks of 9/11.

Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107–40); and

KEY ISSUE: This resolution was specific to 9/11. It was limited to a response to 9/11.

Whereas it is in the national security of the United States to restore international peace and security to the Persian Gulf region;

KEY ISSUE: If by the ''national security interests'' of the United States, the Administration means oil, it ought to communicate such to the Congress. A unilateral attack on Iraq by the United States will cause instability and chaos in the region and sow the seeds of future conflicts all over the world.

The SPEAKER pro tempore. The gentlewoman from Florida has 5½ minutes remaining.

Ms. ROS-LEHTINEN. Thank you, Mr. Speaker.

I am pleased and honored to yield the balance of my time to the gentleman from Michigan (Mr. MCCOTTER), a member of the Financial Services Committee, a former member of our Foreign Affairs Committee. I would like to remind my good friend that we still have a GOP vacancy in our committee and we need freedom and democracy believers like the gentleman from Michigan; seniority retained.

Mr. MCCOTTER. I thank the gentlelady. I thank her for her kind words and her attempt to draft me.

In this age of hope and peril, today we all assemble with earnestness and sincerity to discuss matters of liberty and tyranny, matters of life and death.

□ 1320

What we see in Afghanistan is a counterinsurgency operation being led by the United States. It is the most difficult and painful type of military operation to witness because it does involve working with the population, winning hearts and minds, and helping to build the institutions of democracy and liberty at the community and national levels, which have been nonexistent for decades.

Yet because the cause is difficult, it does not mean we can turn away from it, because the Afghan people cannot turn away from it.

In 2006, I was fortunate to be on a CODEL with many of my colleagues, and we had the opportunity to meet women who were serving in the Afghan National Assembly. Despite the difficulties in translation, it was very clear that they wanted to accomplish two things: they wanted to serve the Afghan people, who had entrusted them with their positions; and they wanted to honor the men and women of the United States military, who had risked and given so much for them to have that opportunity.

As I said, I deeply appreciate the sincerity and earnestness of this debate today because, in this instance, clearly, it is not one based upon partisan division, but one based upon the dictates of conscience. I think it is very important that we look into this situation and see that it is not simply the United States that is involved here and that it is not simply a question of leaving without consequence. If we leave now, if we back this resolution, there will be consequences to the female Afghan National Assembly parliamentarians, who are trying to build freedom within that country.

In my discussion with those brave women, they brought up how difficult it was for them: how hard it would be to build a sustainable democracy; to build an economy; to build, in many ways, what we here take for granted.

I said to them that it was very important to remember that the United States, itself, was not always a great national power and a beacon of hope and freedom and that in our darkest days after the Revolution there were many who thought this free Republic would fail, and there were enemies who sought its destruction. Yet, at the founding time, the people of the United States and their leaders were able to take this Nation's democracy and turn it into one that not only secured freedom for itself but one that expanded it to others.

I said that it was within the Halls of the United States Congress, within the Halls of our institution, that you could see the pictures of the Founders, like Jefferson and Madison, hanging from the walls, which remind us of what we have endured, what we enjoy, and what we must return.

I told the Afghan National Assembly women that one day their daughters and granddaughters would look up and see on the walls their portraits hanging in a free Afghanistan that was allied with the Free World against terrorism and that was a beacon, itself, to those who were oppressed—because they will be free, because we will honor our duty not to seek miserly to hold our own freedom for ourselves, and because we will follow what Lincoln said:

In seeking to extend freedom to the enslaved, we ensure freedom for ourselves.

We will continue to stand with the Afghan people. We will continue to honor the commitment to the solemn word of the United States as she gave to that country; and one day, we will look back, and we will be proud of the votes we cast today.

Mr. DEFAZIO. Mr. Speaker, we have now been in Afghanistan for 113 months, ten months longer than the war in Vietnam. The war in Afghanistan is now the longest conflict in United States history.

Here at home, Americans are out of work, teachers are facing budget cuts, police departments are overstretched, and yet the President and much of Congress continue to cling to the notion that if given more time and more precious taxpayer dollars borrowed from China we will finally—after a decade of war—gain the edge to ''finish the job'' in Afghanistan.

Mr. Speaker, I don't buy it. There is no comprehensive political outcome in sight. There is no decisive military outcome that will allow us to declare ''victory.'' There is no meaningful government outside of Kabul, the Afghani security forces are in disarray, and there is unbelievable corruption throughout the Karzai government, police, and security forces.

Despite these realities, the U.S. taxpayer is being asked to foot a $100 billion bill per year—again, all borrowed money that future generations will have to pay back with interest—to continue a failed strategy in Afghanistan. I continue to be extremely concerned that the Afghanistan war has drawn the U.S. into a black hole not completely unlike Vietnam, where we propped up a corrupt government that had no relationship to the rest of the country. Recent events in North Africa and throughout the Middle East have shown us the consequences of similar policies.

Mr. Speaker, I strongly support our troops. They have fought heroically and done everything we have asked of them. We should honor those who have served and sacrificed for their country. But we are not honoring those who have served and those who continue to serve by supporting a war without

clear objectives, a clear exit strategy, and without any substantial hope for a ''military victory.''

Clearly an orderly withdrawal can not be accomplished in 9 months. But supporting H. Con. Res. 28 provides an opportunity to send a message to the President that the current strategy and cost of the war in Afghanistan are unsustainable. We need a clear exit strategy. We need a less expensive, less troop intensive policy that could bring about a much better result in Afghanistan. We need to prioritize the needs here at home instead of spending treasure and blood on a seemingly open-ended war in Afghanistan. I urge my colleagues to join me in supporting H. Con. Res. 28.

Mr. HOLT. Mr. Speaker, today the House has a chance to make a judgment about the wisdom of continuing our combat role in Afghanistan. In 2009, I came to the floor of the House and declared that I would give the President at least a year to show that his approach could work. For those who choose to actually look at the facts and the results to date, the conclusion is clear: it is time—past time—for us to leave Afghanistan.

Time and again, our military forces would take out one of their field commanders, and every time several more rise to take their place. This is the nature of insurgency, it is the nature of the problem that confronts us, and it is not a problem that will be resolved by the continuous, endless use of military force. The number of insurgent attacks is at an all-time high. The corruption and dysfunctionality of the Afghan government has become legendary. And the cost of this conflict—both in killed and wounded, including the long-term care costs for the hundreds of thousands of veterans of this war—continue to rise. I voted for this resolution today in order to show that I am no longer willing to allow our military and our nation to bear the endless, deadly burden of a war without end that is moving neither our country nor theirs closer to safety and security. I hope the President takes note and works with us to bring our troops home.

Mr. STARK. Mr. Speaker, Secretary Gates recently stated that we could be in Afghanistan past the 2014 deadline for complete troop withdrawal. Meanwhile, more than 60 percent of Americans oppose this war, with more than 70 percent of people believing that we should withdraw a substantial number of U.S. troops from Afghanistan this summer.

This is the longest war in U.S. history and all we have to show for it is a higher deficit and more debt.

We already spend the most of any country in the world on defense. The next closest defense-spending country is China—and we spend seven times what they do.

Defense spending currently constitutes about 60 percent of our discretionary spending. And it has increased 86 percent since 1998, becoming more entrenched than any entitlement program. As we're talking about cutting important programs that working families depend on, we should not continue to throw money down an endless hole in Afghanistan.

I recently conducted a survey in my district inquiring about constituents' priorities and discovered that getting out of Afghanistan was second only to job creation. They also agree that one of the best ways to reduce the deficit is through extensive defense spending cuts.

Republicans keep expressing the absolute necessity in cutting $100 billion from the budget over the next five years. Pulling out of Afghanistan would, all by itself, save us over $100 billion in the upcoming budget.

It is time for Congress to reassert its Constitutional war powers authority and set a time line for complete withdrawal of our troops from Afghanistan.

I am proud to support this resolution by Representatives KUCINICH and JONES that gives Congress, and therefore the American people, the power to decide whether America enters into or continues a war.

I urge my colleagues to follow the will of the American people and support this resolution.

Mr. Speaker, I rise today in support of H. Con. Res. 28, a resolution that directs the President, pursuant to the War Powers Resolution, to remove our troops from Afghanistan no later than December 31st, 2011.

Secretary Gates recently stated that we could be in Afghanistan past the 2014 deadline for complete troop withdrawal. Meanwhile, more than 60 percent of Americans oppose the war, with more than 70 percent of people believing that we should withdraw most troops from Afghanistan this summer. I recently conducted a survey in my district inquiring about constituents' priorities and discovered that getting out of Afghanistan was second only to job creation. They also agree that one of the best ways to reduce the deficit is through extensive defense spending cuts.

This is the longest war in U.S. history and all we have to show for it is a higher deficit and more debt. Yet Republicans, who continue to tout the merits of a balanced budget, refuse to consider ending this expensive war, let alone consider modest defense-spending cuts.

Defense spending currently constitutes almost 60 percent of our discretionary spending. As we are forced to consider cutting important programs that working families depend on, we should not continue to throw money down an endless hole in Afghanistan. Republicans continue to express the absolute necessity in cutting $100 billion from the budget over the next five years. Pulling out of Afghanistan would, all by itself, save us over $100 billion in the upcoming budget.

The Majority is not listening to the American people. The American people want us out of Afghanistan and they want a solid plan to improve the economy and create jobs, neither of which the Republicans deem worthy enough to address.

I am proud to be an original cosponsor of this resolution proposed by Representatives KUCINICH and JONES that gives Congress, and therefore the American people, the Power to decide whether America enters into or continues a war. I urge my colleagues to follow the will of the people and support this resolution.

Ms. CLARKE of New York. Mr. Speaker, I am writing to urge my support to bring our troops our home. The recent debate on removing the United States Armed Forces from Afghanistan has been the topic of many discussions and now is the time to take action. This devastating war has continued on for nearly a decade and it has taken the lives of more than 1,400 Americans and cost taxpayers over $366 billion.

The war in Afghanistan is not worth fighting. We need to end this national humiliation and redirect war funding. The scope of our interest in Afghanistan has been exceeded and it is time to bring this war to a successful conclusion. While we have achieved hard-earned milestones, the situation in Afghanistan has deteriorated and the threat to our national security remains unaffected.

We can no longer fight this war. We have to leave it up to the Afghan people to determine their own fate and future. I ask my colleagues to join me in taking a stand to bring our troops home. Our economy is at stake, the precious lives of our troops and their families hang in the balance and the integrity of the United States has been severely jeopardized.

Mr. FRELINGHUYSEN. Mr. Speaker, my colleagues, we're debating the wrong resolution here today.

We should be debating a resolution that honors the continuing sacrifice, service, the courage and the steadfastness of our men and women in uniform—all volunteers—as they work to carry out their missions in the global war on terror. And their families back at home.

These warriors serve today in Afghanistan, and yes, in Iraq.

Both are active war zones where there are no ''front lines'' and every deployed servicemember lays his or her life on the line every day.

And they have made significant progress. General Petreaus told our Defense Subcommittee this morning that ''The momentum of the Taliban has been halted in much of the country and reversed in some important areas.''

The Afghan Security Forces are growing in number and capability.

And the day when we turn all operations over to the Afghans gets closer and closer.

None of this has been easy.

Progress has been made through hard fighting and considerable sacrifice of so many Americans and our allies.

There have been tough losses along the way. And there have been setbacks as well as successes.

But instead of debating a resolution that honors the sacrifice of our brave warfighters, we are considering a measure that seeks to ''turn off the lights and slam the door as we withdraw.''

Well, we've been down this road before.

Two decades ago we celebrated alongside our Afghan allies as the invading Russian military rolled back into the USSR in defeat.

And when the celebration ended, we walked away—we did not follow-up with the necessary investments in diplomacy and development assistance, turning our back on Afghanistan and Pakistan.

Had we not done that in the early 1990s, we would have better secured our own country's future, as well as peace and stability in the region.

Instead of intensifying our humanitarian efforts to help the Afghans meet their postwar challenges, we simply walked away—leaving a destroyed country that lacked roads, schools, and any plan or hope for rebuilding.

Into this void marched the Taliban and al-Qaeda. My Colleagues, as they say, ''the rest is history'' for the Afghans and for all Americans:

Horrors perpetrated on Afghan men, women and children;

A curtain of oppression which denied half the population—women—any rights and dignity;

Closed schools. Destroyed cultural institutions and national treasures;

A modern-day Dark Ages;

Mr. Speaker, the resolution we debate today would have us repeat that sad and dangerous saga.

I urge defeat of the resolution.

Mr. NADLER. Mr. Speaker, I rise in support of the Kucinich resolution directing the President to remove United States Armed Forces from Afghanistan.

It is time to bring U.S. involvement in the war in Afghanistan to an end and to bring our troops home. The war effort in Afghanistan is no longer serving its purpose of enhancing the security of the United States, which should be our goal.

We were attacked on 9/11 by al Qaeda. Al Qaeda had bases in Afghanistan. It made sense to go in and destroy those bases. And we did. We have every right, we have every duty to destroy bases which are being used to plot against the United States. But the CIA tells us that there are now fewer than 100 al Qaeda personnel in all of the country of Afghanistan.

It is past time to admit that our legitimate purpose in Afghanistan—to destroy al Qaeda bases—has long since been accomplished. But it is a fool's errand to try to remake a country that nobody since Genghis Khan has managed to conquer. What makes us think, what arrogance gives us the right to assume that we can succeed where the Mongols, the British, the Soviets failed? No government in Afghanistan, no government in Kabul, has ever been able to make its writ run in the entire country.

Why have we undertaken to invent a government that is not supported by the majority of the people, a government that is corrupt, and try to impose it on this country? Afghanistan is in the middle of what is at this point a 35-year civil war. We have no business intervening in that civil war, we have no ability to win it for one side or the other, and we have no necessity to win it for one side or the other. This whole idea of counterinsurgency, that we are going to persuade the people who are left alive after our firepower is applied to love the government that we like is absurd.

It will take tens of years, hundreds and hundreds of billions of dollars, tens of thousands of American lives, if it can be done at all, and we don't need to do it. It's their country. If they want to have a civil war, we can't stop them. We can't choose the rulers that they have, we don't have to like the rulers that they have, and we don't have to like their choices. It's not up to us.

At this point we must recognize that rebuilding Afghanistan is both beyond our ability and beyond our mandate to prevent terrorists from attacking the United States. And if it be said that there are terrorists operating in Afghanistan, that may be, but it is also true of Yemen, Somalia and many other countries. We do not need to invade and conquer and occupy all those countries, and Afghanistan provides no greater necessity or justification for military operations.

We are throwing $100 billion a year—plus countless lives—down a drainpipe, for no useful purpose at all—and with very little discussion of our purposes and of whether our policy matches our purposes.

To continue so bad a policy at so high a cost is simply unconscionable. It is unjustifiable to sacrifice more money and more lives this way. I urge my colleagues to join me in voting to bring the U.S. involvement in the war in Afghanistan to a close.

Now, I want to say a word about supporting the troops. I believe it is more supportive of the troops to bring them home from a war that they should not be fighting than it is to give them weapons to fight an unnecessary war in which some of them, unfortunately, will lose their lives.

So I say support our troops. Bring them home. Support the country. Stop fighting where it no longer makes sense.

Vote for this resolution. Let's bring our troops home.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to support H. Con. Res. 28, a resolution requiring the removal of all United States Armed Forces from Afghanistan. I believe it is time to bring the United States Military's involvement in Afghanistan to a close.

Since the beginning of the Afghanistan War, the United States and Coalition Forces have lost 2,347 service men and women. Tens of thousands have suffered from other disabilities or psychological harm. With thousands of Texas Guardsmen currently serving in Iraq and Afghanistan, I will never forget their bravery in fighting for the freedoms, liberties, aid human dignity of the Afghanistan people.

Our nation's economic and national security interests are not served by a policy of an open-ended war in Afghanistan.

Mr. Speaker, our soldiers have fought for us, now it's time for us to fight for them. I encourage my colleagues to support this resolution and help bring our soldiers home.

Ms. HIRONO. Mr. Speaker, while I support the intent of this bill, I rise in reluctant opposition to H. Con. Res. 28, legislation introduced by Congressman KUCINICH directing the President to remove U.S. Armed Forces from Afghanistan within 30 days.

I agree with Congressman KUCINICH that we must have an exit strategy and a concrete plan to withdraw troops from Afghanistan. However, I voted against this resolution when it came up for a vote last year because I believed that withdrawing all troops 30 days after enactment of the bill was unrealistic.

Yesterday, along with a large number of my like-minded colleagues in the House, I sent a letter to President Obama urging him to prepare for a significant and sizeable drawdown of troops from Afghanistan that begins this July. I ask for permission to include this letter for the record.

Last December, the Obama Administration concluded in its review of the war in Afghanistan that we will be ready to begin a responsible drawdown in July 2011. This week, General Petraeus testified before Congress that he would keep our military and counterinsurgency gains in mind as he begins to provide recommendations to the President on commencing our military drawdown in July.

We have now entered the tenth year that American troops have been in Afghanistan, the longest war in U.S. history. An overwhelming majority of the American people—including an increasing number of Members of Congress—supports a safe and significant redeployment of U.S troops from Afghanistan soon.

There is no question that we need to end our mission in Afghanistan. I will carefully review the Obama Administration's assessment of the war effort, including plans for a drawdown, in the coming months. Insufficient progress in withdrawing U.S. troops by July 2011 will compel me to support a resolution like this in the future.

CONGRESS OF THE UNITED STATES,
Washington, DC, March 16, 2011.

Hon. BARACK OBAMA,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT, We write to you to: express our utmost support for your planned drawdown of the U.S. military presence in Afghanistan beginning no later than July of this year. We, the undersigned members of Congress, believe the forthcoming reduction in U.S. troop levels in Afghanistan must be significant and sizeable, and executed in an orderly fashion.

Our nation's economic and national security interests are not served by a policy of open-ended war in Afghanistan. At a time of severe economic distress, the war in Afghanistan is costing the United States more than $100 billion per year, excluding the long-term costs of care for returning military servicemembers. At the same time, military and intelligence officials agree that Al Qaeda's presence in Afghanistan is diminished and that there will not be a military solution to resolve the current situation. It is simply unsustainable for our nation to maintain a costly, military-first strategy in Afghanistan.

A significant redeployment of U.S. troops from Afghanistan beginning in July 2011 will send a clear signal that the United States does not seek a permanent presence in Afghanistan. This transition will provide incentive for internal stakeholders to improve upon the political status quo, reduce corruption, and take meaningful steps toward the establishment of an effective, trustworthy, and inclusive governance structure. A meaningful start to withdrawal will also empower U.S. diplomatic engagement with regional and global stakeholders who share a common interest in the long-term stability of Afghanistan.

The majority of the American people overwhelmingly support a rapid shift toward withdrawal in Afghanistan. In fact, a Gallup Poll released on February 2, 2011 indicated that 72% of Americans favor action this year to ''speed up the withdrawal of troops from Afghanistan.'' Let us be clear. The redeployment of a minimal number of U.S. troops from Afghanistan in July will not meet the expectations of Congress or the American people.

Mr. President, as you work to finally bring an end to the war in Iraq by the end of this year, we must commit ourselves to ensuring that our nation's military engagement in Afghanistan does not become the status quo. It is time to focus on securing a future of economic opportunity and prosperity for the American people and move swiftly to end America's longest war in Afghanistan.

Mr. President, we look forward to working with you to make that goal a reality.

Sincerely,

Joe Baca; Tammy Baldwin; Karen Bass; Lois Capps; Michael E. Capuano; André Carson; Yvette D. Clarke; Steve Cohen; John Conyers, Jr.; Jerry F. Costello; Elijah E. Cummings; Danny K. Davis (IL); Peter A. DeFazio; Rosa L. DeLauro; Theodore E. Deutch; John J. Duncan, Jr. (TN); Donna F. Edwards; Keith Ellison; Sam Farr; Bob Filner; Barney Frank; Marcia L. Fudge; John Garamendi; Raúl M. Grijalva; Luis V. Gutierrez; Alcee L. Hastings; Maurice D. Hinchey; Mazie K. Hirono; Rush D. Holt; Michael M. Honda; Jesse L. Jackson, Jr.; Sheila Jackson Lee; Eddie

Bernice Johnson; Hank Johnson, Jr.; Timothy V. Johnson; Walter B. Jones; Barbara Lee; John B. Larson; John Lewis; Zoe Lofgren; Ben Ray Luján; Carolyn B. Maloney; Edward J. Markey; Doris O. Matsui; Jim McDermott; James P. McGovern; Michael H. Michaud; George Miller; Gwen Moore; James P. Moran; Christopher S. Murphy; Grace Napolitano; Eleanor Holmes Norton; John W. Olver; Bill Pascrell, Jr.; Ron Paul; Donald M. Payne; Chellie Pingree; Jared Polis; David E. Price; Mike Quigley; Rep, Charles B. Rangel; Laura Richardson; Lucille Roybal-Allard; Linda T. Sánchez; Loretta Sanchez; Janice D. Schakowsky; Bobby Scott; José E. Serrano; Albio Sires; Louise McIntosh Slaughter; Jackie Speier; Pete Stark; Mike Thompson (CA); John F. Tierney; Edolphus Towns; Niki Tsongas; Maxine Waters; Anthony D. Weiner; Peter Welch; Lynn C. Woolsey, Members of Congress.

Ms. MOORE. Mr. Speaker, I rise to support this resolution with great reluctance.

I have had many great conversations and discussions with the sponsor of this resolution since coming to Congress about the issues of war and peace and justice. He even came to my district last year to join me in a town hall on the war in Afghanistan. He's been a great leader on this issue and a great friend.

I agree with the gentleman about the need to bring our troops home from Afghanistan as soon as possible. Recently, I joined a number of my colleagues in writing to the President to make clear our belief that the troop withdrawals from Afghanistan should be "substantial, significant, and orderly." The gentleman from Ohio did not join that letter although as I said, I know he shares the same goals of all those who signed it.

A few weeks ago, I voted for an amendment to H.R. 1 that would limit funding for the war in Afghanistan to $10 billion, with the hope that those funds would be used by the Defense Department to plan and implement a timetable for the safe and expeditious withdrawal of our troops.

I want an end to these wars. One of the criteria that I have used for supporting those efforts and similar efforts in the past by a number of my colleagues is that we have to allow our military planners to implement that withdrawal in a way that is safe, orderly and responsible.

I doubt that the 30 day-withdrawal deadline in this bill meets that criteria. The bill itself recognizes that by giving the President the option to delay that withdrawal through the end of the year.

Although I am eager to withdraw, I am beset with a nagging question: how practical is it to move 100,000 troops and the associated equipment out of a country half way around the world in 30 days in an orderly, safe, and responsible fashion?

I support getting our troops out of Afghanistan. But we have to do so wisely. We can't waive a magic wand today and they are gone tomorrow or dismiss concerns about their safety. That is why on the issue of how that withdrawal is conducted, I have always supported legislation that defers that question to our military planners.

Again, even the letter that was sent to the President recently by a number of my colleagues, such as BARBARA LEE and JIM MCGOVERN, who like myself opposed the escalation of this war and want all of our troops home soon, does not dictate size or set a timetable for those withdrawals after July 2011.

That letter however did make clear that "a significant redeployment from Afghanistan beginning in July 2011 will send a clear signal that the United States does not seek a permanent presence in Afghanistan."

Even though July does not begin for over 100 days from now, sending that letter in March allows the military to have plenty of time to plan for a sizeable withdrawal.

This was the same gist of several bills by Mr. MCGOVERN last year that asked the military to give us their withdrawal plan by a certain date, including any reasons for why a redeployment might be delayed, rather than having Congress mandate that date.

Again, I support this resolution reluctantly because it sends an important signal to the Afghanistan government and its people that the U.S. is not intent on an endless occupation and that after ten years in America's longest war in history, we cannot morally or financially continue to afford this war. To the extent this resolution does that, I am in full support. However, again, my concerns remain about its method.

Mrs. MALONEY. Mr. Speaker, once again we are debating this issue. And once again I will vote in support of ending our involvement in Afghanistan.

Our ongoing commitment in Afghanistan has proved exceedingly difficult and costly—and at a time when we can ill-afford the $100 billion a year to sustain it. After years of war, the economic and military costs are straining our servicemembers, their families, and the country—they are simply too high.

President Obama increased our commitment there while also defining a goal of withdrawal. But our increased efforts have not yielded enough progress.

I have joined with my colleagues in sending a letter, led by Rep. BARBARA LEE, to the President supporting his planned drawdown of the U.S. military presence in Afghanistan beginning no later than July of this year.

It is time to bring this war to a responsible end.

Our brave men and women in uniform have fought well and continue to deserve our full support and commitment to return them home safely to their families and loved ones. They have fought with honor, at great cost, in the face of great challenges. I am humbled by their sacrifice.

While I support the President and our military leadership, I believe we must send a message that the U.S. cannot sustain further commitments in Afghanistan.

I believe the resolution before us today sends that message, and that is why I support it.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Wednesday, March 16, 2011, the previous question is ordered.

The question is on the concurrent resolution.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Resolution 174, I call up the bill (H.R. 1076) to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 174, the bill is considered read.

The text of the bill is as follows:

H.R. 1076

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

SECTION 1. PROHIBITION ON FEDERAL FUNDING OF NATIONAL PUBLIC RADIO AND RADIO CONTENT ACQUISITION.

(a) IN GENERAL.—No Federal funds may be made available—

(1) to an organization that is incorporated as of the date of the enactment of this Act for each of the purposes described in subsection (c), or to any successor organization;

(2) for payment of dues to an organization described in paragraph (1); or

(3) for the acquisition of radio programs (including programs to be distributed or disseminated over the Internet) by or for the use of a radio broadcast station that is a public broadcast station (as defined in section 397(6) of the Communications Act of 1934 (47 U.S.C. 397(6))).

(b) RULES OF CONSTRUCTION.—

(1) OTHER PURPOSES.—Paragraphs (2) and (3) of subsection (a) shall not be construed to prohibit the making available of Federal funds to any entity, including an entity that engages in the payment described in such paragraph (2) or the acquisition described in such paragraph (3), for purposes other than such payment or acquisition.

(2) RADIO CONTENT ACQUISITION BY BROADCASTING BOARD OF GOVERNORS OR DEFENSE MEDIA ACTIVITY.—Subsection (a)(3) shall not be construed to apply to the acquisition of radio programs by the Broadcasting Board of Governors or the Defense Media Activity.

(c) PURPOSES DESCRIBED.—The purposes described in this subsection are the following:

(1) To propose, plan and develop, to acquire, purchase and lease, to prepare, produce and record, and to distribute, license and otherwise make available radio programs to be broadcast over noncommercial educational radio broadcast stations, networks and systems.

(2) To engage in research study activities with respect to noncommercial educational radio programming and broadcasting.

(3) To lease, purchase, acquire and own, to order, have, use and contract for, and to otherwise obtain, arrange for and provide technical equipment and facilities for the production, recording and distribution of radio programs for broadcast over noncommercial educational radio stations, networks and systems.

(4) To establish and maintain one or more service or services for the production, duplication, promotion and circulation of radio programs on tape, cassettes, records or any other means or mechanism suitable for noncommercial educational transmission and broadcast thereof.

(5) To cooperate and participate with foreign broadcasting systems and networks in all aspects of international radio programming and broadcasting.

(6) To develop, prepare and publish information, data, reports and other materials in support of or relating to noncommercial educational radio programming and broadcasting.

(7) To otherwise forward and advance the development, production, distribution and use of noncommercial educational radio programs, materials and services, and to assist and support noncommercial educational radio broadcasting pursuant to the Public Broadcasting Act of 1967, as it may from time to time be amended.

(d) FEDERAL FUNDS DEFINED.—

(1) IN GENERAL.—In this section, the term ''Federal funds'' means, with respect to receipt by a non-Federal entity from the Federal Government, the following:

(A) Grants.

(B) Loans.

(C) Property.

(D) Cooperative agreements.

(E) Direct appropriations.

(2) GRANTS OR SUBGRANTS FROM NON-FEDERAL ENTITY.—Such term also includes grants or subgrants from Federal funds made available to a non-Federal entity.

(e) CHANGES TO FUNDING FORMULA.—Section 396(k)(3)(A) of the Communications Act of 1934 (47 U.S.C. 396(k)(3)(A)) is amended—

(1) in clause (iii), by striking ''fiscal year'' and all that follows and inserting ''fiscal year, such amounts shall be available for distribution among the licensees and permittees of public radio stations pursuant to paragraph (6)(B).''; and

(2) in clause (v)(II), by striking ''clause (ii)(II) and (III)'' and inserting ''clause (iii)''.

(f) CONFORMING AMENDMENTS.—Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended—

(1) in subsection (g)(2)—

(A) in the matter before clause (i) of subparagraph (B), by inserting ''(except for the acquisition of radio programs)'' after ''public telecommunications services''; and

(B) in subparagraph (C), by inserting ''(except for the acquisition of radio programs)'' after ''public telecommunications services'';

(2) in subsection (k)—

(A) in the 1st sentence of paragraph (3)(B)(i)—

(i) by striking ''and subparagraph (A)(iii)(II)''; and

(ii) by striking ''or radio'';

(B) in the 3rd sentence of paragraph (6)(B), by striking ''paragraph (3)(A)(iii)(I)'' and inserting ''paragraph (3)(A)(iii)''; and

(C) in paragraph (7)—

(i) by striking ''(iii)(I)'' and inserting ''(iii)''; and

(ii) by inserting ''(except for the acquisition of radio programming)'' before the period at the end; and

(3) in subsection (l)(4)—

(A) in the matter before clause (i) of subparagraph (B), by striking ''(iii)(II)'' and inserting ''(iii)'';

(B) in subparagraph (C), by striking ''subsection (k)(3)(A)(iii)(III)'' and inserting ''subsection (k)(3)(A)(iii)''; and

(C) in subparagraph (D), by striking ''subsection (k)(3)(A) (ii)(III) or (iii)(II)'' and inserting ''subsection (k)(3)(A)(ii)(II) or subsection (k)(3)(A)(iii)''.

The SPEAKER pro tempore. The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask that all Members be given 5 legislative days within which to revise and extend their remarks on the legislation and to insert extraneous material on the bill.

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

There was no objection.

Mrs. BLACKBURN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1076, a bill to get the Federal Government—and Federal taxpayers—out of the business of buying radio programming they do not agree with. This is a bill that is long overdue. Regardless of what you think of NPR, its programming or statements by its management, the time has come to cut the umbilical cord from the taxpayer support that has become as predictable as an entitlement program.

Much has changed, Mr. Speaker, in the media landscape since the Corporation for Public Broadcasting was created in 1967, followed by its creation of National Public Radio in 1970. Today, we have multiple listening choices. There is analog radio, digital radio, satellite radio, streaming radio over the Internet, and podcasts—both commercial and the self-published variety. Choice and available content are not the problem. If you want to find some content, the only question is where you will find it.

In these challenging economic times, committing the taxpayer to fund and support particular content, including content he or she may never listen to, highlights this absurd anachronism of the past. It is time to move forward and to let National Public Radio spread its wings and support itself.

This legislation does several important things. It prohibits the direct Federal funding of National Public Radio; and more importantly, it ensures that American taxpayers will not be funding through their tax dollars radio programming from NPR or other outlets with which they may not agree.

It is also important to recognize that this bill does not do a few things. It does not defund public radio stations. I want to repeat that, Mr. Speaker, because I think it is such an important point. It does not defund public radio stations. They still may use Federal funding to operate their stations or to produce their own programming. Public radio stations may also continue to purchase programming from NPR or other sources, just not with Federal taxpayer dollars. Also, this bill has no impact—I want to repeat that—no impact on public television.

The added benefit of this legislation is that it ensures that, if taxpayer dollars are necessary and given to local stations, the money will not be used to purchase generic national programming but, instead, can be used to produce local content that actually will meet the needs of the communities in which these are located.

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

□ 1330

Mr. WAXMAN. Mr. Speaker, I yield myself 3 minutes.

I rise in strong opposition to H.R. 1076. This bill will cripple National Public Radio, public radio stations, and programming that is vital to over 27 million Americans. We are now voting to deny the public access to one of our Nation's most credible sources of news coverage. CBO has scored this bill. It does not save a penny. This means that this legislation does not serve any fiscal purpose, but it does serve an ugly ideological one.

This legislation is not about reforming NPR. It is about punishing NPR. We've held no hearings on this bill. It didn't get referred to the committee for consideration. It's being handled as if it were an emergency. We don't even know all the facts, but that's apparently no impediment.

For decades, decisions on Federal support for public broadcasting have been made 2 years in advance to insulate public broadcasting from politically motivated interference. This bill removes that buffer. NPR is now exposed to the full force of the political winds that blow through the House of Representatives. That means the independence and objectivity that public broadcasting has tried so hard to uphold is now subject, clearly, to political interference.

For those who complain that they don't want content to be one way or the other on the political spectrum, to be honest and fair, the right-wing Republicans are trying to impose their view of what NPR should be saying in the content of their programming. They will say that's not the case; but, Mr. Speaker, that is the case.

There is no reason for this bill. It is vindictive, it is mean-spirited, it is going to hit the smallest stations in rural areas particularly hard. Public radio is indispensable for access to news that's hard to get, especially where broadband service is limited.

I urge my colleagues to vote against this bill.

Mr. Speaker, I ask unanimous consent that the gentlewoman from the State of California (Ms. ESHOO), the ranking member of the Subcommittee on Telecommunications, be allowed to control the balance of my time.

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

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from Colorado (Mr. LAMBORN), the author of the legislation.

Mr. LAMBORN. Thank you, Madam BLACKBURN, for your great work that you do on the committee.

I introduced H.R. 1076 because the Federal Government can no longer afford to fund programs that are fully capable of standing on their own. This is

not about the ideology of NPR executives or the content that NPR produces; but whether, in this age of trillion-dollar annual deficits, taxpayers should subsidize a nonessential entity.

Plain and simple, this bill accomplishes three things. First, it prohibits public radio stations from using Federal funds to purchase programming. Current Federal law requires that about 26 percent of Federal grants to public radio stations be used for the production or acquisition of programming. Many stations use these restricted grants to purchase programming from NPR. These programming fees are the largest single source of NPR revenue at $56 million in fiscal year '10.

Second, H.R. 1076 prohibits stations from using Federal funds to pay NPR dues: in fiscal year '10, over 400 member stations paid a total of $2.8 million in dues to NPR.

Third, my bill prohibits direct Federal fundings of National Public Radio. For fiscal year '10, NPR received over $5 million in direct funding from the Corporation for Public Broadcasting, Departments of Education and Commerce, and the National Endowment for the Arts. These three sources of revenues I just described totaled about $64 million in fiscal year '10.

Local public radio stations would not be able to use Federal tax dollars under this bill to purchase content, whether it's from NPR or any other vendor. However, under this bill, a station could use other dollars for the payment of NPR dues or the acquisition of programming. Should this bill become law, the prohibition of funds would take effect immediately.

But the real issue today is the proper role of the Federal Government with National Public Radio and whether government programs and services that can be funded privately should receive taxpayer dollars. We live in an age of digital radio, computerized digital streaming, commercial all-news radio, and radio talk shows, many of which are also streamed on the Internet or over satellite radio; and these provide sources of news and opinion without Federal taxpayer dollars. NPR should do the same.

With the national debt over $13 trillion, the government should simply not continue to fund nonessential services, and this bill is just one step.

Long before any firings, videos, and executive comments at NPR, I sponsored legislation in Congress to pull the plug on taxpayer funding for the Corporation for Public Broadcasting, NPR's parent company, as well as NPR. Last year, many of you will remember this issue came up as a YouCut item, and we voted in support of de-funding.

Last month, this House passed H.R. 1. Within that bill, the Corporation for Public Broadcasting's unobligated funds for fiscal year '11 would be rescinded. When you couple H.R. 1 with this bill, H.R. 1076, we end up with taxpayers having to subsidize National Public Radio.

I'm a strong believer in the free market. I'd like to see NPR rework its business model and begin to compete for all of its income. NPR already receives a huge amount of funding from private individuals and organizations through donations and sponsorships. NPR can and should be entirely supported with private sources.

In my own State of Colorado, Colorado Public Radio received in fiscal year '10 only 6 percent of its funding from the Corporation for Public Broadcasting. Now, according to this bill, Colorado Public Radio is still permitted to apply for and receive Federal grants through the Corporation for Public Broadcasting, but they cannot use Federal money for the NPR dues or purchasing of content. They could use the other 94 percent of their money to purchase program content. Will this potentially require them to review and reprioritize where money is spent? I'm sure it will. But will it kill its programming? No way.

According to NPR, Federal funding to supplement operations amounts to less than 2 percent of its annual budget. Some have said this Congress should not bother with such a small amount of money. Only in Washington would anyone say $64 million is not worth saving. You have to start somewhere if you're truly serious about getting our fiscal house in order. If Congress cannot make difficult decisions in the small areas, how can we even begin to tackle entitlements or other major programs?

If we look at the sting video that has received so much attention, Ron Shuler admits that NPR would be better off without Federal funding. There is no need for further debate. NPR does not need taxpayer dollars. We can save a program, or we can save our country. Americans want Washington to get serious about ending our overspending. If we can do that, the economy will get better, and we will have less unemployment and more jobs.

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

Mrs. BLACKBURN. I yield the gentleman an additional 30 seconds.

Mr. LAMBORN. To wrap up, like many Americans, I enjoy much of NPR's programming; but let it live on its own. It can do that simply by changing its business model. Just take the taxpayer out of the equation.

Ms. ESHOO. I yield myself such time as I may consume.

Mr. Speaker, I rise today in fierce opposition to this bill which is going to adversely affect more than 34 million National Public Radio listeners through 900 local stations across our entire country.

My Republican colleagues have declared an emergency to rush this bill to the floor without any hearings whatsoever to examine the proposal. I think that's a bad way to do business.

□ 1340

We have many emergencies to deal with in our country, but attacking and crippling NPR is hardly an emergency. And it does it in a very sneaky backdoor way. What the bill does is it cuts off the use of all Federal funding to NPR by preventing any grants to it. It prevents any support to NPR by the Corporation for Public Broadcasting, and it prevents support to NPR programming from public radio stations across the country. In other words, it cripples it, it hobbles it, which is really what the majority is seeking to do.

This proposal is not going to do anything about reducing the deficit. The CBO has weighed in. It doesn't cut any Federal spending. In fact, the bill doesn't produce one penny in savings. What's very clear is what it does do, and it's really purposeful. And that is to hobble NPR, threatening 9,000 jobs at stations across the country. Why? I think the motivations behind this effort are quite clear: They are rooted in an ideological view about what NPR broadcasts, and it capitalizes on recent headlines involving Ron Schiller and Juan Williams. This attack on NPR strikes at the core of a wide array of NPR programming that Americans enjoy every single day, all week long across the country, from ''The Diane Rehm Show'' to ''Morning Edition'' and two of my favorites, ''Car Talk'' and ''World of Opera.'' I acknowledge that our Nation faces threats, but ''Car Talk'' is hardly one of them, and neither is ''Diane Rehm.'' Silencing what some disagree with—make no mistake about it—is a threat to our democracy. A great democracy does not silence voices. We want many voices to the many.

NPR programming reaches more than 900 independently owned and operated stations across the country, from San Francisco's KQED, the most listened to public radio station in the country with more than 740,000 listeners each week, to small rural stations like that of the chairman of the subcommittee, KCUW in Pendleton, Oregon. These stations provide an important public service to the local community, and people trust it, and they enjoy it. They want it. They like it. This is national programming with local listenership.

And NPR's listenership has increased, unlike other stations, by 72 percent over the last 10 years. A recent national survey found—and that's why I think this is an ill-begotten proposal by the majority. You say you listen to the American people. I think you have to take the plugs out of your ears. A recent national survey found that almost 70 percent of all voters across the entire political spectrum oppose terminating the funding for public broadcasting, including 56 percent of Republicans in the country.

So I think it's time to stand up for NPR. I think that this is a phony emergency measure, and I don't think NPR deserves to be treated this way. I urge my colleagues to vote to preserve really what I think is a national treasure. It provides in very tough times very

clear and important news and information to instruct our country and listeners in local communities around our Nation.

I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Speaker, I yield 1 minute to the majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentlelady.

Mr. Speaker, let's really be honest and talk about what this bill is about. This bill is about making sure that we are spending taxpayer dollars the way that the people that earned them would spend them. And we saw, as the gentlelady from California indicated, on video executives at NPR saying that they don't need taxpayer dollars. So that's number one. That's out there. That was demonstrated for all of America to see. We are also in the process of making sure that Washington begins to do what every American family and small businessperson is having to do right now. It's called tightening the belt. It's called trying to learn how to do more with less. And inherently, what that means is, we have got to start prioritizing the things that are important to the American people.

The problem is, we have seen NPR programming and its programming often veer far from what most Americans would like to see as far as the expenditure of their taxpayer dollars. That's the bottom line. Nobody is on a rampage. Nobody is trying to say that we don't like NPR for NPR's sake. We have seen how they spend their money. So that's why we are saying, it's time to prioritize. It's time to reflect the common sense of the American people. And that's why the bill takes the form that it does. It says that we have got to, number one, listen to the executives at NPR who say that they don't need taxpayer funding.

Well, listen, we are all about looking for ways to cut right now and save on both sides of the aisle. We ought to take that advice for what it is. But we also know that NPR takes its funding and benefits from taxpayer dollars through the payments of local stations across the country. So what we are saying by this bill, those stations are not going to be starved from Corporation for Public Broadcasting grants, unlike the lady indicated. What they are going to be told is, You are not going to be using those taxpayer dollars for programming because we have seen how NPR has used that funding and the kind of programming that has been involved.

We are trying to find commonality. Our country is made up of much diversity with people of a lot of differing opinions. Why should we allow taxpayer dollars to be used to advocate one ideology? Why should we? We shouldn't. We should insist that our taxpayer dollars are prioritized, and the people's interests of this country are honored. That's why I urge my colleagues to support this bill.

Ms. ESHOO. Mr. Speaker, I am pleased to yield 2 minutes to our distinguished colleague from our beautiful State of California, Congresswoman DORIS MATSUI.

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise today in strong opposition to H.R. 1076. I can't believe what I am hearing from the other side of the aisle. It's not a lefty-type organization. This bill would prohibit public radio stations from using Federal funds to buy popular programs like ''Morning Edition,'' ''All Things Considered,'' and ''This American Life.'' Mr. Speaker, this would be a huge disruption to our Nation's public radio system, economy, and most importantly, the intellectual content and news that so many Americans rely upon.

According to a recent study, NPR's overall audience grew last year to over 27 million weekly listeners, up 60 percent overall since 2000. And this is when most other media outlets are struggling.

And as a former board chair of Sacramento's local PBS TV station, I can attest to the value that national public broadcasting programming offers to my constituents. Mr. Speaker, thousands of my constituents rely on local NPR stations to get their news, and this is a very diverse group. In fact, since this bill was introduced, I have received a significant number of calls from them voicing very strong support for NPR and very, very strong opposition to this legislation. One of my constituents told me that listening to NPR makes him a more informed, more engaged citizen.

Moreover, this bill will not produce any savings for the taxpayer and will not reduce the deficit. For my constituents, it's a simple equation of value for money.

□ 1350

And also, this is about jobs. We need to talk about jobs. Public radio stations employ over 9,000 workers across the country, including 40 in Sacramento. Mr. Speaker, these are jobs we cannot lose.

I urge my colleagues to vote against this harmful legislation.

Mrs. BLACKBURN. Mr. Speaker, at this point I would like to yield 2 minutes to one of our new freshman Members, the gentleman from Arkansas (Mr. CRAWFORD), who is a broadcaster and brings that expertise to this Chamber.

Mr. CRAWFORD. Mr. Speaker, I rise in support of H.R. 1076.

As a broadcaster, I understand the importance of the free marketplace, the freedom to express yourself, but to do it on your own merit.

I brought an idea to the marketplace to develop a radio news network, started with four stations, and within 4 years was able to grow that to 50 stations serving five States. I did not ask for one thin dime from the Federal Government.

I think freedom to succeed in this country has to exist also with the freedom to fail. We have an open marketplace. We have an opportunity to sell advertising around the ideas that we express on the radio.

I'm a success story in using the open marketplace, the freedom to succeed. But it also comes with the freedom to fail. And earlier in the year, or last year, rather, I started a radio station, a small venture. I populated that staff with folks that were on unemployment; so I know what it means to create jobs.

And certainly this is not about further burdening our taxpayer with support of an industry that is perfectly capable of supporting itself.

Ms. ESHOO. I yield 2 minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Crisis averted, ladies and gentlemen. What a relief. What a relief. I'm glad we got the economy back going. I'm glad we've secured our nuclear power plants. I'm so glad that Americans are back to work.

We finally found out our problem. We discovered a target that we can all agree upon. It's these guys. This is the problem. It's Click and Clack, the Tappet brothers. We're finally getting rid of them. Thank God we solved this problem for the country.

Now, let's look at the record here. For one, they talk in that Boston accent. ''Cah'' talk. It's a ''car.'' I need to call Congressman CAPUANO whenever they're on the air.

Secondly, they talk about master cylinders and slave cylinders. It's kinky. I am glad my Republican friends are finally getting to the bottom of this.

And then with all the giggling and snorting that they do every weekend on their show, it's got to be some kind of a code. They're clearly talking to the Russians or the Chinese or something with all that giggling and snorting.

It is fine. I'm so relieved that we had this emergency session, that we waived the rules of the House that require 72 hours so we finally get these guys off my radio. Click and Clack, the Tappet brothers on ''Car Talk.'' I know it. Because these guys, clearly they're political. Well, I don't know if they're political. They make no sense about most of what they say.

But you know what? I'm glad we're finally not going to have to listen to them. I'm glad the Republican Party finally said enough of Click and Clack, the Tappet brothers. That clearly was what the American people said in campaign 2010. Clearly it's in their contract with America or something; right? Get rid of Click and Clack?

It's about time, I have to say, because the last thing we want is informative solutions to how we fix our cars and the Car Talk Puzzler. And think about all the people we're finally going to put out of work, you know, their Customer Care Rep, Heywood Yabuzzoff—I'll tell you how to spell this later, I say to the stenographer—and the Director of Ethics, Youlyin

Sack, all of these guys that finally are going to be taken off the public payroll.

The Republican Party, no one can say they're not in touch. They get it. They understand where the American people are. The American people are not concerned about jobs or the economy or what's going on around the world. They're staring at their radio saying, Get rid of Click and Clack. Finally my Republican friends are doing it.

Kudos to you.

Mrs. BLACKBURN. I reserve the balance of my time.

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 the proceedings is in violation of the rules of the House.

Ms. ESHOO. Mr. Speaker, I would now like to yield 2 minutes to a highly respected member of the Energy and Commerce Committee and the Telecommunications and Internet Subcommittee, the gentleman from Pennsylvania, Mr. MIKE DOYLE.

And Happy St. Patrick's Day.

Mr. DOYLE. Mr. Speaker, today the House Republicans want to eliminate funding for NPR, some because they think the government shouldn't operate a news service and some because they think the reporting is biased. I believe they're wrong on both counts.

Public radio plays an important role in our communities as a source of news and entertainment. My colleagues should consider the studies that show that NPR listeners are more aware of indisputable facts than viewers and listeners of most other news sources.

Opponents of NPR hold up a video hit piece to show that NPR is biased. Even Glenn Beck's Web site, The Blaze, explains that the video is neither fair nor balanced, how it's basically a lie.

And my colleagues should consider the fact that many NPR programs have nothing to do with news or politics. Where's the bias in ''Car Talk''? There might be a bias against Pintos or Pacers, but not a political bias. Where's the political bias in music broadcasts? There might be a bias against Prokofiev, but not a political bias.

Even so, if this bill were simply to defund NPR's direct public contribution, then at least it would only impact the organization with the alleged political bias, which is, again, based on a lie. But this bill goes further. It hurts local public radio stations and tens of millions of listeners from across the country.

If this bill is enacted, communities across the country will be denied programming that their residents want. Whatever happened to the philosophy that more choice is better?

My colleagues, this is bad public policy. This is a terrible bill. This is a terrible waste of our time, and I urge my colleagues to reject it.

Mrs. BLACKBURN. Mr. Speaker, I want to clear up what I think are probably a couple of misunderstandings that my colleagues have across the aisle.

One of the things I think it's important for everyone in this Chamber to realize, and I know some want to make fun of the fact that we're here talking about $100 million, $92 million, $67 million, different funding that goes in and through NPR. Mr. Speaker, every single penny that comes from the taxpayer is important. And every single penny that we appropriate comes from those taxpayers, and we are charged with being good stewards of that money. Changing the structure in which NPR does their business, as Mr. LAMBORN said, looking at that business model, this is a step that we can take to save those taxpayer dollars. This is a step that is going to change that business model and free NPR.

Now, contrary to what some across the aisle are saying, this doesn't take NPR off the air. What this does is to say, NPR, you've got to get out of the taxpayers' pocket, because the taxpayer is not going to allow those taxpayer dollars to be spent to pay those NPR dues and to buy that NPR programming.

Now, another misconception that seems to be out there is about jobs and saying that programming is going to be denied because these stations won't be able to use taxpayer money to acquire some of this government NPR programming. Let me tell you, what we're doing is empowering these local radio stations, and I hope, Mr. Speaker, that our colleagues understand this.

□ 1400

We are turning to these local affiliates and saying, look, there are still going to be grants out there. You can create your own programming.

This is a great jobs program for these local radio stations. This is telling them you don't have to buy programming you don't want and that your listeners really don't want to listen to.

We are saying, get creative. Get that American spirit to work just as Mr. CRAWFORD was talking about. Find a niche in your marketplace and create a program.

Do you want to talk about the jobs that are created? Every time that you create a new radio show, you have got a writer, an editor, a producer, a director, a sound engineer, a sound tech, a systems engineer. You have got post-production work to take place. You have got a host. You have got a call screener, you have got a board operator, you have got a research assistant working with that writer and working with that editor. You have got a sales and marketing team working. You have got advertisers that are looking; now, of course NPR calls them sponsors. You have affiliate relations teams that are working. And you also have attorneys that are working on the intellectual property to make certain that they protect that content.

So I would just encourage my colleagues across the aisle here to remember, this is about freeing up those local radio stations. It is about getting NPR out of the taxpayer pocket. It is making certain that we are good stewards of the taxpayer money.

I reserve the balance of my time.

Ms. ESHOO. I would just like to add something here, and that is that one of the mantras of our friends on the other side of the aisle was ''read the bill.''

If the gentlewoman from Tennessee would read the bill, she would know that there is not one dime, not one cent that is saved in this bill. And what this bill does is you can talk all you want about NPR and how much you love it, but what you are doing is killing off the local stations from being able to have the money to buy NPR's programming. So you are hurting local broadcasting.

I now would like to yield 2 minutes to the distinguished woman from the Santa Barbara, California area, a valued member of the committee, Congresswoman LOIS CAPPS.

Mrs. CAPPS. I thank the ranking member of the committee.

Mr. Speaker, I rise in strong opposition to this effort to defund public radio.

Right now, millions of Americans tune in to NPR stations across the country for one reason, the consistency of the high quality of its programming. In a world awash by often ill-informed and sensationalist cable news and ever louder voices, public broadcasting provides thoughtful, even-handed analysis of the issues of the day. And they do it every day. The bill before us seeks to end that. It is nothing more than an effort to cripple NPR by crippling our local public radio stations.

The bill would decimate local NPR stations by restricting their ability to choose programming best suited to their community.

In my district, NPR stations like KCLU, KCRW, and KCBX provide valuable international and domestic news. They bring ''All Things Considered,'' ''Morning Edition,'' and ''Car Talk'' into our cars and our living rooms. But these stations also cover local news, concerts, local and school events. They produce shows like ''Ears on the Arts,'' ''Community Calendar,'' and ''From Ballet to Broadway.'' The bill throws all that out the window.

NPR reports and media coverage are consistently even-handed, driven by a high standard of journalistic ethics. They are not politically biased. NPR lets the stories do the talking, not the commentators. And apparently the public, the tax-paying public, likes that.

According to the Pew Project for Excellence in Journalism, in the last year the television networks' audience slipped 3.5 percent, newspapers were down 5 percent, radio fell 6 percent, magazines were down almost 9 percent. NPR, up 3 percent. Since 2000, NPR's audience is up 58 percent. In the last

year, it's Web site, npr.org, drew an average of 15.7 million unique monthly visitors, up more than 5 million visitors.

This is a reflection of the quality of its programs and its dedication to its mission. Public broadcasting helps educate our society, celebrates the arts, education, respectful debate, and civil discourse. NPR and the 900-plus local stations are valuable resources for our country.

I urge my colleagues to stand up for public broadcasting and oppose this legislation.

Mrs. BLACKBURN. Mr. Speaker, since the previous speaker talked a little bit about NPR and its listening audience, I would like to make certain that the record reflects a little bit about that listening audience.

We know that more men than women listen to NPR, except for the classical music, which is 48 percent female. Baby boomers are a big part of their audience.

We also know that NPR, according to their Web site, says that their audience is extraordinarily well educated. Nearly 65 percent of all listeners have a bachelor's degree, compared to only a quarter of the U.S. population.

We also know that they are wealthy listeners, Mr. Speaker. NPR households tend to be more affluent than other households as a result of their educational attainment. The median household income of an NPR news listener is about $86,000, compared to the national average of about $55,000.

We also know that when it comes to geography, more than 99 percent of the U.S. population has access to at least one NPR station. And then, when it comes to employment, the majority of NPR listeners, 63 percent, are employed full time.

Mr. Speaker, again, I repeat the point. The object of this today is to get NPR out of the taxpayers' pockets. It is time for us to do this. It is time for this structure to be changed. It is time for us to be good stewards and save the money of the American taxpayer. This is another step toward that goal.

I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I now yield 2 minutes to Congresswoman TAMMY BALDWIN from Wisconsin, a highly valued member of the committee.

Ms. BALDWIN. I thank the gentlewoman.

Mr. Speaker, I rise today in strong opposition to this bill which prohibits Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

I am incredibly disappointed in my Republican colleagues for this needless attempt to cripple NPR and threaten thousands of jobs in the public broadcasting community. Without so much as a single hearing on this subject, this bill dissolves a vital public radio system depended upon by millions of Americans across the country.

Twenty-seven million Americans listen to NPR each week, and back home in Wisconsin nearly 450,000 people listen to Wisconsin Public Radio weekly over three statewide networks. In addition, 2.3 million visitors visited the Wisconsin Public Radio Web site in 2010.

Those who listen to Wisconsin Public Radio know how much there is to love. Wisconsin Public Radio provides over 9 hours each weekday of interactive radio programming, engaging Wisconsin residents and experts from around the world in public policy, culture, arts, and educational discussions. And because Wisconsin is largely a rural State, our citizens rely on over-the-air broadcasting more than almost any other State. This means that Wisconsin audiences significantly rely on public radio.

Not only would this horrible bill, rushed before us today, cripple local radio stations and programming that we enjoy in Wisconsin; it severely harms listeners' access to national shows, like ''Morning Edition,'' ''All Things Considered,'' ''This American Life,'' ''A Prairie Home Companion,'' and one of my personal favorites, ''Whad'ya Know,'' among many others.

Mr. Speaker, the Republican majority is clearly not interested in creating jobs or dealing seriously with this deficit. Despite all of the talk, we are here today considering legislation that attacks public radio. I strongly oppose this bill, and I strongly urge all of my colleagues to do so, too.

Mrs. BLACKBURN. Mr. Speaker, at this time I yield 2 minutes to the gentleman from Iowa (Mr. KING).

□ 1410

Mr. KING of Iowa. I thank the gentlelady from Tennessee for yielding time.

Mr. Speaker, I come to the floor to rise in support of this bill. The Federal Government has a few constitutional duties, and we seem to have taken on a lot of Federal responsibilities. As time goes on, every time we see a need, we think we have to tap into the taxpayers and create another government function. But this is not one of those functions that is an enumerated power of the United States Congress. It is not something that we are compelled to do. It is something that is discretionary. We are into operations at a time of austerity, a time when we see what's happened as a prelude to the American economy, if we just look over to Europe, in places like, oh, Portugal, Ireland, Italy, Greece, Spain, for example. That's the direction we're heading with our economy. And as we see this discretionary spending grow along with our entitlements grow and our economy contract, we also need to take a look at these items that are at our discretion as to whether or not to fund.

I think that the image that we have seen on the videos tells us something about the internal culture of NPR. If you haven't seen the videos, or if you've just seen the little text in there, that doesn't give you the real sense of what was going on in that conversation with Mr. Schiller at that table for 2 hours that day. If you look at the whole video, you'll see, the cast of the character and the content reflected, the culture of NPR; in the same way, in my view, that the videos of ACORN reflected accurately the actual internal culture of ACORN. We shut off the funding to ACORN for that reason. Of all the data that we've put out on ACORN, you couldn't be convinced to shut off the funding until you saw the reality of the video.

Then we looked into Planned Parenthood, and of all the data that was brought out here to the floor of the House, Mr. Speaker—and I compliment MIKE PENCE for doing so and all of those who stood with him and for life—still, the American people didn't understand the real culture of Planned Parenthood until they saw the video.

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

Mrs. BLACKBURN. I yield the gentleman an additional 30 seconds.

Mr. KING of Iowa. I thank the gentlelady.

Of all the data that we've seen, we still had not absorbed the real culture of NPR, until we saw the video of that dinner, those 2 hours that day.

So I stand in support of this act and this resolution, and I believe it's time for us to draw a bright line in our budget and cut this funding. I will be voting to adopt the cutting of the funding, as will my colleagues.

Ms. ESHOO. Mr. Speaker, may I inquire how much time we have left on each side?

The SPEAKER pro tempore. The gentlewoman from California has 13 minutes remaining. The gentlewoman from Tennessee has 11 minutes remaining.

Ms. ESHOO. Thank you.

I now would like to yield 2 minutes to the gentleman from Massachusetts, Congressman ED MARKEY, whom I think possesses the broadest and the deepest knowledge about telecommunications in the Congress.

Mr. MARKEY. I thank the gentlelady.

Mr. Speaker, in an era when Edwardian drama is the only way to characterize the way in which cable news deals with the public affairs of our country, there is an oasis of real news that begins with Morning Edition, goes right through the day to All Things Considered, which focuses on that most unusual of all subjects, hard news, that the American people can use to make judgments about the affairs of our country and the affairs of the world. It is an oasis of information that is supplemented, yes, by Lake Woe Begone, On Point, other programs that raise the cultural level but serve as a place where people, 170 million Americans, can go to get real information.

Now what is this debate all about? Well, it's really about an ancient animosity which the Republican Party has had to the very creation of NPR, through Newt Gingrich, through the

early years of the 21st century, right up to today where it's on a list of grievances which they have about this ability of NPR to provide this news and information. That's what the debate's about. You don't have to be Dick Tracy to figure out what this debate is all about. They have right from the very beginning of the creation of this network wanted to destroy it.

I think that they are going to run into a razor blade sharp edge reaction from the American public as they find that, in place of Morning Edition and Car Talk and All Things Considered, they want to move to radio silence, and when the American people find out about that, they are going to be outraged.

I would vote ''no'' and urge strongly a ''no'' vote for all Members of this body.

Mrs. BLACKBURN. I yield myself such time as I may consume.

Mr. Speaker, I want to address one thing. This is not an ancient animosity. I don't think I'm quite that old. And I don't think you have to be Dick Tracy to figure out what this debate is about. This debate is about saving taxpayer money. We do not have a revenue problem in this town. We have a spending problem in this town. The Federal Government does not have the money to fund these programs. We are borrowing 42 cents of every single dollar that we spend. We have to get the spending under control. We have to get an environment where the American people can get back to work. And we're talking about funding for NPR.

I just gave the demographics. It is a wealthy, educated listening audience. If people want this programming, Mr. Speaker, they're going to be willing to pay for it. But the American taxpayer has said, get NPR out of our pocket.

I pulled the sponsors for NPR, and I think my colleagues would be interested in this. When you go to the NPR Web site and you start pulling the sponsors, they don't sell advertising, but they do have many sponsors. They have some sponsors that land in the $1 million plus category. And then they list sponsors all the way down to $5,999. This is how wealthy the sponsorship base and the subscribership base is for them. It is time for us to remove the Federal support system that they have relied on. They have told us they do not need the money. We need to cut the umbilical cord. We need to see what NPR can do on their own.

I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield 2 minutes to the dean of the House of Representatives, the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, I thank the distinguished gentlewoman from California for her yielding me this time, and I commend her for her opposition to this outrageous piece of legislation.

I rise in strenuous opposition to H.R. 1076, visited upon us without any attention to regular order, hastened to the floor in defiance of the commitments of the Speaker, and without any hearings or consideration by the Committee on Energy and Commerce. No opportunity for the public to speak or to be heard on what we're doing.

The majority continues to force Members of this body to waste time and energy of the House, a critical asset of this Nation, on political witchhunts with respect to health care and the environment. Now we find that we're adding public broadcasting to this list.

Public broadcasting is a national treasure. It provides us impartial, honest coverage of facts and news. It provides information not available elsewhere. And, yes, it sheds a little bit of culture on our people, something which probably my Republican colleagues find offensive. It has done so at very low cost to the public, with huge contributions from the people for the support of this.

This legislation is going to prohibit local stations like Michigan Radio in Ann Arbor, and in your own districts and in your States, from using money from the Corporation for Public Broadcasting to acquire or produce any public radio programs. As regards process, we are completely evading the processes and the commitments that are to be found in the rules and the pronouncements of the leadership on the other side. And we are finding that the history of this, which goes back to the 1934 Communications Act in the Commerce Committee, has been grossly disregarded.

So much for regular order. And so much for transparency that the majority made such a big fuss about at the beginning of this year. What's next? Are we going to amend the Endangered Species Act on the floor to declare an open season on Big Bird? Or upon programs which educate our kids or which contribute to the advancement of our society?

I urge my colleagues to oppose H.R. 1076. It's a bad bill.

□ 1420

Mrs. BLACKBURN. I reserve the balance of my time.

Ms. ESHOO. I am pleased to yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), who is the chairman of the House Caucus on Public Broadcasting.

Mr. BLUMENAUER. I thank the gentlelady.

I want to make five basic points.

Number one, there are no savings to the taxpayer in this bill. It simply passes on higher costs and fewer choices to local stations.

Second, it is not going to stop NPR, which will go on in New York and Los Angeles and even Portland, Oregon. What it will cripple is what happens in smaller local stations around the country who rely on NPR and other public broadcasting entities for their content.

My good friend from Tennessee just went through all the steps that are necessary to produce local content. That is complex and it is expensive. That is why they voluntarily buy ''Morning Edition'' or ''Prairie Home Companion'' or ''Car Talk.''

NPR never said it didn't need the money. They are relying on a discredited video that was exposed by Glenn Beck's Web site, of all places. Our friends should talk to the thousands of volunteers at home who rely upon public broadcasting resources to provide the content that Americans love.

Reject this travesty.

Mrs. BLACKBURN. Mr. Speaker, in response to this statement that there are no savings, may I point my colleagues to a CRS report on the Corporation for Public Broadcasting, Federal funding and issues, and I will be happy to submit this for the RECORD.

Reading from it: ''NPR, Incorporated, which oversees the NPR system, states that annually NPR receives direct funding in the range of $1.5 million to $3 million from three Federal agencies and the Corporation for Public Broadcasting. Those are the National Endowment for the Arts, the CPB, the Department of Commerce's National Telecommunications and Information Administration, and the Department of Education.''

Now, Mr. Speaker, what we are saying is you can't do that anymore. This is one of the steps that we have to take in order to straighten out this budgeting process. Our country does not have the money to spend on this. NPR does not need the money. They will not be able to get these grants. We will save those dollars.

The American taxpayer has said, Get your fiscal house in order. This is a step in that process. I know they don't like it, but, you know what? This is something we can do. This is something we will do. This is something the American people want to make certain that we do so that we get this Nation back on a firm fiscal and sound fiscal policy.

The day has come that the out-of-control Federal spending has to stop. A good place to start is by taking NPR out of the taxpayer's pocket.

I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentlelady from California.

I rise in strong opposition to H.R. 1076 to defund National Public Radio. Overwhelmingly, my Rhode Island constituents agree, this legislation is no more than an ideological attack on public broadcasting masquerading as a fiscal issue. That is because Federal funding accounts for less than three-thousandths of one percent of the annual Federal budget. In addition to that, the nonpartisan Congressional Budget Office says this legislation will not reduce the deficit by a single penny.

Without as much as a hearing, this legislation undermines public broadcasting, a system that 34 million Americans turn to weekly and in which Americans across the political spectrum place high trust.

These funding restrictions will devastate the economy of public radio. It will harm local stations. It will inhibit their ability to attract audiences, develop stable local revenue bases, and, most importantly, their ability to continue to produce local programming. Public broadcasting gives voice to the smallest and most diverse communities in our country. I know firsthand the high quality broadcasting the NPR provides in Rhode Island and all across this country.

It would also endanger 9,000 jobs at local public radio stations and communities across the country.

I urge my colleagues to vote against this assault on the free exchange of ideas and instead support a democracy that continues to listen carefully to its people.

Mrs. BLACKBURN. I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I am very pleased to yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), who is one of the great advocates of public broadcasting in the Congress.

Mrs. LOWEY. I thank the gentlelady.

Mr. Speaker, I rise in strong opposition. 170 million Americans use public media for vital news. Sixty-one percent of voters who support deficit reduction also support funding for public broadcasting. Yet the assault on public broadcasting continues, when jobs and the economy should be our top priority.

This outrageous bill would prohibit public radio stations from using Federal funds to acquire any radio programming from any outside source. That means that your local stations may not be able to air quality programming.

We were not sent here to silence ''Prairie Home Companion,'' ''Car Talk'' and ''Morning Edition.'' Let's stop trying to put Diane Rehm out of work and focus on putting more Americans back to work.

Reject this bill.

Mrs. BLACKBURN. I continue to reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I would like to yield 1 minute to the distinguished gentleman from Connecticut (Mr. LARSON), the chairman of the House Democratic Caucus.

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentlelady. I wish her a happy St. Patrick's Day.

Mr. Speaker, there is a pattern here. Americans are seeing through what amounts to an ideological purge.

In Wisconsin, under the guise of dealing with the deficit, they are taking away collective bargaining rights.

In Washington, under the guise of dealing with the deficit, they are cutting Planned Parenthood and taking away women's rights.

Under the guise of dealing with the deficit, they are planning to privatize Social Security and voucher Medicare, as if they had anything to do with causing the deficit and the problem we are in.

And under the guise of saving taxpayers' dollars, what they are doing is silencing NPR, not because it saves money, but because it is not on the same ideological frequency of the extreme right.

Mrs. BLACKBURN. I continue to reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I would like to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, when is the majority going to try to solve a real problem? The reaction to unemployment is ''so be it.'' The reaction to an immoral Afghanistan policy is a big shrug. But a modest investment in educational, commercial-free programming, now, that is a national crisis. I guess they figure if they can't catch bin Laden, they might as well go after ''A Prairie Home Companion.''

Public broadcasting, Mr. Speaker, performs a vital function in a democracy. It is also twice as popular as the Afghanistan war, and it supports 21,000 jobs. That is 21,000 jobs more than the Republican agenda would create.

Vote against H.R. 1076.

□ 1430

Mrs. BLACKBURN. I reserve the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. While Republicans insist today that NPR is a four-letter word, the real attack is on KUT and similar public radio across America. Two hundred fifty thousand Texans rely upon KUT's in-depth radio news scrutiny of the Texas legislature and local government. The only ''bias'' of those who begin with Morning Edition is a bias for truth. My constituents tune in to KUT because they want fact-based, not faux-based, not FOX-based coverage.

Like their continued assault on PBS, these Republicans just can't tell the difference between Big Government and Big Bird. While they pander to Wall Street, they continue to want to terminate support of Sesame Street. ''All Things Considered,'' their attack really has nothing to do with balancing the budget. It is an ideological crusade against balanced news and educational programing. Cutting access to the power of knowledge decreases our ability to hold our government accountable. Don't weaken our democracy by weakening this vital source of reality-based journalism.

Don't cut KUT. Public radio serves the public interest.

Mrs. BLACKBURN. Mr. Speaker, at this time I yield 1 minute to one of our freshman Members, the gentleman from the Florida Panhandle (Mr. SOUTHERLAND).

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

Mr. SOUTHERLAND. We talk about Big Bird and that sounds wonderful. We had a couple of Big Birds in my family. We have four small children, and they love Big Bird.

But I will tell you this: When the CEO of Sesame Street is compensated $956,000 in 2008 compensation, that's over double what the leader of the free world makes. Think about that: $956,000, when, in the same year, Sesame Street received $211 million in toy and consumer product sales.

So to stand here and say that we have the luxury at this incredibly critical crisis moment in our deficit struggles that we have the luxury of making sure that PBS can pay Mrs. Kerger $632,000 in salary, and that the Corporation for Public Broadcasting can pay its President and CEO $300,000 apiece, I mean, really. Are we serious? Are we serious?

We can do better. We must do better.

The SPEAKER pro tempore. The gentlewoman from California has 3 minutes remaining. The gentlewoman from Tennessee has 6 minutes remaining.

Ms. ESHOO. At this time I would yield 1 minute to the gentleman, the great Irishman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, National Public Radio has the strongest intellectual, artistic, and informational in-depth content of any radio network in this country because its content is not compromised by corporate ownership. I love it. But I won't lose it.

It's the rural stations that depend on NPR for half their budget. They can't afford to lose this national asset, nor can the 36 million people who rely on emergency alerts from NPR in times of crisis. The commercial market won't do that because there's no profit in it. Nor can the visually and hearing-impaired afford to lose the technology NPR developed.

This has nothing to do with the deficit. It's an infinitesimal fraction of our national debt. It jeopardizes 9,000 jobs, and it distracts us from solving the real problems that this Nation faces while trying to destroy one of the primary sources of an enlightened electorate.

Mrs. BLACKBURN. Mr. Speaker, I think that this is one of those things that's kind of what's wrong around here. Everybody says, Don't do this, don't do this; that's not much money, that's not much money. Mr. Speaker, it all adds up. And the American people have had it with the Federal Government spending money they do not have.

With that I yield 1 minute to a wonderful new Member who has joined us, the gentlewoman from Dunn, North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Mr. Speaker, I rise today in support of this legislation.

Let us be clear: This legislation would simply prohibit direct Federal

funds—taxpayer money—from being made available to National Public Radio, or as we know it, NPR, and would prohibit public radio stations from using Federal funds to pay for their NPR dues. The bill would prohibit public radio stations from using Federal funds for the production or acquisition of programing.

I want to be very clear: I am in support of the arts. However, I do not believe that NPR has the right to public funds from our hard-earned taxpayer dollars when they receive plenty of funding from private sources. These prohibitions would not affect a local radio station's ability to use Federal funding for their operations or for the reduction of their own programing. NPR already receives direct Federal funding through the Corporation for Public Broadcasting, Department of Education, Department of Commerce, and the National Endowment for the Arts. They also get a considerable amount of money from local radio stations. Why do they need more?

Ms. ESHOO. Mr. Speaker, I would like to inquire how much time we have remaining.

The SPEAKER pro tempore. The gentlewoman from California has 2 minutes remaining. The gentlewoman from Tennessee has 4½ minutes remaining.

Ms. ESHOO. I yield 1 minute to the brilliant, brilliant gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentlelady.

Mr. Speaker, NPR provides news and cultural enrichment—yes, enrichment—that adds value to the lives of millions of Americans. It reaches into all parts of our country, even into that fact-free universe where the other side seems to be living, saying that factual information is somehow a liberal bias.

We talk about the need for a well-informed public. Just this morning, we had a reminder of the benefits that NPR brings to America. Today, there was a news report on the slow progress the U.S. Army is making towards seeing that wounded soldiers get the Purple Hearts they deserve. General Chiarelli, the Army's second in command, remarked in this story that it was previous reporting by NPR that was removing the confusion and the misunderstanding that had prevented the serving soldiers from getting the Purple Heart recognition. This is good reporting. The other side seems to think that this is, that this is, this is—wait, wait, don't tell me—biased reporting.

We need NPR.

The SPEAKER pro tempore. The gentlewoman from California has 1 minute remaining.

Ms. ESHOO. Mr. Speaker, I am pleased to yield my remaining 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, a study conducted by the Center for International and Security Studies found that those who said they received most of their news from NPR were only about one-fourth as likely to hold a demonstrably false belief about important issues relating to the Iraq war as those who primarily consumed news from our colleagues' favorite news channel. A similar study conducted last year on mainly economic issues produced similar results. Those who primarily listened to NPR were considerably less likely to hold demonstrably false beliefs.

So now our colleagues across the aisle want to pull the plug on NPR, one of the most accurate sources of demonstrably true news and information. Our colleagues want to fire the messenger. This is not a move to create jobs or save money. This is a move to save face at the expense of truth. And I believe that such a move comes at a price that we simply cannot afford to pay.

This country needs NPR. Vote against the Republican bill.

□ 1440

Mrs. BLACKBURN. I yield myself the balance of my time.

Mr. Speaker, I do think our colleagues across the aisle are missing the point on this. We are responsible for making certain that this fiscal house gets in order. This is just another of those steps. This bill is not about taking NPR off the air. There is nothing here that says you will take NPR off the air.

What it simply says is, if you are an affiliate station and if you want to pay NPR dues, you can't use taxpayer dollars. If you want to buy NPR programming, you cannot use taxpayer dollars for that. The taxpayers want NPR out of their pockets. Now, there is plenty of popular programming out there, and if listeners want to hear that, we are not trying to disenfranchise those listeners. Indeed, if listeners like the NPR they have, they can keep it. What we're saying is that they need to raise the money for this.

We went through the demographics for NPR: college-educated; 63 percent have full-time jobs; the average household income is upwards of $86,000 a year. They have a list of sponsors who give over $1 million a year to NPR. NPR, itself, has said it does not need our taxpayer funding. So this is a place that we can save some money.

Now, to those who say it is a job-killing program, may I remind you, indeed, to develop local programming, I articulated 17 different positions that are attached to creating even one radio show. Unlike some of my colleagues, Mr. Speaker, I fully believe there are talented people—talented writers and editors and programmers—all across this great Nation who would love to have a platform for the great ideas and the content they would like to create.

I want to encourage all of my colleagues to take a step in the right direction in getting our fiscal house in order. The time has come for us to claw back this money. The time has come for us to send a message. We need to get NPR out of the taxpayers' pockets. I encourage a ''yes'' vote on H.R. 1076.

Mr. STARK. Mr. Speaker, I rise today to not only support National Public Radio, but to speak against a bill that is a top example of thoughtless political pandering.

The consequences of this legislation are much broader than simply defunding NPR, which provides thoughtful news broadcasts and well-known programs that are listened to by my constituents and over 27 million people nationwide. This bill will cause all locally owned public broadcasting stations across our country to lose key funding. Yes, this is a job killing bill brought forth by my Republican colleagues.

The Republican leadership wants the public to think that they're working hard to cut spending and that this legislation will help taxpayers. Let's call them out on what they're really doing: putting jobs at risk so that they can appeal to right-wing voters. This is not just pettiness—it's pure hypocrisy and goes against everything that my colleagues on the other side of the aisle supposedly stand for. Does this bill save a great deal of money? No—it doesn't do a thing to reduce the deficit. Does this bill create jobs? Absolutely not—in fact, it does the opposite. And what happened to the Republican commitment to transparency? This bill has not been available for 72 hours, breaking the Republican leadership's pledge to allow three days for the public to read legislation, and several germane amendments have been rejected.

This bill sacrifices jobs and well-loved programs to score political points. It is a waste of this Congress's time and the legislators behind it should be ashamed of themselves. I am happy to work with my colleagues toward real deficit reduction and job creation strategies. Until that happens, I urge Members to vote no against this harmful and tactless legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong opposition to H.R. 1076, a Republican bill to prohibit federal funding for National Public Radio.

Congress has been in session this year for nearly three months, and what have the American people gotten?

The House voted to repeal new patients' rights and benefits and to strengthen the rights of insurance companies.

The House voted to cut funds for education and Pell Grants at a time when we need to build up, not tear down, our educational and economic competitiveness.

The House voted to eliminate funds for Planned Parenthood, a highly regarded source for medical and health information and services for women.

The House voted to take away the rights of workers to contest workplace abuses by their employers, weaken the reporting system for workplace safety violations, and lower the wages of construction workers on federal contracts.

And now, today, the House is voting to kill the small amount of federal funding for National Public Radio, an important and unbiased source of news for tens of millions of Americans across the country.

Not one bill so far to create jobs. Not one bill so far to invest in America. Not one bill that makes it clear America will be ready to compete in the global economy and win the race to produce the best college graduates in the world.

Instead, the American people are being fed a steady diet of right-wing ideological attacks

on our rights, on our values, and on middle class economic opportunities. American families are desperate for work, but they are getting nothing but a cold shoulder from the House of Representatives under this new leadership.

The attack on NPR, just like the attack on Planned Parenthood, or on Head Start, and on workers' rights and safety, has nothing to do with reducing the deficit and the debt. It is nothing more than a partisan political agenda that is out of step with, and very dangerous to, the American people.

The attack on NPR is outrageous and it should be rejected. The American people benefit greatly having this source of news that is free from the influence and demands of corporations and that consistently delivers top quality, in-depth, and breaking news on foreign affairs, science and technology, politics, the arts, and business.

If this leadership is so concerned with the deficit, why hasn't it called up legislation to reduce tens of billions of dollars in taxpayer subsidies to major oil companies, companies with record profits quarter after quarter and no need for subsidies to carry out their work?

Why hasn't this leadership called up legislation to reduce some of the billions of dollars in Pentagon waste documented year after year?

And why was this leadership's first major action in the House a bill that would increase the deficit over the next ten years by more than $210 billion by repealing our historic health care law?

Why? Because their rhetoric about deficit reduction is just a cover for a divisive political agenda that they hope will help them in the next election.

I strongly support eliminating wasteful government spending, and I have a long and documented track record of deficit reduction. Whether it was my successful effort to increase student loan aid by reducing taxpayer support to private lenders, or passing the health care reform law, or through my early support for Pay-As-You-Go budgeting, I have always made this a priority.

I know how hard it is to make tough choices about saving taxpayer money and being fiscally responsible.

I know it is not hard for politicians to cut Head Start, but it's really hard on low-income mothers trying to educate their children. And I know it is not hard to cut the small amount of federal funding for NPR, but it is really hard on the millions of Americans who hunger for information from a wide variety of sources.

I'll tell you what's hard to cut. It is really hard to cut land subsidies to multi-national mining companies, or royalty subsidies to oil companies, or water and price subsidies to major agricultural corporations. I know, because I have fought to make those cuts. And corporations fight back, hard.

So, Mr. Speaker, again I rise in opposition to this bill that will not reduce our deficit but will reduce the level of information Americans have about really complex and important issues facing our country. And I rise in opposition to the past three months of partisan, ideological and political attacks on the basic rights, values and services that are so important to our country.

And I urge my colleagues to reject this bill.

Mr. LANGEVIN. Mr. Speaker, I rise in strong opposition to H.R. 1076, which would prohibit federal funding of National Public Radio, and I urge my colleagues to vote against this misguided bill. National Public Radio (NPR) provides an essential public service to our nation at a minimal cost to taxpayers. In Rhode Island, WRNI utilizes federal funds to provide local coverage of news events with local reporters. Without these funds, which account for nearly 8 percent of their annual budget, WNRI would lose its ability to bring local information to local communities, from the breaking news of the day to upcoming arts and cultural events.

This bill will not reduce our deficit by one penny and it will not save or create any jobs. In fact, some have estimated that 9,000 jobs will be lost due to the elimination of federal funding for NPR. In a time of unprecedented global events, from natural disasters to citizen uprisings to dramatic economic upheaval, we must ensure that people have access to accurate information, not limit it even more. Once again, I urge my colleagues to put politics aside and oppose this bill to eliminate federal funding for NPR.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong opposition to H.R. 1076, a bill to Prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

NPR is a congressionally chartered nonprofit organization that provides independent and non-partisan news and education to approximately 27 million Americans each week.

This is a politically motivated bill that would hurt over 900 local radio stations across America that rely on NPR for fact based news content and the millions of Americans who listen to NPR for their daily news.

NPR enjoys very strong support from the American public as nearly 70 percent voiced their opposition to eliminating funding for public broadcasting according to recent polling.

Constituents in my home of Dallas, Texas have contacted my office by the hundreds; making phone calls, sending emails and faxes to express how important NPR is to them.

This bill will do nothing to create jobs or improve our economy. In fact, the non-partisan Congressional Budget Office has stated that this bill would produce zero savings to the taxpayer, and do nothing to reduce the deficit.

Families with low incomes, families living in rural areas, and minorities would be especially hurt by this legislation.

Smaller radio stations in rural America rely on NPR more than large cities for radio content so they would be more greatly impaired by the bill's prohibition against using federal funding to local radio stations to pay for any content from any source, depriving them of hours of programming every day.

At a time when our national news is driven more and more by commercial interests and obsession with viewing ratings, it's more important than ever for Americans to have an objective and unbiased source of news and national commentary that is based on facts and reporting.

I also object to the process that the Republican Leadership has brought this bill under consideration today. The Republican Leadership have reversed themselves on their own promise to for every bill to undergo 72 hours of review.

The American people have not heard a single hearing on this bill nor have they heard a single minute of testimony from any expert witness on the merits of this bill.

Not only was this bill rushed to floor of the House without sufficient review and scrutiny by the public, but the Republican Leadership has brought this bill to the floor that prohibits any opportunity for any other Representative in this House to offer a single amendment to improve it.

This is not the way to run the people's House. This legislation is pure political posturing and is distraction from what we should be doing today, which is working to create jobs and improve our economy.

I urge all of my colleagues to stand with me today in voting "no" on this bill.

Mr. CONYERS. Mr. Speaker, today I rise in strong disapproval of H.R. 1076, which would prohibit federal funds to National Public Radio. The proposal today is a draconian attempt to kill public radio to millions of listeners across our nation who depend and cherish this essential service.

The bill would significantly impede NPR's local station in Detroit, WDET 101.9 to continue its public service. Over 150,000 listeners in southeast Michigan, northwest Ohio and our neighbors in Canada would be deprived of such great shows such as The Diane Rehm Show, Jazz Profiles hosted by my friend Nancy Wilson and many other news and cultural programs. Furthermore, WDET and other NPR stations are one of the few radio providers of local news. The station carries many diverse perspectives that strengthen the social fabric for Detroiters.

Media consolidation, for a variety of reasons, has resulted in a less progressive, less diverse, and a narrower set of viewpoints. For years, public radio has successfully been able to provide Americans with cutting edge, sophisticated, and culturally relevant news that otherwise would not be able to enjoy this much needed public service.

Today's bill jeopardizes public radio's ability to operate at an optimal level, and could result in a dramatic decrease in Americans' access to this vital medium. It is a shame that our nation's children and young people may not have the ability to listen to classical music, opera, and other intellectually stimulating broadcast that are vitally important to the intellectual and cultural of our future Americans. In short, today's vote is a needless attack on one of America's cherished institutions—public radio. I urge my colleagues to look at other ways to balance our Nation's budget that do not include cuts to education and culture.

Mrs. CHRISTENSEN. Mr. Speaker, here the Republicans go again. I guess no one in this country, as they envision, it should ever have a different point of view than theirs. Liberty cannot be just an empty word. It certainly is not to us Democrats. We opposed the elimination of National Public Radio last year and I oppose it today.

Thinking and discerning people like to get their information from different sources and different points of view and then make their own decisions. That is what NPR provides.

The American people are smart and do not want to be spoon fed propaganda and brainwashed by any one ideology or political party.

And they support Public Broadcasting—Republicans, Democrats and Independents alike. When asked, more than two-thirds oppose the elimination of federal funding for public broadcasting as this bill would do.

This bill has nothing to do with reducing the deficit. It is an ideological battle—all about

never supporting and always wanting to get rid of public radio and public TV. Republicans are showing again that they are out of touch with the American people.

This attempt to shut down free radio is misguided and based on deliberately distorted information.

Taking funding away from national Public Radio would hurt local stations, small stations—many even in Republican districts—which depend on NPR programming to survive so that they can carry local news, events and programming and even provide the opportunity for any of us to speak to the public.

Colleagues, let's vote for Democracy. Vote ''no'' on this bill

Mr. GARAMENDI. Mr. Speaker, had I been able to vote on H.R. 1076, legislation that would decimate public radio in America, I would have voted ''no.''

National Public Radio (NPR) is one of America's most vital and trusted news sources, utilized by 27 million Americans each week. Taking away federal assistance for public radio would hurt 900 public radio stations, especially smaller stations in rural America that lack a sizable donor base.

Access to popular and informative news programming, including All Things Considered, Morning Edition, Forum, On Point, and This American Life, would be jeopardized in smaller markets. Broadly available access to informative and objective news in America would be compromised.

My office has received many calls and letters from residents throughout the 10th Congressional District, urging Congress to preserve NPR's budget. My constituents understand that public broadcasting is a critical and cost-effective American investment, and I stand with them.

H.R. 1076 harms our economy and American competitiveness. The Congressional Budget Office has determined that this legislation will have zero impact on the budget and the deficit, but it will likely destroy 9,000 jobs. Our support of public broadcasting is a tremendous bargain for the American people. At a time of increasing competition in the global economy, America's future prosperity depends on a knowledgeable workforce, and our robust democracy depends on a well-informed citizenry.

H.R. 1076 takes away vital information from the American people, and that is why I am deeply opposed to this pointless and destructive bill.

Ms. HIRONO. Mr. Speaker, I rise in strong opposition to H.R. 1076, which prohibits federal funding for National Public Radio (NPR) and radio content acquisition.

According to a preliminary estimate from Congressional Budget Office, this bill will produce no savings for the taxpayers and will not reduce the deficit. This is an ideologically driven piece of legislation that does nothing to reduce our deficit.

Each week, 27.2 million Americans nationwide turn to NPR to find the kind of news, music programs, and interesting entertainment they can't get elsewhere. NPR offers quality in-depth reporting, insightful commentary, and an on-air forum that allows a wide range of voices to be heard. With political rhetoric and ideological name-calling filling cable news programs, NPR's news coverage has become an essential source for people looking for the facts. This is why 8 out of 10 voters oppose cutting federal funding for public broadcasting.

In my district, Hawaii Public Radio (HPR) engages its island listeners through countless events statewide. These include the Hawaii Book and Musical Festival as well as a series of pre-performance lectures at the Hawaii Opera Theatre. HPR also embraces Native Hawaiian culture with its daily Hawaiian language newsbreak and the ''Hawaiian Word of the Day'' feature.

With the program Aloha Shorts, HPR promotes local poets and actors. HPR has even given our children an opportunity to be heard by a national audience having young musicians featured in the sold out From the Top performances, which received national broadcast. With over 400 volunteers and audiences on all islands, HPR shares the diversity of Hawaii with communities across the country.

Hawaii Public Radio is not just a radio station—it's an essential part of our island community and deserves federal support.

I urge my colleagues to recognize the importance of NPR in people's daily lives and vote against this bill.

Ms. McCOLLUM. The legislation on the floor today, a bill to defund National Public Radio, is another example of a Republican-Tea Party agenda which kills jobs and imposes an extremist right-wing ideological agenda on the American people. This bill and debate is about titillating right wing passions and silencing public broadcasting—nothing more. It is time for listeners of public radio, viewers of public television, and all citizens who value non-commercial broadcasting to make their voices heard or some valuable radio stations and important programming will disappear.

In my state, Minnesota Public Radio is a treasured source of information and an important employer. The effects of this legislation would hurt National Public Radio, hurt Minnesota Public Radio, and Minnesotans who value this critical public media resource. Currently, public broadcasting in Minnesota receives over $4.2 million in federal grants, and that funding is at risk as a result of this bill.

This ill-conceived and mean-spirited attack on an important non-profit employer would mean hundreds of lost jobs in Minnesota and the silencing of important public broadcasting content currently heard by tens of millions of Americans every week. Again, this is not surprising coming from a Republican-Tea Party majority that has already passed legislation that would eliminate nearly a million American jobs.

While Democrats are fighting to strengthen the economy and create jobs, the Republican-Tea Party is pursuing an agenda that kills jobs, busts unions, and rewards big corporations with taxpayer handouts. This extreme agenda is an affront to the American people and seriously diminishes the ability for bipartisan solutions to our nation's most serious challenges.

The bill is on the floor today in large part because of the exploits of a Republican operative who doubles as a muckraking dirty trickster. This faux-journalist lied to a National Public Radio executive to secure a meeting and then pieced together a deceptively-edited video of a secretly taped meeting. One media expert called the media sabotage of NPR by James O'Keefe, ''. . . unethical. It's pretty scummy.''

Mr. James O'Keefe, the Republican operative who deceived NPR, is most famous for being arrested and convicted of attempting to infiltrate the office of a Democratic U.S. Senator while impersonating a telephone repairman in an attempt to eavesdrop on calls between constituents and congressional staff. Now Mr. O'Keefe's criminal and unethical behavior is being used by the Republican-Tea Party majority in the U.S. House to pass a law to defund NPR.

I guess today's legislation could be called an example of yellow policy-making based upon yellow journalism—except for the fact that any reference to journalism even in its most pejorative form in association with Mr. O'Keefe is a discredit to journalism.

Mr. O'Keefe is in better company with Republicans such as former President Richard Nixon and former House Majority Leader Tom DeLay in their efforts to embrace criminal behavior in the pursuit of political advantage.

The millions and millions of Americans who seek unbiased news, information, educational, and cultural programming should not be surprised that the Republican-Tea Party Congress and their corporate sponsors want to eliminate funding for National Public Radio. This legislation is not about deficit reduction because this bill fails to reduce the federal budget deficit by even $1 according to the Congressional Budget Office, but it is about advancing a right-wing political agenda at NPR's expense.

This week, the Republican-Tea Party held an emergency meeting about so-called urgently needed legislation.

What was the emergency? Were we finally going to consider a jobs bill? No.

The ''emergency'' declared was to prohibit federal funding to go to NPR.

This bill will prevent all public radio stations from using federal funds to purchase any programming from any source. The Republican-Tea Party majority wants to take control away from our local stations, like Minnesota Public Radio. It means that local stations, across the country, will not be able to use these funds to get programming from two of the largest public radio organizations in the country—American Public Media and Public Radio International—both located in Minnesota. That means stations could not use the funds to purchase programs like the beloved ''A Prairie Home Companion'' and ''This American Life''.

Why have the Republicans brought this bill to the floor without as much as a single minute of consideration in a hearing or in committee?

This NPR ''emergency'' is not to help struggling families and debate a badly-needed jobs bill right before we leave on a week-long recess.

It is to consider legislation that will weaken our community. That will cost jobs in Minnesota. And all the Republican-Tea Partiers will vote for it based on the antics of a Republican operative who makes a living from lying.

I would urge Members of the U.S. House and all Americans who value journalistic integrity and valuable public media outlets, like Minnesota Public Radio, to fight against a very bad bill and the harm it would cause to our communities.

Ms. CLARKE of New York. Mr. Speaker, I rise today to strongly oppose H.R. 1076, the bill to stop federal funding for National Public Radio (NPR). The bill bars making federal funds available for: NPR; payments of dues to NPR; and the acquisition of any radio programming by or for the use of a public radio station.

Earlier this week the Republican led House passed a three week CR that contained $50 million in cuts for NPR's parent organization, the Corporation for Public Broadcasting. The new House majority is looking to cut all federal funding of public radio and television stations.

Mr. Speaker, without federal funding, many public radio and TV stations, especially in rural and small communities would go off air. Prohibiting local stations from using federal funds to acquire or produce local/national programming will interfere with the operating independence fundamental to the American's public radio system.

Barring public radio stations from using federal funds to acquire public radio programming would be a huge disruption to the economic model used by public radio stations to serve audiences and to develop local programming, including local/regional news.

If this measure were to pass, New York Public Radio's own station WNYC's national morning news program, The Takeaway, with an audience of younger and more diverse listeners, will be in serious jeopardy. New York Public Radio produces more than 150 original hours of programming each week, including a broad range of daily news, talk and cultural and classical music programming. New York Public Radio has two million weekly listeners in NYC metropolitan region and 3 million listeners across the country.

After 11 weeks with no jobs legislation, the Republican Majority is bringing up this bill that does not create jobs or reduce the deficit. I urge my colleagues to reject this legislation.

Mr. FARR. Mr. Speaker, while the media may focus on NPR, the federal dollars being targeted by this awful bill now go directly to local public radio stations, not to NPR.

The federal dollars received make up a small percentage of the budget for larger stations, but these dollars represent a significant percentage of budgets for local public radio stations, like KAZU and KUSP in my district. It's important to note that stations are then able to leverage those federal grants into millions of dollars in donations from listeners, corporate supporters and foundations. That's the definition of a good federal investment.

Those federal grants enable our local public radio stations to do in-depth stories on local issues important to our region—our world famous tourism events like the AT&T Pebble Beach golf tournament, the Monterey Jazz and Pops festivals, our multi-billion dollar agriculture industry or the budget crisis in California.

Unlike commercial media, local public radio employees have only one concern—to serve their audience. Public broadcasting gives voices to the smallest and most diverse communities in our country that are overlooked by commercial broadcast radio. These are the voices that will be lost if H.R. 1076 is enacted.

H.R. 1076 is an ideological attack on public broadcasting masquerading as a fiscal issue.

Without so much as a single hearing on a subject that affects 34 million Americans weekly who depend on public broadcasting for their commercial-free news and more, this legislation dismantles fifty years of quality public broadcasting and thousands of jobs because of a political bias.

I hope my colleagues will consider the impact that any cuts or elimination of the ability to buy NPR programming would have on institutions in your district.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise to urge my colleagues to vote to against H.R. 1076 which would prohibit federal funding for NPR and the use of federal funds to acquire radio content.

Today's Republican attempts to defund NPR will affect stations all across the country. In my district alone, KTSU and KPFT will have to cope with the aftermath of the Republican proposal. These two stations serve predominately poor, minority populations in my district, and the House Republicans are attempting to eliminate their opportunity to provide National Public Radio to their listeners. If this bill were to become law, radio stations in my district would no longer qualify to receive over $743,000 in Corporation for Public Broadcasting grants, and prohibiting the use of these funds to purchase popular NPR programming will make it difficult for stations to attract local listeners and raise funds for the production of local content and station operations. Hundreds of stations rely on public broadcasting funding as a major source of funding, especially rural and minority stations.

Some people in my district exclusively listen to these stations. These two stations in Houston and hundreds across the country do not have the money to compete with big corporate stations, and they cannot compete with conservative talk shows because they do not spew out biased, partisan, uncomplimentary, critical messages. They are just reporting the news and bringing it from all over the world.

Further, I think it is shameless that once again the Republicans have violated their so called promises of transparent government by refusing to allow this bill to go through normal committee processes. There have been no hearings or expert testimony for Members to review. There has only been politically charged rhetoric and lies about the impact of public radio.

Mr. TONKO. Mr. Speaker, I simply cannot believe we are focusing on this right now. At a time when millions are out of work, people are looking for jobs, and trying to get back on their feet, why is this body focused on NPR, of all things? Is this really the best we can do?

For a minute, let's put aside the fact that national public radio is a part of our tradition as a country and provides quality programming to millions of listeners in urban, suburban and rural America. Let's put aside for a minute that funding for NPR is but a drop in the bucket compared to the giveaways and budget busting tax breaks Republicans support for Big Oil companies.

Here we are, eleven weeks into a new Congress—still putting politics over policy. Make no mistake about it, cuts to NPR will not solve our budget crisis and it will not create jobs.

Mr. Speaker, we can and we must do better. This body should be focusing on jobs. Plain and simple. Instead we are focused on defunding NPR. I urge a no vote.

Mr. VAN HOLLEN. Mr. Speaker, I rise to voice my strong opposition to HR 1076, a bill to eliminate federal funding for NPR and prohibit local public radio stations from using federal funds to acquire programming content.

Mr. Speaker, National Public Radio provides 27 million Americans with access to high-quality, non-commercial programming every week. In many cases, NPR's network of 900 local public radio stations is the only way Americans can access this kind of news and information. For that reason, public opinion polls routinely show large majorities of American in support of federal funding for NPR—and that breadth of support is consistently strong across the political spectrum.

So what are we doing here today? Creating jobs? Exactly the opposite. Enactment of this bill would endanger 9000 jobs at local public radio stations in communities across the country. Reducing the deficit? Hardly. CBO says this bill produces no savings. Honoring the majority's commitment to 72 hours notice and transparent governance? Mr. Speaker, this bill was introduced on Tuesday and is now being rushed to the floor 48 hours later without a single hearing.

Mr. Speaker, this is not the people's business, and it is no way to run this House. It won't create a single job. It doesn't reduce the deficit. The American people haven't asked for it, and they don't want it.

I urge a ''no'' vote.

Ms. DEGETTE. Mr. Speaker I rise today to express the voices of the hundreds of people flooding my offices with calls and emails to plead for us to do the right thing and vote down this misguided legislation.

H.R. 1076 would cripple the public radio system in this country that currently provides vital news and information to over 27 million Americans each week.

I would first like to set the record straight—this bill will not save a single taxpayer dollar. Not one. And it will not reduce our federal deficit by one dime. Not one.

My colleague from Colorado and his leadership have tried to portray this bill as a savings to taxpayers—and with all due respect, that is simply untrue.

This bill is no more than a punitive measure reflecting an extreme agenda.

It would devastate 900 public radio stations across the country unfairly targeting smaller stations in rural and regional areas where there are fewer news outlets and where broadband is insufficient.

The bill threatens almost 9,000 jobs in the broadcasting community and, frankly is an unwarranted attack on the content of public radio.

And the ultimate agenda of my Republican colleagues is laid bare when one considers that the Leadership rushed this bill through, ignoring promises to take legislation through regular order, and in short, breaking all their own professed rules to get this legislation to the Floor.

Mr. Speaker, we've now been in session for 11 weeks, and the Republican leadership has not yet introduced a single bill to create jobs.

They've instead focused on advancing an extreme agenda that does nothing to get Americans back to work.

And today, rather than coming together to create jobs for the American people and address the fiscal situation squarely before us, we are spending our time debating and voting on a bill that is nothing more than social commentary in action to impugn one of our nation's most vital news sources.

When we began our session, we all proudly read from the Constitution, and in that process were reminded of our core values as a nation and a government.

One of those values is reflected in the First Amendment which supports the ability of Americans to access news and information through a free press.

Sadly Mr. Speaker, this bill would ultimately limit vital news coverage millions of Americans so desperately need.

So I urge my colleagues to vote ''no'' on this damaging and unwarranted bill.

Mr. YOUNG of Alaska. Mr. Speaker, today, on March 17, 2011, the House will consider H.R. 1076, to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content. Unfortunately, I have a prior commitment that will prevent me from taking this vote. However, I feel strongly about this issue and I wanted to make those feelings known.

According to people that I have met with at the Corporation for Public Broadcasting (CPB), a public radio or broadcasting station is considered critically dependent on federal funding if thirty percent or more of its funding comes from federal funding. There are twenty-six National Public Radio (NPR) stations in Alaska and nearly half of them are critically dependent on federal funding. These stations serve cities, like KUAC in Fairbanks and KSKA in Anchorage. They serve salmon runs, like KDLL in Kenai and KDLG in Dillingham. The even serve places that are seemingly at the end the world, like KHUB on St. Paul Island and KBRW in Barrow. In many cases, these radio stations are the ONLY broadcast signal that many Alaskans get. To deny them access to basic news, early childhood education programming, and even emergency alerts, merely to serve a political agenda, is irresponsible.

I must, first and foremost, consider what is best for Alaska. When 11 NPR stations in Alaska would have to close their doors to the public if this bill becomes law, I must stand up for all Alaskans. As Alaska's lone voice in the House of Representatives for the last four decades, I am proud to support NPR.

Mr. FARR. Mr. Speaker, I rise today in strong support of swift U.S. troop withdrawal from Afghanistan. This decade-long war is costing our country tens of hundreds of lives and hundreds of billions of dollars. In 2010 alone, nearly 500 brave American men and women lost their lives, which is 63% more than the 2009 death toll. And as I speak, our government, which has vowed to reduce the deficit, has sent millions more overseas for a war with no foreseeable end. From 2008 to 2011, overall government spending has increased by 9%, while funding for the war in Afghanistan has increased by a startling 25%. As many of my colleagues demand $100 billion budget cuts, they need look no further than our reckless war spending. For the good of our troops and the health of our economy, this war must end.

And this viewpoint is shared across the nation. According to a recent Washington Post poll, nearly two-thirds of the American people support an immediate withdrawal from Afghanistan. Mr. Speaker, our job in this chamber is to represent our constituents, and they have spoken loud and clear. The American people are fed up with a war that has done little to improve our national security or bolster our international standing. Furthermore, after nearly ten years of fighting, it is crystal clear that the problem in Afghanistan cannot be solved by military means alone. Stabilization and reconstruction, governance, and peace-building activities can help to stabilize states, promote rule of law, and bring enduring peace at a sliver of the cost we pay for troops on the ground.

Make no mistake about it: I firmly support our men and women in uniform. For this reason, we must bring them home from a battlefront with no real hope of military victory. I thank my colleague, Mr. KUCINICH from Ohio, for re-introducing this Resolution. I was proud to cosponsor it in the last Congress, and I will firmly offer my support today in hopes that we can finally end this war.

Mr. BRALEY of Iowa. Mr. Speaker, I rise today in opposition to H.R. 1076, a bill to prohibit federal funding of National Public Radio and the use of federal funds to acquire radio content. Our constituents sent us to Congress to address the economy and jobs, and to date we've only considered legislation to cut jobs and cut investment in our local communities. CBO projects this bill will have $0 impact on the deficit, and this bill represents nothing more than an attack on news and programming that is valuable to 34 million Americans, and a further attack on American jobs.

National Public Radio programming provides a breath of ''Fresh Air'' in a toxic media environment, and this bill would threaten the ability of Iowa Public Radio in my home state to continue to provide access to that content. By prohibiting funding use on national programming, Iowa Public Radio expects to see a reduction in corporate underwriting and other fundraising, fundamentally impacting their ability to operate.

I'm proud to be a long time listener of Iowa Public Radio. This Iowa treasure provides access to valuable national content like Morning Edition, All Things Considered, Prairie Home Companion and Car Talk, and local programming like The Exchange covering current events and news from across the political spectrum, and programs that highlight the arts in Iowa communities like Orchestra Iowa in Cedar Falls. This bill would jeopardize this valuable source of non-partisan news and entertainment to fulfill a political vendetta.

''All Things considered,'' Mr. Speaker, we need to address the deficit, but this bill does nothing to solve our problems. The CBO projects this bill will save the taxpayers nothing, and threatens 9000 jobs across the country. I know National Public Radio is a constant companion in my home, just as it is across the nation, and I have heard loud and clear from my constituents, do not cut funding for NPR.

Mrs. BLACKBURN. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 174, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. SUTTON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SUTTON. I am opposed to the bill.

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

The Clerk read as follows:

Ms. Sutton moves to recommit the bill, H.R. 1076, to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 2, after line 24, insert the following:

(3) AMBER ALERTS.—Notwithstanding any other provision of this Act, nothing in this Act shall limit the eligibility of an organization described in subsection (a)(1) or an entity that makes a payment described in subsection (a)(2) to receive Federal funds to broadcast or otherwise disseminate alerts issued by the AMBER Alert communications network regarding abducted children.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio is recognized for 5 minutes in support of her motion.

Ms. SUTTON. Mr. Speaker and my colleagues, there are many times when we come to this floor and engage in heated debate, and we have heard some heated debate on the bill before us; but in this moment, Mr. Speaker, my amendment offers us the opportunity to come together and to do something extraordinarily important, and that is to protect our children.

I happen to oppose the underlying bill, but regardless of how one feels about the underlying legislation, this amendment is something upon which we can all agree. Nothing is more precious, more valuable than our children, and when a child goes missing in a community, no one asks whether he or she is a Republican or a Democrat. We simply ask: How can we help find the child and return him safely home? When the unthinkable happens, we all seek in common purpose to do all that we can to ensure a successful outcome, and it is in pursuit of that successful outcome that this amendment is offered today.

This amendment will ensure that, when a child goes missing, every resource available to find that child and to return him or her to safety will be utilized, including NPR's satellite. We all know that, when a child is abducted, a rapid and coordinated response can make a life-and-death difference. This amendment will make sure that we do not undermine the AMBER Alert System that has been effectively used to recover missing children.

The AMBER Alert System was created after Amber Hagerman, a 9-year-old girl from Arlington, Texas, was abducted while riding her bicycle and then was brutally murdered in 1996. Her kidnapping and murder still remain unsolved. Amber's tragic story led to a partnership between broadcasters and police to develop an early warning system to help find abducted children. Named in Amber's memory, it stands for ''America's Missing: Broadcasting Emergency Response.'' The AMBER Alert program began as a local effort in Texas, and it has since grown into a successful national program, saving hundreds of lives of children.

Today, all 50 States, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands have AMBER Alert plans. The AMBER Alert program instantly galvanizes the entire community to assist in the search for and in the safe recovery of an abducted child. Since its inception, the AMBER Alert has helped to find and successfully recover 538 children nationwide.

Mr. Speaker, we go to great lengths to protect our children from sexual predators and abductors—and rightfully so. We talk to them about keeping themselves safe. We teach them how to recognize and how to avoid dangerous situations, and we talk to them about making smart decisions. Today, we have the chance to make a decision to ensure that, regardless of how we feel about the underlying bill, we will not undermine the effectiveness of our AMBER Alert network system.

NPR is designated as a disseminator of AMBER Alerts via arrangements with the Department of Justice and the National Center for Missing and Exploited Children. The deployment of next-generation emergency alert systems is in progress, and NPR is positioned to play a vital, necessary role with its satellite-based capabilities.

Recklessly eliminating funding critical to the effective functioning of the AMBER Alert System would be a tragic mistake. Children of every age, gender and race are vulnerable to child abduction, and when it happens, time is the enemy. Communities must mobilize quickly.

The widespread use of the AMBER Alert network is the Nation's most powerful tool for bringing abducted children home. AMBER Alerts also serve as deterrents to those who would prey upon our children. AMBER Alert cases demonstrate that some perpetrators release the abducted children after hearing the AMBER Alerts on the radio or seeing them on television.

In my hometown of Copley, Ohio, a 1-year-old little girl was taken by her father after a domestic fight grew violent. The father, known to have a drug problem, took the young girl from her home and drove erratically off with her in a car. An AMBER Alert was issued, and because of the continued press coverage, the man made the decision to return his daughter. Thankfully, she was brought to safety.

Let's be clear. The passage of this amendment will not prevent the passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon. So, though we may disagree on the bill, today we have the opportunity to speak with one voice to protect our children. It is up to us. I urge everyone to vote ''yes'' on this final amendment.

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

□ 1450

Mrs. BLACKBURN. Mr. Speaker, I rise to claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Tennessee is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I think we all agree that this Nation's children, our children and our grandchildren are an incredibly important part of our lives and protecting those children, protecting their future.

We all agree that it is important that we put this Nation on a firm fiscal footing. Now, while we all heartily support the AMBER Alert program, we also know there is nothing in the H.R. 1076 that would prohibit the AMBER Alert program. What we also know is that this is a procedural move by the minority to try to derail the funding to NPR.

As I said, as we talked about the bill, it is imperative that we be good stewards of the taxpayers' money, that we get this fiscal house in order. It is time to get NPR out of the taxpayers' pocket. The underlying bill does that.

I encourage a ''no'' vote on the motion to recommit. I encourage an ''aye'' vote on H.R. 1076.

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 to recommit.

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

Ms. SUTTON. Mr. 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 H.R. 1076 will be followed by 5-minute votes on passage of H.R. 1076, if ordered; and adoption of House Concurrent Resolution 28.

The vote was taken by electronic device, and there were—yeas 184, nays 235, not voting 13, as follows:

[Roll No. 191]

YEAS—184

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
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
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
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
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NAYS—235

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
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
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
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
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
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
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
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 (FL)
Young (IN)

NOT VOTING—13

Cohen
Fudge
Garamendi
Giffords
Gingrey (GA)
Gohmert
Hinojosa
Jordan
Labrador
Moore
Nadler
Wasserman Schultz
Young (AK)

□ 1515

Messrs. DESJARLAIS and JOHNSON of Illinois changed their vote from ''yea'' to ''nay.''

Mrs. MCCARTHY of New York changed her 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 bill.

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

RECORDED VOTE

Mrs. BLACKBURN. Mr. 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 228, noes 192, answered ''present'' 1, not voting 11, as follows:

[Roll No. 192]

AYES—228

Adams
Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
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
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Lamborn
Lance
Landry
Lankford
Latham
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
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
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
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
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (FL)
Young (IN)

NOES—192

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Duffy
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
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)
LaTourette
Lee (CA)
Levin
Lewis (GA)
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)
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
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
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woodall
Woolsey
Wu
Yarmuth

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—11

Cohen
Fudge
Garamendi
Giffords
Hinojosa
Jordan
Labrador
Nadler
Pence
Wasserman Schultz
Young (AK)

□ 1524

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AFGHANISTAN WAR POWERS RESOLUTION

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the concurrent resolution (H. Con. Res. 28) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 93, nays 321, answered ''present'' 1, not voting 17, as follows:

[Roll No. 193]

YEAS—93

Baldwin
Bass (CA)
Campbell
Capuano
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Coble
Conyers
Costello
Crowley
Davis (IL)
DeFazio
DeGette
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Filner
Frank (MA)
Grijalva
Gutierrez
Hastings (FL)
Hinchey
Holt
Honda
Inslee
Jackson (IL)
Jackson Lee (TX)
Johnson (IL)
Johnson, E. B.
Jones
Keating
Kucinich
Larson (CT)
Lee (CA)
Lewis (GA)
Lofgren, Zoe
Maloney
Markey
Matsui
McDermott
McGovern
McNerney
Michaud
Miller, George
Moore
Moran
Napolitano
Neal
Olver
Pallone
Pastor (AZ)
Paul
Payne
Pingree (ME)
Polis
Quigley
Rangel
Richardson
Richmond
Rohrabacher
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Serrano
Shuler
Slaughter
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—321

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
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)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Canseco
Cantor
Capito
Capps
Cardoza
Carnahan

Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Clyburn
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Ellmers
Emerson
Engel
Farenthold
Fattah
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, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hirono
Holden
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Meeks
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sarbanes
Scalise
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sutton
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Wu
Yoder
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—17

Baca
Cohen
Dold
Fudge
Garamendi
Giffords
Hinojosa
Jordan
Labrador
Marchant
Miller, Gary
Nadler
Pence
Rokita
Sullivan
Wasserman Schultz
Young (AK)

□ 1530

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. DOLD. Mr. Speaker, on rollcall No. 193, Had I been present, I would have voted "no."

COMMEMORATING BRAIN AWARENESS WEEK

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

Mr. RUNYAN. Mr. Speaker, I rise today to commemorate Brain Awareness Week and to highlight the progress scientists are making to better understand the brain and brain-based illnesses that impact millions of Americans. Such illnesses include multiple sclerosis, autism and a disease that affects my family personally, Alzheimer's disease.

During Brain Awareness Week, scientists work to educate students and the public about the work that they do to unravel the mysteries of the brain and how their work can result in treatments for many brain-related illnesses.

Mr. Speaker, I am pleased that during this upcoming constituent workweek, I will join students from Shawnee High School in Medford Township, New Jersey, as they recognize Brain Awareness Week during their sixth annual Brain Day. I applaud the students at Shawnee High School, along with scientists engaged in this important work. Their hard work is key to finding future treatments that we need desperately.

SUPPORTING A NO-FLY ZONE OVER LIBYA

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, while we are here in the United States, and I am privileged and honored that we are comforted by our flag, our values, and the fact that we can live in peace and security, Mr. Speaker, there are those who are fighting for freedom all over the world, but in this instance in the Mideast, and they are dying as we speak.

We had the uprising in Egypt and Yemen and Bahrain. Bahrain is moving people out of the streets. But then you move to Libya and people are dying.

Today I stood with a mother who lives in the United States, and her Libyan American son, who was born here, is lost in Libya. At first she thought he was dead, but she is looking to see whether or not there is news that he was only wounded. Even so, he was not in battle. He was providing food to those who needed the food, and yet he was brought down.

It is important that we not enter a war, but that we create with our allies a no-fly zone. Otherwise, Qaddafi is going to slaughter the people of Libya. Where is our heart? Where is our compassion?

As we seek to bring our heroic soldiers home from Afghanistan who have fought for peace and freedom, let us not forget those who stand unarmed almost in their civilian clothes fighting against tyranny. We must have a no-fly zone. We cannot tolerate the slaughter. We must stand for peace.

NEW YORK TIMES JOURNALISTS DISAPPEAR

(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 said that the first casualty of war is the truth. In war, the way information reaches the people is through the messengers of truth, a free and independent press.

One way to hide the truth in Qaddafi's war is for the dictator to prohibit the media from finding out the facts, from finding out the truth. So it should come as no surprise that four New York Times journalists covering the war have disappeared in Libya, presumably captured by Omar's troops. They are Anthony Shadid, Stephen Farrell, Tyler Hicks, and Lynsey Addario, all veteran journalists and photographers that have covered other world conflicts.

More than 300 other journalists have been attacked during the recent turmoil in the region, and four have been killed. Last year, 57 journalists were murdered worldwide.

Journalists are the eyes and ears for the world, so when they are assaulted, kidnapped, harassed, censured, or murdered by dictators, those actions are a direct attack on truth and human freedom.

And that's just the way it is.

CALLING FOR A NO-FLY ZONE IN LIBYA

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

Mr. ENGEL. Mr. Speaker, I rise today to call for a no-fly zone in Libya. I don't think that the United States should do it ourselves, but I think in conjunction with our European allies, the European Union, and the Arab League, we should do it. The Arab League called for a no-fly zone, so it certainly would not be interpreted as if we were doing something unilaterally.

But I would like to take it one step further. We have been selling to our Arab allies multiple planes and weapons for years and years and years, and I certainly think if there is a no-fly zone, the Arab nations which called on

us to support a no-fly zone ought to participate with us in terms of making sure that no-fly zone is sustainable.

We cannot sit by and allow Qaddafi to kill more and more innocent people in a bloodbath, to use the power, air power, of his force to massacre civilians. We cannot allow that.

So I think the time is now. We can't keep waiting, because if we wait, it will be too long and the bloodbath will have already occurred. I think the time for action is now. Let's do it in conjunction with the EU and the Arab League.

□ 1540

SUPPORTING PUBLIC RADIO

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

Mr. CLARKE of Michigan. Mr. Speaker, I'm standing here opposing the action taken by this House today and urging the Senate to allow the valued listeners of Metro Detroit's WDET to hear the best quality national programing, and here's why. What happens around the world impacts the quality of life of people living in Metro Detroit. The valiant listeners of Detroit's WDET deserve to hear this news and this programing.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution and a concurrent resolution of the House of the following titles:

H.J. Res. 48. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

H. Con. Res. 27. Concurrent resolution providing for the acceptance of a statue of Gerald R. Ford from the people of Michigan for placement in the United States Capitol.

END THE WAR IN IRAQ

The SPEAKER pro tempore (Mr. MCKINLEY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Ohio (Mr. KUCINICH) is recognized for 60 minutes as the designee of the minority leader.

Mr. KUCINICH. March 20, 2003, 8 years ago, the United States launched a full-scale attack on Iraq. Many of us remember watching the images of shock and awe as violence was wreaked against the people of Iraq and, in particular, the city of Baghdad. That moment at which America arrived to express its military might had antecedents that we should study this evening.

I want to review, Mr. Speaker, the climate that was created for this Congress that caused this Congress to make a decision back in October of 2002 to go to war against Iraq—a war that was executed beginning March 20, 2003.

It was 9 years ago to this date that Vice President Cheney said the following of Iraq: ''We know they have biological and chemical weapons.'' That was March 17, 2002.

On March 19, 2002, Vice President Cheney said: ''And we know they are pursuing nuclear weapons.''

On March 24, 2002, Vice President Cheney said of Saddam Hussein: ''He is actively pursuing nuclear weapons at this time.''

Later, on May 19, 2002: ''We know he's got chemicals and biological and we know he's working on nuclear.'' That was Vice President Cheney on ''Meet the Press.''

August 26, 2002, speaking to the VFW's convention, Vice President Cheney said: ''Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt that he is amassing them to use against our friends, against our allies, and against us.''

September 8, 2002, again, on NBC's ''Meet the Press,'' Vice President Cheney said this: ''Based on intelligence that's becoming available, some of it has been made public, more of it hopefully will be, that he has indeed''—he's speaking of Saddam Hussein—''he has indeed stepped up his capacity to produce and deliver biological weapons; that he has reconstituted his nuclear program to develop a nuclear weapon; that there are efforts underway inside Iraq to significantly expand his capability.''

On September 8, 2002, on ''Meet the Press,'' Vice President Cheney went on to say of Hussein: ''He is in fact actively and aggressively seeking to acquire nuclear weapons.''

March 16, 2003, a few days before the attack: ''And we believe he has in fact reconstituted nuclear weapons.''

I mention this, Mr. Speaker, because, for those Members who were not in the House of Representatives at the time of the October debate and at the time that the attack commenced and for those who are just citizens watching these events unfold, there was created in this country a climate of belief, a certainty, as to the grave peril which Saddam Hussein of Iraq was alleged to represent. That was the Vice President.

Now, the President, in various appearances and statements and in the legislation he presented to this Congress, the President made the following material representations with respect to Iraq. He said that Iraq was continuing to possess and develop a significant chemical and biological weapons capability. He said that Iraq was actively seeking a nuclear weapons capability; that Iraq was continuing to threaten the national security interests of the United States and international peace and security; that Iraq had demonstrated a willingness to attack the United States; that members of al Qaeda, an international organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq. That attacks on the United States of September 11, 2001, underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations.

President George W. Bush represented to this Congress that Iraq will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them through international terrorists who would do so; that an extreme magnitude of harm would result to the United States and its citizens from such an attack; and that the aforementioned threats justified action by the United States to defend itself.

Mr. Speaker, we have an obligation as a Nation to defend ourselves. To provide for common defense is one of the foundational principles of this country in the preamble to our Constitution. Those who are charged with the responsibility of guiding the affairs of our Nation, the President and the Vice President—in this case, President Bush, Vice President Cheney—had a responsibility to be totally clear and honest with the American people. It is to their shame that they were neither honest nor candid with the American people and with this Congress.

Here we are on the eighth anniversary of the attack on Iraq. And I think, Mr. Speaker, it would be instructive for this Congress to have the opportunity to review what it is we were told in early October of 2002, when we voted as a Congress to authorize the President to take action against Iraq, action which commenced 8 years ago. Listen to some of these claims that were made. I will state the claims that were made and then I will rebut them.

□ 1550

We were told that, in 1990, in response to Iraq's war of aggression against an illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq.

Mr. Speaker, the thing that was said then at that time in response: I pointed out that, in the Persian Gulf War, there was an international coalition. World support was for protecting Kuwait. There was no world support for invading Iraq.

The resolution that President Bush submitted to this Congress which resulted in the invasion of Iraq 8 years ago said: Whereas, after the liberation of Kuwait in 1991, Iraq entered into a United Nations-sponsored cease fire agreement, pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, chemical weapons programs and the means to deliver and develop them and to end its support for international terrorism;

Whereas, the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors

led to the discovery that Iraq had large stockpiles of chemical weapons and a large-scale biological weapons program and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence previously had indicated.

In advance of any attack, to answer what the President was saying, I pointed out more than 8 years ago: U.N. inspection teams identified and destroyed nearly all such weapons that President Bush referred to in his resolution. A lead inspector, Scott Ritter, said that he believes that nearly all other weapons not found were destroyed in the gulf war. Furthermore, according to a published report in The Washington Post, the Central Intelligence Agency had no up-to-date accurate report on Iraq's WMD capabilities.

The President said: Whereas, Iraq, in direct and flagrant violation of the cease fire, attempted to thwart the efforts of weapons inspectors, to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998.

I pointed out back then, more than 8 years ago, that Iraqi deceptions always failed. Inspectors always figured out what Iraq was doing. It was the United States that withdrew from the inspections in 1998. The United States then launched a cruise missile attack against Iraq 48 hours after the inspectors left. In advance of a military strike, the U.S. continued to thwart the weapons inspections.

President Bush went on to tell this Congress: Whereas, in 1998, Congress concluded that Iraq's continuing weapons of mass destruction program threatened vital U.S. interests and international peace and security. It declared Iraq to be in ''material and unacceptable breach of its international obligations,'' and urged the President to take appropriate action in accordance with the Constitution and relevant laws of the United States to bring Iraq into compliance with international obligations.

The President went on to assert to this Congress: Whereas, Iraq both possesses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf, and remains in material and unacceptable breach of international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorists.

It was pointed out back then, Mr. Speaker, that there was absolutely no proof that Iraq represented an immediate or imminent threat to the United States. A continuing threat does not constitute a sufficient cause for war. The administration refused to provide Congress with credible intelligence that proved that Iraq was a serious threat to the United States and was continuing to possess and develop chemical and biological nuclear weapons; and there was no credible intelligence connecting Iraq to al Qaeda in 9/11. Iraq didn't have anything to do with 9/11. Iraq had nothing to do with al Qaeda's role in 9/11.

The President went on to assert to this Congress in the resolution which was a call to war against Iraq that Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in the brutal repression of its civilian population, thereby threatening international peace and security in the region by refusing to release, repatriate or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait.

It was said at the time that the language of this resolution was so broad that it would allow the President to attack Iraq even when there was no material threat to the United States. The resolution authorized the use of force for all Iraq-related violations of U.N. Security Council directives, and the resolution cited Iraq's imprisonment of non-Iraqi prisoners.

This resolution would have authorized the President to attack Iraq in order to liberate Kuwaiti citizens who may or may not have been in Iraqi prisons even if Iraq had met compliance with all requests to destroy the alleged weapons of mass destruction; though, in 2002, at the Arab summit, Iraq and Kuwait agreed to bilateral negotiations to work out all claims relating to stolen property and prisoners of war.

So this use of force resolution enabled President Bush to commit U.S. troops to recover Kuwaiti property.

The President told this Congress: The current Iraqi regime had demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people; that the Iraqi regime had demonstrated its continuing hostility toward and willingness to attack the United States, including by attempting in 1993 to assassinate former President Bush; and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing a resolution of the United Nations Security Council.

It was pointed out back then, prior to Congress passing the resolution to authorize an attack on Iraq, that the Iraqi regime had never attacked nor does it have the capability to attack the United States. They couldn't attack us. The no-fly zone was not the result of a U.N. Security Council directive. It was illegally imposed by the United States, Great Britain, and France and not specifically sanctioned by any Security Council resolution.

The President went on to say: Members of al Qaeda, an organization bearing responsibility for attack on the United States, its citizens and interests, including the attacks that occurred on 9/11, are known to be in Iraq.

But back in October of 2002, when we were having the debate on President Bush's war resolution, there was no credible intelligence that connected Iraq to the events of 9/11 or to the participation in those events by assisting al Qaeda.

The President told Congress back in 2002: Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens.

It was pointed out back then, in response to President Bush's assertions, that any connection between the Iraq support of terrorist groups in the Middle East is an argument and was an argument then for focusing great resources on resolving the conflict between Israel and the Palestinians. It was not sufficient reason for the U.S. to launch a unilateral preemptive strike against Iraq.

The President went on to say that the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations.

It was pointed out again that there was no connection between Iraq and the events of 9/11. Yet think about this: there was a consistent effort to try to link Iraq to 9/11 and to al Qaeda's role in 9/11, but there was no connection. The President kept on insisting there was, as did the Vice President.

□ 1600

The President went on to say that Iraq demonstrated capability and willingness to use weapons of mass destruction, the risk that the Iraq regime would either employ those weapons to launch a surprise attack against the United States or its Armed Forces, or provide them to international terrorists who would do so. The extreme magnitude of harm that would result in the United States and its citizens from such an attack combined to justify action by the United States to defend itself.

The picture that was painted for the American people, for the Congress at that time was that we had no choice but to get ready to attack Iraq; and yet, back then, prior to Congress voting on a resolution to authorize use of military force against Iraq, an attack having occurred 8 years ago, on March 20, 2003, we knew back then that there was no credible evidence that Iraq possessed weapons of mass destruction. There was no credible evidence that Iraq had the capability to reach the United States with such weapons.

In the 1991 gulf war, Iraq had a demonstrated capability of biological and chemical weapons, but didn't have the willingness to use them against the U.S. Armed Forces. Congress was not

provided with any credible information which proved that Iraq had provided international terrorists with weapons of mass destruction.

President Bush went on to assert that the United States could unilaterally enforce U.N. resolutions and that we could do so with military force. He went on to assert a chronology of international process; and when you look at where we are today, $3 trillion, according to Joseph Stiglitz and Linda Bilmes, will be the minimum cost of this war.

One has to ask, what was going on in this Congress at the time? When we were told by the President of the United States and by the Vice President of the United States that Iraq had weapons of mass destruction, it had the intention and capability of attacking the United States, the implication was that Iraq worked with al Qaeda to bring about 9/11. That's what they led this Congress to believe. That's what they led the American people to believe.

But you know what, Mr. Speaker, way back then I didn't buy a word of it, and there are other Members of Congress who didn't buy a word of it either. We know that there was no proof. We knew that there was no proof offered by the administration at that time that would give us a cause to go to war against Iraq, but we executed the war against Iraq. This is a great tragedy upon the Iraqi people and upon the people of our Nation, too.

We executed the war against Iraq that, according to Joseph Stiglitz, extrapolating from a study that was done by the Lancet organization, as many as 1 million innocent Iraqi people have died in that war. I want everyone here to wrap their thinking around this statement. Joseph Stiglitz in his book, ''The Three Trillion Dollar War,'' wrote it with his associate Linda Bilmes, citing the Lancet report on civilian casualties in Iraq, extrapolated from that report and the figure that comes up is approximately 1 million innocent civilians lost their lives as a result of the United States' attack upon, and occupation of, Iraq.

People will criticize the Lancet study; and they will say, well, you know, that can't be true. But what they did was they looked at how many excess deaths occurred during that period, and they did a very comprehensive study; and they were able to come to this determination that these were all deaths that should not have occurred or they attributed them to the war. A million people. Why? Because this Congress was told that Iraq had weapons of mass destruction and was going to use them against the United States of America.

Could I ask how much time is left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has approximately 35 minutes remaining.

Mr. KUCINICH. So I was saying, Mr. Speaker, over 1 million innocent Iraqis died pursuant to the bloodshed and chaos that occurred during the Iraq war. How can anyone in public life who understands that not come into public forums and demand justice?

This Nation was led to war based on lies. The U.S. has already lost 4,439 of our brave men and women. We've had over 33,000 troops wounded. There are casualties on all sides here. And certainly some of the nations who closed ranks with the Bush administration, their sons and daughters also suffered as well.

It's hard to believe, though, that we could have known all that we knew in advance of passing the legislation and it was passed anyway; know all that we knew in advance of passing the legislation, the legislation's passed, and we go to war anyway; know all that we know today back then and still be in Iraq today, March 17, 2011. And I quoted to you at the beginning of this from Vice President Cheney 9 years ago. The Iraqis are still paying a price and so are the American people.

I'm going to say something on this floor, Mr. Speaker, that seldom gets discussed here, and that is, that I sincerely believe that President Bush, Vice President Cheney, Secretary Rumsfeld and others should be held accountable under international law for waging a war against people who had no quarrel with the United States of America at all.

□ 1610

There have to be international laws that have to be followed by U.S. officials, and, in fact, there are: the Geneva Convention, the U.N. Charter. There are express prohibitions against waging aggressive war.

It doesn't matter what this Congress blesses because of what we were told. The President, the Vice President, and the Secretary of Defense, they all knew better. They are all trying to cover their tracks right now with various books and PR tours, but they knew better. They put the lives of our young men and women on the line for a lie. They put the lives of 1 million and more Iraqi people on the line for a lie. They put over $3 trillion of our precious resources here on the line for a lie.

I challenge anyone in this Congress to prove me wrong on any of this, because it is impossible to prove to the contrary the statements that I have made today about assertions that were made to this Congress, to the American people for a cause of war against Iraq, and they were all lies.

And now, Mr. Speaker, we are about to begin another year of occupation of Iraq. There is no question that occupation fuels insurgencies. There is no question that we are likely to be in Iraq for some time to come. Just in the last 24 hours, it was reported that while the U.S. troops who are there at this moment, 50,000 troops, are supposed to leave at the end of the year, there are problems with the negotiations, that Mr. Maliki, his government, is stalled on appointing ministers, that the U.S. wants a contingency force of 10,000 to remain, that the State Department is increasing contractor presence of 17,000 at the cost of $2.5 billion. We are not going to be done with this war for God knows how long.

We know the war in Iraq is being privatized. We know that all these private firms that are lining up to provide security in Iraq will be there for some time. As a matter of fact, it's in their interest to keep the environment unstable because they will keep making money.

So this handoff to the State Department occurs with much skepticism. But at this very moment, Mr. Speaker, it's not clear that we are truly going to be leaving Iraq. I mean, you are either in or you are out. You can't be in and out at the same time. You can't talk about going and you still have 10,000 troops there or 50,000 troops there. We are told that it's the end of combat operations. Well, some of the insurgents aren't getting that message, because they are still attacking our troops.

There have been 4,439 U.S. casualties, approximately 33,000 wounded. I have been to a number of funerals of young people who believed in this country, who loved this country, who saw service to this country as the highest purpose of their lives. I remember all of them, but there is one in particular that I want to share with you. It was a young man who, when he died in combat, his mother was notified that he would at last be made a U.S. citizen.

I grew up at a time when we were dealing with the Vietnam War. And years ago, before I got into politics, I was a copyboy at a newspaper in Cleveland called The Plain Dealer. My job at The Plain Dealer, among the things I had to do, I had to go out on what they called art runs to pick up pictures of young men, primarily, who were killed in Vietnam. I remember driving the company's car up to a house. And, Mr. Speaker, all these houses after a while, they look the same. The houses were wooden clapboard houses that needed a little bit of paint, and the front door was flapping a little bit in the breeze. There wasn't a latch on it. When you walked up the steps, the steps would creek, and you would see faded white curtains in the window with a shade pulled down and a blue star in the window, signifying that they had someone who served.

When I knocked on the door, people would invite me into their house, and I would sit on a worn sofa, a threadbare rug. At that time, they would have a picture of the President of the United States, often a picture of President Kennedy, who, by then, had been deceased, and a picture of Christ, you know, around the TV. I would sit down on their sofa, and they would go over the pictures. Then I would take one of those pictures to the newspaper so they could print it the next day to announce that this young person had been killed.

And I remember how incredible it was to be there at that moment when the family was in such incredible agony and grief and to get the feeling of their loss, just to feel it. Even thinking about it right now, I can feel it.

I went out and picked up so many pictures over the course of a year or so, just while I was doing that job; and it was just the same thing over and over again, people talking about how proud they were of their young person who served and wanting everyone to know how much they loved the country and how much they loved service.

Those memories stay with me. I mean, all of us who had friends who fought in Vietnam and didn't come back. They included people who I played baseball with, people who I just used to pal around with. And when you know people who get killed in war, it becomes personal. When you have family members who are out there and are exposed to that environment, it's very personal.

So here I am in the United States Congress. Here we are, 2011. And I think back to those times, and I think, you know, if we're sending these young men and women to put themselves in harm's way, we had better be right. We cannot afford not just to not make a mistake, but there cannot be any deception involved in things like that.

So, you see, when I talk about the importance of holding people accountable for the deceptions, I come from a place of great sadness about the tragedy of war generally, but the compounded tragedy of war specifically when it is based on something that is really not true.

□ 1620

Whether those of us in Congress voted for the war or not, we all have grave concerns for the safety of our troops. But there's a sense in which the troops themselves become hostage to the war. We had so many moments where we were told that we should vote to continue to fund the wars to support the troops.

Now, Iraq, March 20, 2011, the eighth anniversary. Afghanistan, already the longest war in our history, more than 10 years. How can we afford the lost lives anymore? How can we afford the deaths of innocent civilians? How can we afford the trillions upon trillions of dollars?

There's a point at which we have to ask ourselves some fundamental questions. If we didn't go to war to make America safer, why did we go to war against Iraq? I maintained then and I maintain now that oil certainly had something to do with it.

We have to ask ourselves, why are we still in Iraq? Why are we still in Afghanistan? Why are we continuing incursions along the Pakistani border? Why are we still debating whether to become involved militarily in Libya? Don't we, as Americans, get to the point where we just say maybe it's time we started taking care of things at home first?

Fifteen million Americans out of work. Think of how many jobs you could create with trillions of dollars. Fifty million Americans still don't have health care. Over 10 million Americans have lost their homes. So many Americans go to bed hungry. So many Americans can't afford to send their kids to decent schools. So much of our public education system is failing because they don't have enough resources.

And yet, we are spending trillions of dollars now on wars, one war based on lies, the other one based on a fundamental misreading of history. I mean, who in history has conquered Afghanistan? Well, maybe somebody can go back to Genghis Khan's time and answer that question, but you can't answer it in this century or the last century.

Now, the House just had 2 hours of debate today on the issue of Afghanistan and the war powers resolution. I'm pleased to see that more voted in favor of withdrawal this year than voted last year. It's a good sign, particularly since about two-thirds of the American people favor getting out of Afghanistan in the near future.

I mean, it's easy to understand why the American people feel that way. The American people have to be feeling, how can we afford these wars? How can we afford to spend $1 million a year to equip a soldier in Afghanistan, or Iraq for that matter? Don't we have things to take care of here at home?

Mr. Speaker, I look at our cities, and all across this Nation, we have cities that are falling apart. Our infrastructure's falling apart. It's fair to say that we have trillions of dollars in infrastructure needs that are unmet. They're not being met because we're being told, well, we don't have enough money. As a matter of fact, some States are using the deficit to be able to crush workers' rights.

But we know that when it comes to these wars, these wars are contributing to the deficit. In one way or another, we end up borrowing money to keep these wars going. How can these wars be more important than everything else in America?

We know right now that occupations fuel insurgency in Afghanistan. Our presence there has caused the Taliban to become stronger. Our actions there help ensure the Taliban will have even more support.

General Petraeus himself, with respect to Afghanistan said, well, al Qaeda doesn't have much of a presence anymore. What are we doing there? How can we keep affording the kind of money that we're spending there?

The American people are saying it loud and clear. They want out.

But what I wanted to do this evening, though, is to bring us back to the time that Congress was faced with the decision about going to war against Iraq; that we were told things by Vice President Cheney, we were told things by President Bush.

Now they want to blame it on some character called Curveball. Look, when I was growing up if somebody was throwing you a curveball you knew what that meant. It meant that it wasn't coming at you straight. It was coming like this, okay?

It was almost somebody in the CIA was telegraphing to all of us, hey, this guy's a curveball. Be very careful about this pitch that he's making.

But anyhow, this character, Curveball, when it comes to WMDs, he said he made it all up. He said that he had a problem with the Saddam regime. He wanted to get rid of them, and he had the chance.

Now, there are those who would say, well, see, it was this guy. He said this. We were fooled. Right. Yeah. No. Those who were charged with the responsibility of taking this country into war against Iraq, they weren't fooled. They cooked the books with respect to the intelligence. They had the intelligence shaped to fit their preconceived designs to go to war. For them to try to maintain they were fooled would be an interesting defense.

The former head of the CIA in Europe, Tyler Drumheller, wasn't fooled. He warned against the reliability of Curveball. But the administration at that time, the Bush administration, offered no alternatives to the Congress.

So instead of accepting the truth that Iraq didn't possess WMDs, the Bush administration decided to pick and choose their facts in order to sell a war to the American people, at a cost of trillions of dollars.

When I think of the road that we have gone down, when I think, Mr. Speaker, that someone in the Bush administration, way back when we were about to attack Iraq, announced that he thought the Iraq war would cost $100 billion, Larry Lindsey, he was fired for that. One hundred billion. Imagine now, this war's going to cost 30 times that, if not 50 times it, when you look at the long-term effect of caring, for the rest of their lives, for the soldiers who come back maimed.

□ 1630

Let's bring it back. On March 20, 2003, the United States Armed Forces at the direction of President George W. Bush commenced a very vigorous and violent attack upon the nation of Iraq and its people. That was the beginning of the Iraq war, and it was the beginning of the United States assault on and subsequent occupation of Iraq. And he did it because this Congress approved of it; and this Congress approved of it because we were told that Iraq had weapons of mass destruction, that Iraq had the intention and capability of hurting the United States, and Iraq had something to do with 9/11 and al Qaeda's role in 9/11. Mr. Speaker, all false.

Now, the Bible says you shall know the truth, and the truth shall set you free. We are taught that truth crushed to the ground will rise again. We are waiting to be freed from the lies that

took us into war, but we cannot be free until we have a reconciliation with the people of Iraq. And we can't do that until we have truth. America is going to have to go through that period. We will never recover from 9/11 if we continue to move down the rabbit holes of war that were based on lies or based on a misreading of history and a misapplication of power.

So where do we go from here? Well, we have to get ready to leave Iraq and we have to get ready to leave Afghanistan, and we have to stop bombing the borders along Pakistan. And we have to start working with the international community on matters of security. And if we need to continue to track down anyone who is associated with mass violence against the people of our country or any other country, that should be a matter of international police action.

And we must stop the policies of interventionism. We must stop the reach for empire. It is destroying our Nation. It is destroying us morally, and it is destroying our capacity to be able to meet the needs of the American people for jobs, for housing, for health care, for education, for retirement security. We have to challenge the underlying premise about war being inevitable. Because as soon as people start beating the drums of war, there is an entire marching band and Shouter Society at the Pentagon and their people in the contracting business who are ready to try to make a case for war at any time and any place. We have to begin to critically analyze the mentality that issues forth that causes us to put so much of our resources on the line.

General Eisenhower warned about it. He served as President of this United States two terms, and he recognized in his valedictory that we should beware of the military-industrial complex, we have to be careful about what we are being told and the motivation of those from outside this Congress who are telling us certain stories about why we should go to war. It is time for us to try to come into resonance with our power to achieve diplomacy.

I am not naive about the world, but I also understand that if we do not try to exercise our capacity to relate to people in other places, people who may have different ideologies, different religions, different colors, creeds; if we do not try to pursue that, then we are destined to have more wars. But if we pursue what President Franklin Roosevelt called the science of human relations, then we have the possibility that we can move toward making peace, not war, inevitable.

It is that type of thinking that led me to bring forward a proposal to create a Cabinet-level Department of Peace. I know there are people who say, ''Oh, peace. Right. Okay, Dennis. We got it. You want peace. Next.'' And they try to project peace as impractical.

Mr. Speaker, you want us to talk impractical? How about a war based on lies that cost this country over $3 trillion? That is impractical. How about a war that cost the lives of over 1 million innocent Iraqi civilians, a war that cost the lives of thousands upon thousands of our troops, and tens of thousands of our troops injured? That's impractical.

We need to summon our capacity and our capabilities to be able to take this Nation in a new direction that does not include a quest or reach for empire; that pulls back its military resources which are spread all around the world to the cost of tens of billions of dollars annually, and we need to start coming home, create peace at home. Let's look at gun violence in our society. Let's go to domestic violence, spousal abuse, child abuse, violence in the schools, gang violence, racial violence, violence against gays.

If we started to focus on addressing violence in our society, the causal nature of it, not just the symptoms of it, not just the effects of it, we may put ourselves on a path where we could in our Nation create what many years ago people called a New Jerusalem, a shining city on a hill, the potential to be able to have all of our material concerns met, and be able to have peace.

Frankly, I don't know any other way that we can do it except working towards peace. But we have to build structures of peace in our own Nation, in our own neighborhoods. That is what legislation to create a Department of Peace is about, not creating a new bureaucracy.

Think about it. If we spend more than $1 trillion every year for wars in Iraq and Afghanistan and the Pentagon budget all combined, wouldn't you think we ought to have a few bucks available to talk about how we can create a more peaceful society so we don't doom future generations to continue to support these endless wars?

We have to start redefining who we are as a people, and this is as good a time as any to begin to do it. We are on the eighth anniversary of the initiation of the war against Iraq, March 20, 2011.

In the last hour, Mr. Speaker, I have sought to create a review of the record of what was said at the time to bring about the war, how the President and the Vice President at that time did not tell the truth to the American people, did not tell the truth to Congress; how the consequences have been extraordinary for the people of Iraq, for the people of the United States; how many innocent civilians died; how we have to find a way to reconcile with the people of Iraq, how we will have to find a way to reconcile at some point with the people in Afghanistan the innocents who have died. How we have to recognize that there are some things in the world that are beyond our control, that we can't tell other people what kind of political system they should have. We cannot try to redesign the world according to what our idea of a democracy is.

Wouldn't it be nice if here in the United States we actually focused on creating the fullness of the democratic process, which we were assured would have the chance to unfold with the independence of the United States and with the creation of our Constitution?

Mr. Speaker, I intend to keep bringing forth the truth of what happened that resulted in the United States being taken into war against Iraq based on lies, and I intend to keep bringing forward alternatives so that we can not just get out of Iraq and Afghanistan, but stop this reach for power abroad which comes at the expense of our vital needs at home.

□ 1640

AMERICAN ENERGY POLICY

The SPEAKER pro tempore (Mr. FLEISCHMANN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BURTON of Indiana. Mr. Speaker, I wish every one of my colleagues and everybody in America would listen to this Special Order tonight, not because I want the attention, but I just think there are some facts that the American people ought to know and my colleagues ought to know about our dependence on energy from other parts of the world.

It really bothers me that we continue to depend so much on our adversaries or people that aren't our friends rather than we do on ourselves. We could be energy independent within a relatively short period of time, and I am talking about 5 to 10 years, if we just did certain things. So tonight what I want to do is I want to point out to my colleagues and anybody else that might be paying attention where the energy is in America, what it is, and how difficult it would be to extract it.

Now, right now, people that are paying attention in their offices know that we are paying $3.60 or more for a gallon of gasoline. Diesel fuel is over $4 a gallon. And my chief of staff went to the grocery store the other day, and he told me he bought two tomatoes and it cost $5. He bought one avocado and it cost $3.

People are telling me there is no inflation. That is baloney. The cost of food is going up. The cost of gasoline is going up. The cost of everything is going up, and in large part it is going up because the cost of energy is rising very, very rapidly. And it need not be that way.

I talked to a fellow the other day that came in to see me about new technologies, and he told me if we developed our coal shale, converted it into oil, we could lower the price per barrel of oil from $105 a barrel to $30 a barrel. Do you know what that would do to the price of gasoline if we were to do that? It would lower the price of gasoline from $3.60 down to about $1.40 or $1.30 a gallon. And what do you think that would do to the economy and what

would that do to lowering the prices of goods and services that we go all the way across the country in dealing with? Yet we are not doing anything.

So I want to read tonight a little bit about where we are, what we could do, and what we can accomplish if we just start paying attention to what is here in the United States.

The old adage goes that those who don't learn from history are going to make the same mistakes over and over again. And apart from creating what we call the Strategic Petroleum Reserve in this country, we haven't done anything over the last 30 years to become energy independent.

Now, the Strategic Petroleum Reserve is a reserve we set up so that if we have an emergency, we will have some oil in the ground that we could use for energy purposes. And it goes for maybe 90 days, but 90 days is not a very long time, and we could exhaust that in a very short period of time if we don't move toward energy independence.

Right now on the northern tier of Africa, everybody that is paying attention knows we have got problems in Libya. We have problems in Egypt, problems in Tunisia, problems all along the Persian Gulf coast, Bahrain and the other countries, and we have got Iran there; and there is a real possibility that we could see a terrible problem occur there in the future which would minimize our ability to get oil from that part of the world.

We get over 30 percent of our energy from countries in that region and other places in the world where people don't like us very much. And if that place goes up in smoke, the cost of energy, the cost of gasoline, the cost of everything that we have is going to skyrocket. So we have to do something about that.

In 1972, we imported 28 percent of our oil and energy from outside this country. Do you know what it is today? It is 62 percent. So we said we are going to be energy independent. It was 28 percent in the seventies. We said we were going to be energy independent. A lot of people remember the long gas lines when OPEC tried to do us in. They remember people carrying gas cans to get 5 gallons of gas to get to work. They remember all that. But we didn't do anything but create the Strategic Petroleum Reserve, which is only a 90-day supply.

So we imported 26 percent or thereabouts in the seventies, and today, instead of being energy independent, we are importing 62 percent. We are more dependent on Saudi Arabia, Venezuela and other parts of the world now than we were then by more than double, more than double our dependency on foreign oil.

So today oil has gone up to over $105 a barrel. It may be down a little bit now. We are paying in many parts of the country close to $4 for gasoline and over $4 a gallon for diesel fuel, which transports our goods and services across this country.

Oil is the lifeblood of this country. It supplies more than 40 percent of our energy needs and 99 percent of the fuel that we use in our cars and trucks. They talk about the new Volt automobile, electric car, that that is going to solve our problems. They talk about windmills that are going to solve our problems. They talk about nuclear energy, which is very problematic right now. They talk about all these other things, including solar energy. But all of that combined will not put a dent, not even a dent, in our energy needs. And as we know right now, 99 percent of the fuel that we need for our cars and trucks comes from oil, and our current energy demand is about 21.5 million barrels a day.

What a lot of people don't realize is for every one penny that it costs more for gasoline, it increases the cost to consumers by $4 million a day. So every time you go to the gas pump and you see the gas price has gone up a penny or a nickel or 10 cents, for each penny it is a $4 million hit on our economy each and every day.

Now, there are a lot of things I want to talk about, but I won't have time to get into all of them tonight. But the thing that is very disconcerting to me is that we have the energy that we need right here.

For instance, if you look at this chart, this is the oil production in this country. If we use the recoverable oil we have, the natural gas we have and the coal resources that we have, that is equivalent to 1.3 trillion barrels of oil, 1.3 trillion. Now, when you realize we are using only about, what, 21 million barrels of oil a day, you can see we would have an almost inexhaustible supply of oil if we just used the resources that we have.

Let me just give you some examples. In the Arctic National Wildlife Refuge, we have about 10.4 billion barrels of oil, more than double the proven reserves of the entire State of Texas and almost half of the total crude reserves in the U.S., which is 22 billion barrels of oil. That is in ANWR alone, almost half of what we need. If we drilled in ANWR, we could increase our reserves by nearly 50 percent in that one area.

President Clinton vetoed the ANWR energy production in 1995, and the United States could be today getting almost 1.5 million barrels of oil a day if we did that. But instead of moving toward energy independence, we continue to talk about it, but we don't do anything about it.

Currently, the President of the United States will not allow us to get new permits to drill offshore in the Gulf of Mexico or off the continental shelf or in ANWR or anyplace else. We just aren't drilling, so we continue to import oil.

Now, a lot of people don't realize this, but we spill more oil from the oil tankers that bring oil from Saudi Arabia and Venezuela, we spill more oil each and every day than the oil that was spilled from that horrible tragedy that took place in the Gulf of Mexico. And yet we continue to import with these tankers, and we say it is an environmental problem because look at what happened in the Gulf of Mexico. That is an excuse to not drill in this country, because we are wasting energy by not getting it right here. And, as I said before, we are spilling more out of those tankers than we had in the Gulf of Mexico tragedy.

So we ought to be drilling. And we could do it in an environmentally safe way if the government of the United States and our regulators made sure they watched these oil wells. The technology is there.

Now, as I said before, we have 1.8 trillion barrels of oil and as much as 8 trillion barrels of oil if we use the deposits that we have in oil shale. Maybe I haven't said that yet, but we do have.

Now, listen to this. I had a fellow come in to me the other day, and I may have mentioned it to some of the people earlier, and I sometimes get mixed up because we have covered this thing before, but he told me if we drilled here and used oil shale, we could reduce the cost of oil dramatically, dramatically, as much as 60 or 70 percent, and it would reduce overall costs of energy dramatically to our houses, our cars and our trucks which bring goods and services and food all across this country.

Currently, the United States produces roughly 30 trillion cubic feet of natural gas every year, 30 trillion feet of natural gas every year. If we went after the Marcellus shale formation where they have 500 trillion cubic feet of natural gas, we could more than double our domestic production of natural gas almost immediately, and we could use that natural gas to move our trucks.

I had some of the leaders in the natural gas industry come to see me not too long ago, and they told me if we just converted our 18-wheelers that transport goods and services across this country and food, if we just converted those to natural gas, we could cut our dependency on foreign oil by 50 percent.

□ 1650

Just that one thing. Yet we're not drilling for that natural gas because the administration will not give the permits and move to utilize those resources that we have.

The Obama administration, for whatever reason, I don't know if it's intentional or just because of ignorance, they're not using our resources and not exploring for our resources. It makes we wonder sometimes if the environmental extremists in this country don't want us to go back to horse and buggy and using wood to heat our houses. They wouldn't want wood to be used to heat our houses because obviously they're concerned about things like the spotted owl.

But the fact of the matter is we in this country could reduce our cost of

living, could reduce our dependency on foreign oil. All we have to do is use our resources, but we need the administration to do what is necessary. And at a time when the world is on the precipice of some major wars, we need to move toward energy independence. If the Persian Gulf goes up in smoke, it's going to be disastrous for this economy. If Venezuela and President Chavez down there, who's a Communist dictator, if he decides not to let us have the oil that we've been buying from him, it will be tragic for this country.

And he's working with Tehran. They have flights going back once every week—back and forth—and they're working together for things other than the good of the United States of America. And so we're dependent on people that don't like us, would like to see our free enterprise system and the freedoms we enjoy dissipate into nothing, and we're continuing to depend on them for foreign energy.

The President has said it's a real danger to drill in the Gulf of Mexico; we want to protect the environment. Yet we just sent $1 billion down to Brazil so they could drill offshore. Now think about that. We're concerned about the environment, and yet we're sending billions of our taxpayers' dollars to a country like Brazil so they can do deepwater exploration for oil. It makes absolutely no sense whatsoever.

The administration—just to let people know what is going on in their offices—the administration canceled 77 onshore drilling leases in Utah just weeks after taking office. So we had 77 onshore, in the Continental United States, drilling leases in Utah that were going to be used to bring oil to the surface—and natural gas—and they stopped those weeks after they took office. And they later re-offered only 17 of them. So we lost 60 potential areas of oil and gas.

The administration has consistently delayed oil and shale development leases. The administration has repeatedly blocked development, as I said before, in places like the ANWR. And I've been up to Alaska. People talk about how it's going to hurt the environment up there and the bears and all the other animals. The ANWR is way out in the boondocks. It's not going to hurt a thing. People don't realize Alaska is 3½ times the size of Texas. There's only 500,000 people up there. There's tremendous oil and other natural gas resources up there, and we can't drill for them because of environmental concerns. It makes absolutely no sense. No sense whatsoever.

America's reliance on oil and natural gas is going to continue for decades to come. There's no question about it. When the administration says we have to transition to other forms of energy—nuclear and solar and wind and hydro ways of getting energy—that's great. All of us want to do that. We all want a clean environment, but in the meantime we have to rely on fossil fuels because we're not going to be able to get where they want us to be by relying on these other sources of energy for at least 10, 15, 20 years.

So what are we supposed to do in the meantime? I don't think we should continue to depend on foreign sources of energy. America's reliance on natural gas, as I said, is going to continue for decades to come; and trying to ignore that reality by arguing that it takes time for new fields to come online is simply passing the buck to the next generation.

If we responded to the widespread outcry to drill 3 years ago, the last time oil and gasoline prices were over $3.50 a gallon, we would be that much closer to having additional supplies of domestic energy. But we aren't. We're importing 62 percent of our energy, and just a couple of decades ago it was only 26 or 28 percent.

Expanding America's energy production will lower prices, create new jobs, reduce our dependence on foreign oil, and strengthen our national security and raise revenue to help tackle our historic $14 trillion in national debt.

One of the things that I hope all young people in this country will realize and all the seniors will realize is that we're passing on to that young generation $14 trillion in debt. The debt has increased in the last 3 years by $4 trillion. From the beginning of the Republic to the last 3 or 4 years, we didn't come close to that kind of spending. Yet we increased the debt in 3 years by $4 trillion. ObamaCare is going to add a great deal more to that, in addition to rationing health care and all the other things that people have heard about.

But the thing that concerns me the most is the standard of living that we have today and what we're passing on to the future generations. By not becoming energy independent, by running up these huge debts because we're coming up with these new programs that we can't afford, by creating a bigger bureaucracy in Washington, including 15,000 new IRS agents to implement the rules and regulations of things like ObamaCare, all those things are going to add to the debt and the quality of life that I've had and my parents had is going to deteriorate.

I'm afraid we will pass on to our children and our grandchildren higher taxes, higher inflation, a lower standard of living because we're living way beyond our means today. Natural gas and coal shale and oil are ways that we can cut our dependence on foreign oil and reduce that dependency on government and lower the cost that we're incurring as far as our national debt is concerned.

I don't know what we have to do to convince the administration. Sometimes I wonder if it's because they're not aware of the future, they're not aware of what is going on, or maybe they're just doing it on purpose because the President believes in more government control over various parts of our society.

One-sixth of our society is health care; and that's been nationalized by the ObamaCare plan, which we're trying to repeal because that will create long lines to get to see a doctor and socialized medicine. That's all a result of more government control and more government spending and more national debt.

Can you imagine what it would be like if we came back in 50 years—and I probably won't be around then; I'm sure I won't—but we come back in 50 years and there's some young person struggling to get along and they say, Why in the world did our fathers and grandfathers leave this kind of a society for us? They lived so much better. The cost of living was lower. The cost of energy was lower. The cost of health care was lower. Everything was lower. They lived so much better than us. Why didn't they do something to make sure we had that quality of life? And the answer is simply: we're not doing it. We're opening up the government credit card, we're charging all this money, we're depending on other sources of energy from other countries, and the credit card just keeps gathering steam and gathering more debt and gathering more debt and gathering more debt.

If my colleagues in their offices are paying attention right now and they said to their wives, We overspent last month by $5,000; what are we going to do, their wives and the wives of the people that might be paying attention would say, We've got to cut back on spending. We've got to budget our money. We can't live like this. We'll go bankrupt. And I tell you right now, America is in the same situation. We will go bankrupt. In fact, we are bankrupt, but we're printing money as fast as we can to keep from declaring bankruptcy.

They talk about Social Security being insolvent in 15 or 20 years. If you go into the vaults and look at Social Security receipts, it's all a bunch of paper. They've used that money for other purposes. We're robbing Peter to pay Paul for Medicare and Social Security as we live today. So we just add to the debt and add to the liability that we leave to the future generations.

So if I were talking to the President tonight, Mr. Speaker, I would say: Mr. President, if you love this country as much as we love this country, then take steps to do what's necessary to cut spending, to do away with a lot of these wasteful programs that aren't accomplishing anything, to make sure that we come up with a health care plan that does not create a dependency on government but on the private sector by doing tort reform and coming up with savings accounts that people can deduct from their taxes so that they can pay for a lot of their own health care needs. There's a whole bunch of things we can do without socialized medicine.

So I would say: Mr. President, let's look at the other avenues. Let's reevaluate ObamaCare and come up with

a solution that's not going to put this country in red ink ad infinitum. And I would say, These new programs you're talking about are the programs that we've tried for years and years that have been nothing but a drain on taxpayers' dollars but haven't improved anything.

Let me give you one example. I hate to digress from this energy issue, but I think it's important that we talk about this. If you look at the grade levels in our schools and high schools and our colleges across this country, you will find that the last 20 years, the grade levels have not gotten better. The quality of education has not gotten better.

□ 1700

If you look at the chart and see how much we're spending through the Department of Education at the Federal level, you'll find that we're spending billions and billions and billions of dollars, and they're not accomplishing a thing except for paying a lot of bureaucrats' salaries and sending money back to some of the unions that feel like they need that money to take care of their union members, and those union members continue to support people who want to keep that gravy train going.

So there are things we can do. We could say let's leave education where it belongs, at the State and local levels, which is where it has always been, instead of spending all this money at the local level. Do away with the Department of Education. We could do that and save hundreds of billions of dollars, and that money could be passed on to debt reduction and to lower our dependence on the future generations of this country.

I'd like to just end tonight, Mr. Speaker, by saying that, if you look at these charts, you'll see, first of all, we have—it's unbelievable—trillions and trillions of cubic feet of natural gas in the United States. All these pink spaces here show where shale gas is in the lower 48 States, and it doesn't even include Alaska. Those trillions of cubic feet of natural gas could be brought out of the ground and used to take care of our energy needs to a very large degree.

As a matter of fact—and let's put that chart up here—as to the coal shale that we have, they estimate that the amount of coal shale we have in this country would create 1.8 to 8 trillion barrels of oil—1.8 to 8 trillion barrels of oil—right here in this country and that it would immediately reduce our dependency on foreign oil. If you think that the Saudis and the others wouldn't lower their prices per barrel very quickly if they thought we were producing that, you're just not paying attention, because if they saw that we were becoming energy independent, they would want to keep their market share, and they would lower their prices as quickly as possible.

Then you talk about coal, itself. We have tremendous resources of coal—584.5 billion tons. Our reserves in coal at these blue places that you see on the map are 4 trillion tons of coal. Now, they say that that will hurt the environment. Well, we've got to make sure that we protect the environment, and that we've got scrubbers on the generating plants and all kinds of things that do protect the environment, but even if we had an environmental problem, we would still work to clean that up.

Even if we had that, do we still want to be dependent for our existence, for the defense of this Nation, for the economy of this Nation on foreign sources of energy like Saudi Arabia and Venezuela and others that don't like us and would love to see us go down? Go under?

We need to use our resources, and the President is succumbing to pressure from radical environmentalists and others to not drill for these resources—natural gas, coal shale—that can be converted into oil, oil that we have onshore and offshore, and coal, itself.

It is time that we realize that we can be energy independent. The future of America can be great. We can see this city, as Ronald Reagan said, in 20, 30, 40, 50 years as a shining city on a hill if we move toward energy independence. That one thing alone would help solve our economic problems. It's a defense issue as well as a national economic issue.

So, like I said, if I were talking to the President tonight—and I presume, from time to time, the White House does watch what we're doing on the floor—I would say: Mr. President, if you love this country—and I believe you do—I would start doing what's necessary to move toward energy independence. You will be revered as a great President if you do that, and you'll probably get reelected. But if we continue with this huge deficit spending that, in large part, is caused by our dependence on foreign energy, then you run the risk of being a one-term President.

So I think the President, being a patriotic citizen as I believe and hope he is, will take to heart what we're talking about in this body and become as close as possible to energy independence within the next 3, 4, 5, 6, 8, 10 years. If he would do this, his legacy that will be left behind will be something that we'll all be proud of.

If we don't do that, and if I were talking to the President, I would say: Your legacy will not be very bright, Mr. President. I don't think any President wants to leave behind for history that kind of a legacy.

With that, Mr. Speaker, I will just say that I hope that everybody has paid attention to this tonight, and I will be back on the floor to talk about this in the future.

Mr. Speaker, I am told we have another colleague who wants to come over, so I'm not going to do my imitation of Al Jolson or tap dance, but I guess I could talk about the deficit a little longer.

All right. Well, let's give you some facts and figures while my colleague is on his way over here. I was going to save this for my next Special Order, but we'll cover it right now.

The total demand for coal reached 1.12 billion tons in 2008. Over half of our electricity is generated from coal, so you can imagine, if we don't do what's necessary to get coal out of the ground, we're going to become more dependent on foreign sources of energy.

Nine out of every 10 tons of coal mined every year in the U.S. is used for domestic electricity. So, when they tell you we can't use coal anymore because of environmental concerns, well, what are we going to do?—because 9 out of every 10 tons of coal is used for electric generation.

Each person in this country and everybody who is paying attention uses 3.7 tons of coal a year. So what are we going to do without it if we don't have it? Coal is the most affordable source of power fuel per million Btus historically, averaging less than a quarter of the price of gas and oil. There are approximately 600 coal-generating facilities generating 1.4 generating units in manufacturing utilities across this country, according to the U.S. Energy Information. Coal accounts for 32 percent of U.S. total energy and 23 percent of total energy consumption.

Now, that's all I want to talk about as to coal, but it's important that we realize that we are dependent on that source of energy and that we need to continue to use it until we come up with an alternative that's going to work and will be with us. Solar and wind and the other sources will replace that over time, but we are still going to need oil, coal, and gas for at least 10 or 15 or 20 years at the levels or at more than the levels that we're using today.

May I inquire of the time remaining?

The SPEAKER pro tempore (Mr. MEEHAN). The gentleman has 32 minutes remaining.

Mr. BURTON of Indiana. I can talk about anything, I guess, but I don't want to bore my colleagues back in their offices or bore anybody else who's paying attention to this other than to say these charts that we have here are things that everybody ought to be familiar with, and I will be happy to make these available to my colleagues.

It shows that we have plenty of oil, coal, natural gas, and coal shale to take care of our energy needs within the next decade if we'd just get on with it.

I am told everybody has gone home. Everybody is going back to their districts. It's kind of interesting that these issues that we're talking about here tonight are so important, and yet people are going back to their districts to talk to their constituents. I wish I had been able to talk to them before they left and give them copies of all these illustrations so that they could go to their town meetings and show the people of this country that we do have

the energy we need to be independent. I will try to do that next week, the next time we have a recess and they go back to their districts for their town meetings.

□ 1710

For those who are wondering why I'm standing down here, the rules of the House are that when we adjourn at night we have what's called Special Orders, and when we have Special Orders, each side gets 1 hour, and I'm taking the leadership hour on the Republican side. Each side gets 1 hour to discuss issues of relevance to the American people and to their colleagues. And then after that, each side gets a half an hour, and we go back and forth like that until we've used up 4 hours of time.

So my colleague, Mr. GOHMERT, who is on his way over here right now, is going to use, I presume, part of our first half-hour when he gets here, and I imagine LOUIE is going to be talking about constitutional law because he was a judge, and he will also be talking about the national debt and the legacy we're leaving behind for our kids. And so when LOUIE gets here, after I hit him in the nose for not being here on time, I will turn it over to him and let him talk about these issues.

What are you laughing at? We have the staff up here, and I think they're getting a little giggly since we're here not talking about anything of relevance. Where is LOUIE? Coming from the Moon? I mean, we've got the press up there that's being entertained. Oh, it's St. Patrick's Day. You don't think he's been having a little green libation, do you?

I guess I should digress and talk about some of the other issues facing this country. There are so many. But I don't want to get started on that and then have LOUIE come in and have to stop my discussion right in the middle of our talk. You need to write about this in the papers, folks.

Well, there's a new movie out. You know, last night they had an Irish American function here in the Capitol, and they had some of those Irish dancers that were extraordinary. And I was watching television this morning, and they had Michael Flatley on, who's got a new movie that's coming out today about the Irish dancers, and I would urge all of my friends and neighbors to go see that movie if they like Irish dancing.

Folks, I want you to know that Judge LOUIE GOHMERT, with his green tie, has just arrived, and LOUIE, what are you going to talk about tonight?

Mr. GOHMERT. I appreciate the gentleman yielding. We're going to talk some about the CR. We're going to talk about government spending and what we ought to be doing.

Mr. BURTON of Indiana. Well, there you have it, folks. I was very psychic. I told you he would be talking about government spending and how we can get control of this budget.

And so with that, Mr. Speaker, I yield back the balance of my time.

CUT FOREIGN AID TO UNFRIENDLY NATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I am grateful to my dear friend DAN BURTON. He is a patriotic American. He stands for what he believes in. And if we had a lot more DAN BURTONs in Washington, the country would be that much better off. So we're grateful to him and his service.

It is an honor to serve in this body. It's been rather frustrating lately, and one of the things I wanted to mention was that another good friend, former fellow judge as I was, a district judge—I lost credibility as far as some of the district judges believed when I became chief justice of the Court of Appeals—but my friend TED POE from Houston is pushing a bill that I'm sure glad to cosponsor with him. I'm glad he's doing it. It goes a bit hand-in-hand with a bill that I've been pushing ever since I've been here.

But Congressman POE's bill would allow an up-or-down vote on all the different countries that we provide foreign assistance. It's a good idea. I mean, for all of the years that I've been here in each Congress, three times we have filed a U.N. voting accountability bill, and my friend TED POE has been on that bill cosponsoring with us, and I'm glad to support his bill.

My bill simply says any country that votes against us more than half the time gets no foreign assistance the following year. We know there's sometimes when there are emergencies, there are things we need to do, and so there's an exception for that in the event of an international emergency, but otherwise, we're not going to tell foreign countries how they vote in the U.N., but you can tell a lot about who is your friend and who isn't by who stands with you during difficult times and on difficult issues, and you're able to discern who has the same moral beliefs as you do.

For example, there are countries where sharia law is the rule of the land, and life does not have the value that we in America believe that God gave life to have. So it's okay. In fact, you can find your way to paradise, some believe, and not all Muslims believe this, but there are those who believe that you can find your way to paradise and differing number of virgins waiting for you if you die while you're killing infidels, people that don't believe in the same things you do. Well, that's fine, but if you believe in torturing, killing, taking a life, taking innocent lives for nothing, or just because of someone's religious beliefs, then we should not be financing that.

It's deeply troubling to see that in Egypt, one account said that President—or king, whatever you want to call him—Mubarak had $70 billion in the bank. Another account said he had $7 billion in the account. Either way, can't help but wonder if that couldn't be a whole lot of U.S. taxpayer dollars back when we weren't having to borrow to give away money like we are now. We were giving $2 billion or so a year, and it wouldn't be surprising if most of that money were United States dollars that had been given to Egypt.

□ 1720

On the other hand, we know that there are despots, there are dictators, there are corrupt leaders of countries around the world who believe that it's fine to even force women to have abortions. As my friend and I both believe, abortion is wrong. It is wrong. It is taking innocent life. Yet, we are just handing money out around the world hand over fist, and people taking innocent lives, the unborn of others.

We know that there was about to be a hanging of a man who converted from Islam to Christianity over in Afghanistan, and we're still just pouring money into Karzai's regime. There are issues about him and his brother, whether or not there is corruption there, and we're just pouring money in there that we don't have. And we're having to pay, 40, 42 cents in interest of every $1 on loans because we don't have the money to do that.

In any event, my friend CHRIS SMITH is here, and I would be happy to yield to him.

Mr. SMITH of New Jersey. I thank my very good friend and colleague for yielding.

I do raise my voice today, and I join my friend from Texas and others in a bit of a celebration—although it needs to be a cautious celebration because the tyranny on the island of Cuba continues unabated for so many others. But Nobel Peace Prize nominee Dr. Oscar Biscet of Cuba, one of the bravest and brightest human rights defenders on Earth, was released on March 12 from a wretched Cuban prison where he had endured 8 years of torture with periods of solitary confinement for his exemplary human rights work. It was Dr. Biscet's second long-term, totally unjustified incarceration by Cuba, by Castro, totaling almost 12 years in prison. According to his wife, Elsa Morejón, he was arrested at least 27 periods and jailed for short periods of time between 1998 and 1999 alone, yet he persisted and has an indomitable will that continues to this day. Dr. Biscet's release and that of other prisoners of conscience was negotiated and announced by Cardinal Jaime Ortega, archbishop of Havana.

Yesterday, I had the high honor and the privilege to speak by phone with Dr. Biscet who is still in Cuba. And I conveyed my and, I would say, our collective respect, admiration, and abiding concern for his welfare and well-being as well as that of his wife. He said during the conversation that she

was pleasantly shocked and very happy to finally have him home. I let him know that he and his amazing work was never and will never be forgotten.

Awarded the U.S. Medal of Freedom by President George W. Bush, Dr. Biscet suffered the depravity of Castro's infamous gulag in order to bring the rule of just law, respect for human rights, and a robust democracy to Cuba.

In our phone conversation, he absolutely insisted that freedom will and must be procured only through peaceful means, and of course that work is far from finished. He said that faith in God was paramount and that ''prayer is of utmost importance.'' He is truly a man of God.

Dr. Biscet, an OB/GYN, told me that the truth about what Castro has done to his people and continues to do must reach—these are his words—the truth must reach the Cuban people, and he singled out Radio Martí as a valuable means to that end.

''Were you tortured?'' I asked him. He said last night, ''Yes, yes.'' And his multiple serious health conditions that must now be addressed obviously are testimony to the cruel and severe mistreatment that he suffered. He told me that in prison, he had to eat putrified food and rice that was laced with worms. He endured solitary confinement with a mentally ill person, survived a dungeon with a knife-throwing criminal, and withstood burns all over his body from the prison's kitchen exhaust pipe that emptied into his cell. The Cuban Government even attempted to take him for shock therapy at a mental institution in order to rid him of his passion for human rights. None of it worked. And by the grace of God, he has persevered with unparalleled bravery.

Freedom House has ranked Cuba as one of the least free countries in the world. The only country which ranked lower on the freedom scale than Cuba was the nightmare gulag of North Korea. Yet in an insane paradox, the Cuban tyrants remain romantic heroes for many in the United States, including some Members of this Congress who in 2009 visited Cuba and gushed with admiration for the dictators Fidel and Raul Castro, showing no compassion for the pain their courting and their enabling of Castro gave to all those suffering under his dictatorship.

Castro has not succeeded in crushing the spirit of Dr. Biscet. That same spirit and vision animates the so-called ladies in white, Las Damas de Blanco, the wives and relatives of imprisoned political dissidents like Dr. Biscet who attend mass each week and march through the streets dressed in white to symbolize peaceful dissent. Cuban police have detained and beaten these women for their peaceful protest.

And lest anyone construe Dr. Biscet's release as the harbinger of immediate peace and respect for human rights in Cuba, consider this: Yesterday Amnesty International published an alert that noted that ''the repression of Cuban dissidents persists despite the releases.'' I will put the entire statement in. But they point out that numerous, numerous activists, new activists, men and women who are speaking out for human rights are now being rounded up, put under house arrest, and some held in detention.

They pointed out that on February 23, on the 1-year anniversary of a great man named Tamayo's death, according to the Cuban Commission on Human Rights, the authorities placed over 50 people under house arrest before freeing them hours later. And the president of the Cuban Youth Movement for Democracy was arrested after organizing an activist meeting. Where? Inside his own home. And he now has been arrested.

Dr. Biscet hopefully will receive the Nobel Peace Prize. As my friend and colleague knows, we have really orchestrated an effort all over the world—parliamentarians were gladly writing in letters, including the Prime Minister of Hungary, asking the distinguished body that gives out the Peace Prize to consider Dr. Biscet and hopefully the other Cuban dissidents for that prize. Liu Xiaobo got it last year. He couldn't travel. They put the Peace Prize on the empty chair. Dr. Biscet is out of prison, and it would be a great lifting of spirits and hopes for the people of Cuba for that Peace Prize committee to award him.

REPRESSION OF CUBAN DISSIDENTS PERSISTS DESPITE RELEASES

The Cuban authorities are continuing to stifle freedom of expression on the island in spite of the much-publicised recent wave of releases of prominent dissidents, Amnesty International warned ahead of the eighth anniversary of a crackdown on activists.

Hundreds of pro-democracy activists have suffered harassment, intimidation and arbitrary arrest in recent weeks as the Cuban government employs new tactics to stamp out dissent.

Of 75 activists arrested in a crackdown around 18 March 2003, only three remain in jail after 50 releases since last June, with most of the freed activists currently exiled in Spain. Amnesty International has called for the remaining prisoners to be released immediately and unconditionally.

''The release of those detained in the 2003 crackdown is a hugely positive step but it tells only one side of the story facing Cuban human rights activists,'' said Gerardo Ducos, Cuba researcher at Amnesty International.

''Those living on the island are still being targeted for their work, especially through short-term detentions, while repressive laws give the Cuban authorities a free rein to punish anyone who criticises them.''

''Meanwhile, three of the prisoners detained eight years ago still languish in prison and must be freed immediately.''

In one recent crackdown the authorities detained over one hundred people in one day in a pre-emptive strike designed to stop activists marking the death of activist Orlando Zapata Tamayo, who died following a prolonged hunger strike while in detention.

On 23 February, the one-year anniversary of Tamayo's death, according to the Cuban Commission of Human Rights and National Reconciliation, the authorities placed over 50 people under house arrest before freeing them hours later.

Activist Néstor Rodríguez Lobaina, was recently named a prisoner of conscience by Amnesty International after being detained without trial for over three months.

The president of the Cuban Youth Movement for Democracy was arrested after organizing an activists' meeting inside his own home.

''Cubans are still at the mercy of draconian laws that class activism as a crime and anyone who dares to criticise the authorities is at risk of detention,'' said Gerardo Ducos.

''In addition to releasing long-term prisoners of conscience, to properly realize freedom of expression the Cuban government also has to change its laws.''

Seventy-five people were jailed in a massive crackdown against the dissident movement around 18 March 2003 for the peaceful exercise of their right to freedom of expression. Most of them were charged with crimes including ''acts against the independence of the state'' because they allegedly received funds and/or materials from US-based NGOs financed by the US government.

They were sentenced to between six and 28 years in prison after speedy and unfair trials for engaging in activities the authorities perceived as subversive and damaging to Cuba.

These activities included publishing articles or giving interviews to US-funded media, communicating with international human rights organizations and having contact with entities or individuals viewed to be hostile to Cuba.

Mr. GOHMERT. I certainly thank my friend from New Jersey. CHRIS SMITH, you are a leader. You are a man of conviction who cares deeply about those who have suffered for no good reason and standing for freedom. You are a true patriot, and it's an honor to serve with you as a friend here.

I don't know if you were aware; but in the discussion about all the foreign aid to countries who do not have the same abiding love and desire for freedom for all people and the same value of human life, I didn't know if my friend was aware of the fact that in 2008—I don't have the 2009 and 2010 numbers in front of me—but for 2008, this country, the United States, provided $45,330,000 in aid to Cuba. And you can't help but wonder over the years, like with Dr. Biscet, how much American money might have ever been used to help restrain heroes of this whole Earth that should have been praised and appreciated. Yet we're giving money to brutal dictators who treat the best that humanity has to offer in this manner. Does the gentleman has some thoughts?

Mr. SMITH of New Jersey. The gentleman from Texas makes an excellent point. When you provide foreign aid, when you provide economic lifelines to dictatorships, it enables them to continue their repression. Years ago, we took a very principled stance against South Africa because of that abomination known as apartheid. And when the world united and said, No more, it did lead to an end to that racist regime.

Now Cuba, for some reason—and China would fall into this category as well. But Cuba, to keep on point, has had trade with Canada and with the European countries and the European Union, and there's been no matriculation from dictatorship to democracy at

all. If anything, Cuba has gotten worse in many cases, clearly underscoring that when a brutal dictatorship is given the money and wherewithal, they will continue their repressive ways.

□ 1730

I believe, and I asked Dr. Biscet this last night, about lifting the travel ban and lifting the trade embargo, which are two things that the Obama administration is seeking to do. And he said don't do it unless there are conditionalities, human rights, democracy, free and fair elections. Otherwise, the secret police, the neighborhood block committees, and those who repress every person in Cuba who, especially those who articulate the vision of freedom and democracy and human rights, are given additional power.

Hard currency, as Dr. Biscet said on the phone, the Cuban Government runs everything. So when you lift the trade embargo, when you have people traveling to Cuba bringing hard currency, you throw a lifeline. Better condition it, all of it, to human rights conditions.

Again, had it worked, if that was the answer, as he said in the conversation last night, having a travel ability from Canada, and trade, and from the European countries, we would have seen a change towards democracy. It has not happened. It has gotten worse.

I appreciate you bringing up that very good point.

Mr. GOHMERT. Well, thank you.

And what an anomaly to have a country that believes in freedom and liberty and human life and human value, and yet at the same time we demean it—whether it's giving money to entities that take unborn lives or whether it's giving money to brutal dictators who certainly don't believe in freedom of religion but are willing to take the lives of people because of their religion or who repressively say, We told you you could have one child, so we're going to kill your other children.

It is just a mind-boggling thing, as Bo Pilgrim used to say. I'm sure he still does. But it's mind-boggling. How do we think that we're helping the world when we give massive amounts of money to people that are the very antithesis of the things that Americans have given their last full measure of devotion to preserve and protect?

I yield to my friend.

Mr. SMITH of New Jersey. You know, the date we lost China, in my opinion, was May 26, 1994. On that date, President Bill Clinton completely severed and de-linked human rights with Most Favored Nation status, after getting accolades when he linked it a year before. He said, unless there's significant progress in human rights, we're going to condition our trading relationship, and we will only look at performance. He shredded his Executive order. We had the votes to take away MFN that year, which dissipated over time.

I met with the human rights groups. I even went to China and realized that we were talking out of both sides of our mouth, like Janus, the Roman god, saying two things, you know, like some in diplomatic circles often do. And the foreign ministry in Beijing told me, We're getting Most Favored Nation status. We don't care what you think about human rights.

Fast forward to just a few weeks ago when Hu Jintao, the unelected President of China, visited with President Obama; not a single public statement on human rights. It was so bad that when there was a press conference with Hu Jintao and President Obama at the White House, the President defended Hu, President Hu. When asked about human rights by an Associated Press reporter, President Obama said, ''Well, they have a different culture and they have a different political system.''

That was an outrageous statement that undermines all of the peace and freedom loving people of China, tens of thousands of whom are in the laogai or the gulag system suffering for peace and human rights and religious freedom. And it's as if to say somehow the Chinese people don't get it or they don't understand human rights. They sure do, and they want it. Ask Wei Jingsheng, Harry Wu, Chai Ling and all the great human rights defenders, many of whom have spent years in the gulag system.

It was so bad that The Washington Post did an editorial, and it said, President Obama defends Hu, Hu Jintao, on rights, and took the President, rightfully so, you know, a very liberal newspaper, The Washington Post, to task for being so silent.

Here it is, President Obama, 2009 Nobel Peace Prize Winner, Liu Xiaobo, 2010 Nobel Peace Prize winner, and the man who put him in prison, Hu Jintao, and they're at a State dinner, first at a press conference, all kinds of other meetings, and not a single word about Liu Xiaobo. He should have said, Mr. President, Release the dissidents. He did no such thing, kept it all to himself even if he had those thoughts.

And in China, because I went on People's Daily because I read it often. I read it the next day. Filled with accolades from the American President for a dictator. It demoralizes people in the laogai, just like people in this Chamber, just like the President I believe is demoralizing those suffering in the gulags all over the world, including in Cuba.

So the gentleman is absolutely right. We need to be very serious and use—what if it were I or my wife or my family that were suffering this? Would we just then look askance and embrace these dictators? I don't think so. I would hope not.

I thank the gentleman for yielding.

Mr. GOHMERT. I appreciate the gentleman's insights. But, unfortunately, based on our modern history in this country, the indications are if you were being tortured and held in prison, it doesn't appear that this government would do anything different than what we've been doing.

And the point that you make is so important. We've heard it from those who suffer and have suffered in gulags, who have been later released, and when we hear whether it was those held in Poland or in the Russian gulags or Chinese or Cuban, for example, when Ronald Reagan said this is an evil empire, what we've heard in the more recent years is that gave us hope. Somebody was willing to stand up and call it what it was. And at the time, that kept them going.

And our colleague here in the House, SAM JOHNSON, when he was a POW for 7 years in North Vietnam, being tortured daily, one of the most difficult things to endure was the information that our country did not care.

Now, it's heartbreaking to think about our friends who were suffering in horrible prison conditions, and we gave—not only gave the impression we didn't care, we had people running around blaming those very people for their own troubles when all they were trying to do was keep horrible, repressive regimes from taking over and killing millions, as they did when we left.

And so one of the great attributes of Reagan was he called things like he saw them, and it gave hope to the world.

And I don't know if my friend from New Jersey has heard me mention this, but last year, around Easter, I was in West Africa and met with some of the West Africans who were Christians. And the oldest said he wanted to make sure that I knew that they were so excited when we elected an African American president, that that was thrilling to them, until they began to see that his policies were weakening America. And this elderly, wonderful, wise gentleman, with others younger, all in agreement, said, You have got to make sure people in Washington understand. If you keep becoming weaker, we lose hope in this life. We know where our hope is in the next life. But as far as our hope for having a peaceful life in this world, it will be gone when you become too weak. Please tell your friends in Washington, do not let America grow any weaker.

And here we overspend. We give monies to countries who hate us, who hate the things we stand for, who hate the fact that we believe in freedom, because they believe freedom leads to debauchery, and so they believe you should have some dictator, caliphate, somebody that tells you everything you can do and what you can't do because freedom, they believe, corrupts; whereas, we know in our hearts, it's in our Constitution, it's in our Declaration of Independence, God gave us freedom to make choices.

□ 1740

And it is one of the greatest things that America has done that I think has helped cause this Nation to be blessed. We have stood for those freedoms. Not just for America. There is no country in the history of the world that has

ever given treasure and life of that country's people to get freedom for other countries and other people of whom we ask nothing in return. That is unheard of in the history of the world, and yet this Nation has done it over and over. We have done it to help protect Muslims and give them freedom of choice, Christians, Buddhists. It did not matter. It was all about human rights, human dignity, and human freedom. And we see that slipping away every time we prop up some brutal dictator, every time we look the other way and pat cruel, evil people on the back and say, ''Oh, we're so proud of you; we're glad to be your friend,'' when those like who have been repressed by Cuba say, ''Please, do not give more credibility to the oppressors.''

I yield to my friend for any final thoughts.

Mr. SMITH of New Jersey. Well, I think you just made an articulate defense of why a consistent, transparent human rights, pro-freedom, pro-democracy foreign policy is absolutely essential if we want a world that is free of tyranny.

Pope John Paul II once said: If you want peace, work for justice. Then he said: If you want justice, work on behalf of the disenfranchised, unborn child, which I feel is a very good connection of human rights from womb to tomb.

But you made an excellent point about Ronald Reagan. Yesterday, Natan Sharansky, the great dissident—and FRANK WOLF and I actually got into the prison camp, Perm Camp 35, where he spent so many horrible days and nights in the ShiZO, which was the punishment cell. We were there in the late eighties right after he got out. And you remember, he didn't just walk in a straight line when the KGB said you walk right across. He did a zigzag, his ultimate final act of defiance to the KGB.

But he said just what you brought out, Judge GOHMERT, and that was that when Ronald Reagan talked about the Evil Empire, he said it again yesterday, they knew that we got it, that there was hope. And it gave him hope. It gave the other political dissidents hope. Jewish, Christian, whatever their denomination or religious belief, they said America understands the inherent failure of communism, the militant atheism which it represents, as Solzhenitsyn said it in his books, and he had hope.

Wei Jingsheng correspondingly, who is the father of the democracy war movement in China, a great leader, he told me when they let him out to get Olympics 2000—not the one they just had, Olympics 2000, and the Olympic committee didn't give it to them because they were such violators of human rights. Unfortunately, they capitulated some years later. He said, ''When you kowtow, when you enable, when you pander to dictatorship, including the Chinese dictatorship, especially the Chinese dictatorship, they beat us more in prison. But when you are tough, transparent, you look the dictator in the eye and say we are not kidding; we want these people released, they beat us less.'' That is from a man who spent 20 years in the Chinese laogai. Harry Wu and all the others have said the exact same thing.

So when President Obama kowtowed for the better part of a week in front of Hu Jintao, it was, in my opinion, a shameless exercise of lack of commitment to human rights and they beat the dissidents more because, ''They will tell us, America has abandoned you.''

Thankfully, in a bipartisan way—because when Hu Jintao came right here on Capitol Hill, it was our Speaker, Speaker BOEHNER, who raised human rights and raised the inherent violation of human rights in the one child per couple policy, the missing girls, 100 million missing girls in China, the result of a one child per couple policy where brothers and sisters are illegal. And over the course of 30 years, since 1979, when that horrific policy, the worst crime against women ever, went into effect, they have systematically exterminated the girl child, and now many of them are not here even as young women.

Forty million men won't be able to find wives by 2020 in China because women have been forcibly aborted as part of this one child per couple policy. It's a huge gender disparity, which raises problems about potential war. There is a book called ''The Barren Branches'' that talks about this restless male population that can't ever get married because women are not there. It is also a magnet for human trafficking.

Our President should have stood boldly, I say diplomatically. FRANK WOLF and I met with Li Peng when he was Premier. We had a list of political prisoners. We talked about the one child per couple policy. We talked about religious freedom. We looked him right in the eye. Almost no one ever does that. You will do it. I will do it. Our President should do it. President Bush did it. He raised religious freedom robustly with the Chinese Government on his trips. Mrs. Clinton on her first trip to Beijing said, I am not going to let human rights, quote, interfere with global climate change issues and the issue of debt.

So it really is a very serious abandonment of the people who need it most, who will be the next Lech Walesa or Harry Wu or Wei Jingsheng. You bring up an excellent point, and I thank you for your leadership on human rights and the peace agenda, which is really the freedom agenda.

Mr. GOHMERT. It is certainly an honor to serve with you. And I don't know if you are aware, our friend TED POE, our colleague, has a bill that is trying to force all foreign aid to come to a vote country by country. That would give us the chance to discuss these very things on each country, on whether or not we should give them assistance. Isn't that wonderful? So I look forward to that in the time to come.

Mr. Speaker, we appreciate the time to discuss this very important issue, and especially now that money is so critically needed and that we should not be wasting it to help those who repress others.

IT IS TIME FOR THE SENATE TO ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Mississippi (Mr. NUNNELEE) is recognized for 30 minutes.

Mr. NUNNELEE. Mr. Speaker, it is time for the United States Senate to act. The Democrats in the United States Senate, the Democrat leadership in the United States Senate, have failed the American people.

Last year when the Democrats controlled the House of Representatives, the Senate, and the White House, their leadership failed to adopt a budget. In fact, for the first time since adopting the Budget Act of 1974, the House of Representatives failed to pass a budget. NANCY PELOSI and HARRY REID left our country in a mess. Today, we are operating without a long-term spending plan. It must stop.

Earlier this year, a new majority came in to the House of Representatives; and under the leadership of JOHN BOEHNER, this new majority adopted a long-term spending plan that would outline the priorities of our government through September 30 of this year.

In this very Chamber, we stayed up late at night for four nights in a row. We debated and we hammered out a long-term spending plan. That plan included the largest cut in spending in American history.

□ 1750

We defunded Planned Parenthood, we defunded NPR, we defunded ObamaCare. We placed significant restraints on regulatory agencies that have gone out of control, such as the EPA. And then the bill moved down to the Senate, and the Senate has failed to act.

Since then, in order to give them more time, we have granted two budget extensions, one for 2 weeks and then earlier this week we extended it for 3 more weeks. But included in those budget extensions were $10 billion worth of spending cuts. While we have offered those temporary extensions, the permanent plan that has passed this Chamber still languishes in the Senate. The leadership of that body has not passed our spending plan, or, for that matter, any spending plan.

We are waiting. But, more importantly, the American people are waiting. We cannot negotiate with silence. If they don't like our spending plan,

then let them put forth one of their own. But it is time for the Senate to act. These temporary extensions are no way to run a business, and they are certainly no way to run a country.

Earlier this week our negotiators asked for 3 more weeks. Since we have only been in office for a little over 10 weeks, I thought it was wise to grant that extension and I voted for it.

Here the House has been doing the work of the American people. We have passed H.R. 2, the bill that repeals ObamaCare. We have defunded ObamaCare in its entirety, including the $105 billion of preapproved spending; and we are moving forward. In fact, I don't think we should stop until ObamaCare is completely defunded. The House is working on legislation that will eliminate permanently that mandatory slush fund, and I hope we will vote on that in the upcoming weeks. But it is time for the Senate to act.

America wants real spending reform so that we can give businesses large and small the confidence they need, the predictability they need, and they can go out and be about the business of creating jobs that will grow our economy. It is time for the White House and the Senate to listen. House Republicans can only do so much. We only have control of one-half of one-third of the government, so we cannot act by ourselves. It is past time for the Senate to act.

Over the next 3 weeks we will be waiting, and we will be watching, to negotiate a long-term solution that will get us out of this mess that they left us in when they concluded last year.

CONDITIONAL ADJOURNMENT TO FRIDAY, MARCH 18, 2011

Mr. NUNNELEE. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 10 a.m. on Friday, March 18, 2011, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 30, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 48. Joint Resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

ADJOURNMENT

Mr. NUNNELEE. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Friday, March 18, 2011, at 10 a.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 30, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

903. A letter from the Secretary, Department of Agriculture, transmitting the Department's report entitled, ''2010 Packers and Stockyards Program Annuual Report'', pursuant to the Packers and Stockyards Act of 1921, as amended; to the Committee on Agriculture.

904. A letter from the Secretary, Department of Veterans Affairs, transmitting a report of a violation of the Anti-deficiency Act in an account of the Department of Veterans Affairs, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

905. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Preservation of Tooling for Major Defense Acquisition Programs (DFARS Case 2008-D042) (RIN: 0750-AG45) received February 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

906. A letter from the Under Secretary, Department of Defense, transmitting a report that the Department is taking essential steps to award a Joint Service Multi-Year Procurement (MYP) contract; to the Committee on Armed Services.

907. A letter from the Executive Director and Designated Federal Officer, Military Leadership Diversity Commission, transmitting a report entitled From Representation to Inclusion: Diversity Leadership for the 21st-Century Military; to the Committee on Armed Services.

908. 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] [Internal Agency Docket No.: FEMA-B-1143] received March 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

909. 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 February 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

910. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability of the Proposed Models for Plant-specific Adoption of Technical Specifications Task Force (TSTF) Traveler TSTF-423, Revision 1, ''Technical Specifications End States, NEDC-32988-A'', for Boiling Water Reactor Plants Using the Consolidated Line Item Improvement Process [NRC-2009-0403] received February 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

911. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Strategic Plan for fiscal years 2011 through 2015; to the Committee on Oversight and Government Reform.

912. A letter from the Inspector General, Consumer Product Safety Commission, transmitting the 2010 Consumer Product Safety Commission Improvement Act Report to Congress; to the Committee on Oversight and Government Reform.

913. A letter from the Secretary, Department of the Interior, transmitting Annual Operating Plan for Colorado River System Reservoirs for 2011, pursuant to 43 U.S.C. 1552(b); to the Committee on Natural Resources.

914. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic [Docket No.: 001005218-0369-02] (RIN: 0648-XA195) received March 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

915. A letter from the Director, Administrative Office of the United States Courts, transmitting sixth annual report on crime victims' rights; to the Committee on the Judiciary.

916. A letter from the Director, Administrative Office of the United States Courts, transmitting the granting of the application for a one-year extension of the District of Arizona's declaration of a judicial emergency; to the Committee on the Judiciary.

917. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, ''Report of the Proceedings of the Judicial Conference of the United States'' for the September 2010 session; to the Committee on the Judiciary.

918. A letter from the Director, Regulations Policy and Management, Office of the General Counsel, Department of Vererans Affairs, transmitting the Department's final rule — Copayments for Medications After June 30, 2010 (RIN: 2900-AN65) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

919. A letter from the Director, Regulations Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Updating Fire Safety Standards (RIN: 2900-AN57) received February 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

920. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Director's Directive #3 on Super Completed Contract Method (LB&I Control No.: LB&I-4-1010-029) received March 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

921. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 10 Tax Sheltered Annunity Contracts (Rev. Rul. 2011-7) received March 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

922. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2011-6) received February 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. SMITH (TX): Committee on the Judiciary. H.R. 3. A bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes; with an amendment (Rept. 112–38 Pt. 1). Ordered to be printed.

Mr. SMITH (TX): Committee on the Judiciary. H.R. 5. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; with an amendment (Rept. 112–39 Pt. 1). Ordered to be printed.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 471. A bill to reauthorize the DC opportunity scholarship program, and for other purposes; with an amendment (Rept. 112–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 899. A bill to amend title 41, United States Code, to extend the sunset date for certain protests of task and delivery order contracts (Rept. 112–37). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 358. A bill to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act; with an amendment, (Rept. 112–40 Pt. 1); referred to the Committee on Ways and Means for a period ending not later than April 15, 2011, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(t), rule X.

TIME LIMITATION OF REFERRED BILL PURSUANT TO RULE XII

Pursuant to clause 2 of rule XII the following actions were taken by the Speaker:

H.R. 3. Referral to the Committees on Energy and Commerce and Ways and Means extended for a period ending not later than April 7, 2011.

H.R. 5. Referral to the Committee on Energy and Commerce extended for a period ending not later than May 13, 2011.

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. CUMMINGS (for himself, Mr. TOWNS, Mr. CLAY, Mrs. MALONEY, Ms. NORTON, Mr. KUCINICH, Mr. TIERNEY, Mr. LYNCH, Mr. COOPER, Mr. CONNOLLY of Virginia, Mr. QUIGLEY, Mr. DAVIS of Illinois, Mr. BRALEY of Iowa, Mr. WELCH, Mr. YARMUTH, Mr. MURPHY of Connecticut, and Ms. SPEIER):

H.R. 1144. A bill to increase the transparency of the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. REICHERT (for himself, Mr. MATHESON, Mr. DANIEL E. LUNGREN of California, and Mr. GARY G. MILLER of California):

H.R. 1145. A bill to provide construction, architectural, and engineering entities with qualified immunity from liability for negligence when providing services or equipment on a volunteer basis in response to a declared emergency or disaster; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 1146. A bill to end membership of the United States in the United Nations; to the Committee on Foreign Affairs.

By Mr. NUNES (for himself and Ms. BERKLEY):

H.R. 1147. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for certain payments made to reduce debt on commercial real property; to the Committee on Ways and Means.

By Mr. WALZ of Minnesota (for himself and Ms. SLAUGHTER):

H.R. 1148. A bill to prohibit commodities and securities trading based on nonpublic information relating to Congress, to require additional reporting by Members and employees of Congress of securities transactions, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Agriculture, House Administration, the Judiciary, and Ethics, 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. BILBRAY (for himself, Mr. INSLEE, Mrs. BONO MACK, Mrs. DAVIS of California, Mr. HUNTER, Mr. DREIER, Mr. CARNAHAN, and Mr. BARTLETT):

H.R. 1149. A bill to amend the Clean Air Act to include algae-based biofuel in the renewable fuel program and amend the Internal Revenue Code of 1986 to include algae-based biofuel in the cellulosic biofuel producer credit; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR:

H.R. 1150. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 1151. A bill to require the Secretary of the Treasury to make risk-based assessments on financial companies to recoup the amount of assistance made available for unemployed homeowners under the Emergency Mortgage Relief Program and for States and communities under the Neighborhood Stabilization Program; to the Committee on Financial Services.

By Mr. RANGEL (for himself and Mr. STARK):

H.R. 1152. A bill to require all persons in the United States between the ages of 18 and 25 to perform national service, either as a member of the uniformed services or in civilian service in furtherance of the national defense and homeland security, to authorize the induction of persons in the uniformed services during wartime to meet end-strength requirements of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. SMITH of Texas (for himself, Mr. MCKEON, Mr. SENSENBRENNER, Mr. GALLEGLY, Mr. DANIEL E. LUNGREN of California, Mr. GOHMERT, Mr. GOWDY, Mr. GRIFFIN of Arkansas, Mr. ROSS of Florida, and Mr. COBLE):

H.R. 1153. A bill to provide for consultation by the Department of Justice with other relevant Government agencies before determining to prosecute certain terrorism offenses in United States district court, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTER (for himself, Mrs. BACHMANN, Mr. BACHUS, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. CARNAHAN, Mr. CHAFFETZ, Mr. CULBERSON, Mrs. DAVIS of California, Mr. DIAZ-BALART, Mr. GRIMM, Mr. FITZPATRICK, Mr. FLORES, Mr. HUIZENGA of Michigan, Ms. KAPTUR, Mr. KING of Iowa, Mr. KILDEE, Mr. KISSELL, Mr. LOBIONDO, Mr. MCCAUL, Mr. MCGOVERN, Mr. MICA, Mrs. MILLER of Michigan, Mr. NEAL, Mr. PENCE, Mr. PLATTS, Mr. ROE of Tennessee, Mrs. SCHMIDT, Mr. TOWNS, Mr. WESTMORELAND, Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. CHABOT, and Mr. STIVERS):

H.R. 1154. A bill to amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property; to the Committee on Veterans' Affairs.

By Mr. PETERS (for himself, Mr. GARDNER, Mr. WELCH, Mr. CARNEY, and Mr. POLIS):

H.R. 1155. A bill to establish procedures for the expedited consideration by Congress of the recommendations set forth in the Terminations, Reductions, and Savings report prepared by the Office of Management and Budget; to the Committee on the Budget, and in addition to the Committee on Rules, 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. DENT:

H.R. 1156. A bill to amend the Immigration and Nationality Act with respect to a country that denies or unreasonably delays accepting the country's nationals upon the request of the Secretary of Homeland Security; to the Committee on the Judiciary.

By Mr. REHBERG:

H.R. 1157. A bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests; to the Committee on Financial Services.

By Mr. REHBERG:

H.R. 1158. A bill to authorize the conveyance of mineral rights by the Secretary of the Interior in the State of Montana, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington (for himself, Mr. SAM JOHNSON of Texas, Mr. SESSIONS, Mr. THORNBERRY, Mr. BURGESS, Mr. OLSON, Mr. BARTON of Texas, Mr. SCHWEIKERT, Mr. CARSON of Indiana, Ms. JACKSON LEE of Texas, and Mrs. BLACK):

H.R. 1159. A bill to repeal certain provisions of the Patient Protection and Affordable Care Act relating to the limitation on the Medicare exception to the prohibition on certain physician referrals for hospitals and to transparency reports and reporting of physician ownership or investment interests; 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. KISSELL (for himself, Mr. JONES, Mr. BUTTERFIELD, Mr. MCINTYRE, Mr. SHULER, Mr. COBLE, Mr. PRICE of North Carolina, Mrs. MYRICK, Mrs. ELLMERS, and Mr. MILLER of North Carolina):

H.R. 1160. A bill to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes; to the Committee on Natural Resources.

By Mr. CHAFFETZ (for himself, Mr. BRALEY of Iowa, Mr. COBLE, Mr. CONYERS, Mr. DEUTCH, Mr. JORDAN, Mr. GARY G. MILLER of California, Mr. ROSS of Florida, and Ms. WASSERMAN SCHULTZ):

H.R. 1161. A bill to reaffirm state-based alcohol regulation, and for other purposes; to the Committee on the Judiciary.

By Mr. DICKS:

H.R. 1162. A bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; to the Committee on Natural Resources.

By Ms. SCHAKOWSKY (for herself, Ms. BALDWIN, Mr. ELLISON, Mr. HINCHEY, Mr. MCGOVERN, Ms. WOOLSEY, Ms. KAPTUR, and Ms. SUTTON):

H.R. 1163. A bill to provide Federal contracting preferences for, and a reduction in the rate of income tax imposed on, Patriot corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mrs. BLACKBURN, Mr. PAUL, Mr. BROUN of Georgia, Mr. GERLACH, Mr. GALLEGLY, Mr. BARTLETT, and Mr. FORBES):

H.R. 1164. A bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States, and for other purposes; to the Committee on Education and the Workforce, 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 Ms. JACKSON LEE of Texas (for herself, Ms. SPEIER, Mr. THOMPSON of Mississippi, and Mr. DAVIS of Illinois):

H.R. 1165. A bill to amend title 49, United States Code, to establish an Ombudsman Office within the Transportation Security Administration for the purpose of enhancing transportation security by providing confidential, informal, and neutral assistance to address work-place related problems of Transportation Security Administration employees, and for other purposes; to the Committee on Homeland Security.

By Mr. ISSA (for himself, Ms. WASSERMAN SCHULTZ, Mr. JONES, Mr. HASTINGS of Florida, Mr. RIVERA, Mr. ROTHMAN of New Jersey, Mr. PIERLUISI, Mr. DIAZ-BALART, Mr. BURTON of Indiana, Mr. DEUTCH, and Ms. WILSON of Florida):

H.R. 1166. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Mr. JORDAN (for himself, Mr. SCOTT of South Carolina, Mr. GARRETT, Mr. BURTON of Indiana, Mr. GOHMERT, and Mr. CHAFFETZ):

H.R. 1167. A bill to provide information on total spending on means-tested welfare programs, to provide additional work requirements, and to provide an overall spending limit on means-tested welfare programs; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Rules, Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RIGELL (for himself, Mr. COBLE, Mr. POSEY, and Mr. RIBBLE):

H.R. 1168. A bill to amend title 5, United States Code, to provide that matching contributions to the Thrift Savings Fund for Members of Congress be made contingent on Congress completing action on a concurrent resolution on the budget, for the fiscal year involved, which reduces the deficit, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 1169. A bill to amend titles 5, 10, and 32, United States Code, to eliminate inequities in the treatment of National Guard technicians, to reduce the eligibility age for retirement for non-Regular service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself and Mr. CULBERSON):

H.R. 1170. A bill to amend titles 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Armed Services.

By Mr. FARR (for himself, Mr. YOUNG of Alaska, Mr. ROHRABACHER, Ms. BORDALLO, Mrs. CHRISTENSEN, and Mr. PIERLUISI):

H.R. 1171. A bill to reauthorize and amend the Marine Debris Research, Prevention, and Reduction Act; to the Committee on Transportation and Infrastructure, 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 Ms. BERKLEY:

H.R. 1172. A bill to amend title XVIII of the Social Security Act to provide an increased payment for chest radiography (x-ray) services that use Computer Aided Detection technology for the purpose of early detection of lung cancer; 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. BOUSTANY (for himself, Mr. GINGREY of Georgia, Mr. LIPINSKI, Mr. ROE of Tennessee, Mr. PAUL, Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. AKIN, and Mr. ROYCE):

H.R. 1173. A bill to repeal the CLASS 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. CAMPBELL (for himself, Mr. FRANK of Massachusetts, Mr. KING of New York, and Mr. PERLMUTTER):

H.R. 1174. A bill to amend title 31, United States Code, to provide for the licensing of Internet gambling activities by the Secretary of the Treasury, to provide for consumer protections on the Internet, to enforce the tax code, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDOZA (for himself, Mr. COSTA, Mr. THOMPSON of Pennsylvania, and Mr. CRITZ):

H.R. 1175. A bill to establish an Oleoresin Capsicum Spray Pilot Program in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. COURTNEY (for himself, Mr. MCGOVERN, and Ms. DELAURO):

H.R. 1176. A bill to amend the Specialty Crops Competitiveness Act of 2004 to include farmed shellfish as specialty crops; to the Committee on Agriculture.

By Mr. CRITZ:

H.R. 1177. A bill to amend the Internal Revenue Code of 1986 to provide for tax preferred savings accounts for individuals under age 26, and for other purposes; to the Committee on Ways and Means.

By Mr. FORTENBERRY (for himself, Mr. LOBIONDO, and Mr. KISSELL):

H.R. 1178. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to veterans with a compensable service-connected disability and to their dependents; to the Committee on Armed Services.

By Mr. FORTENBERRY (for himself, Mr. BOREN, Mrs. MCMORRIS RODGERS, Mr. SCALISE, Mr. TIBERI, Mr. CONAWAY, Mr. LAMBORN, Mr. WALBERG, and Mr. LIPINSKI):

H.R. 1179. A bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services; to the Committee on Energy and Commerce.

By Mr. GARDNER (for himself, Mr. PAUL, Mr. PITTS, Mr. PEARCE, and Mr. COFFMAN of Colorado):

H.R. 1180. A bill to amend the Internal Revenue Code of 1986 to establish small business start-up savings accounts; to the Committee on Ways and Means.

By Mr. GRIFFIN of Arkansas (for himself and Mr. CRITZ):

H.R. 1181. A bill to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate; to the Committee on the Judiciary.

By Mr. HENSARLING (for himself and Mr. BACHUS):

H.R. 1182. A bill to establish a term certain for the conservatorships of Fannie Mae and Freddie Mac, to provide conditions for continued operation of such enterprises, and to provide for the wind down of such operations and the dissolution of such enterprises; to the Committee on Financial Services.

By Mr. HERGER (for himself and Mr. MATHESON):

H.R. 1183. A bill to amend title 18, United States Code, to prohibit the use of interstate commerce for suicide promotion; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. WALSH of Illinois):

H.R. 1184. A bill to require greater transparency concerning the criteria used to grant waivers to the job-killing health care law and to ensure that applications for such waivers are treated in a fair and consistent

manner, irrespective of the applicant's political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or another organized labor group; to the Committee on Energy and Commerce.

By Mr. ISSA (for himself and Mr. WALSH of Illinois):

H.R. 1185. A bill to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, House Administration, the Judiciary, Natural Resources, Appropriations, and Rules, 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. SAM JOHNSON of Texas:

H.R. 1186. A bill to repeal changes made by health care reform laws to the Medicare exception to the prohibition on certain physician referrals for hospitals; 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. KINZINGER of Illinois (for himself and Mr. INSLEE):

H.R. 1187. A bill to amend title XIX of the Social Security Act to direct Medicaid EHR incentive payments to federally qualified health centers and rural health clinics; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself, Mr. BLUMENAUER, Mr. FLAKE, Mr. DEFAZIO, Mr. MCCLINTOCK, Ms. WOOLSEY, and Mr. HANNA):

H.R. 1188. A bill to amend the Internal Revenue Code of 1986 to terminate incentives for alcohol fuels; to the Committee on Ways and Means.

By Mr. LATTA (for himself, Mr. MCKINLEY, and Mr. LATOURETTE):

H.R. 1189. A bill to amend the Federal Water Pollution Control Act to assist municipalities that would experience a significant hardship raising the revenue necessary to finance projects and activities for the construction of wastewater treatment works, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LEWIS of Georgia (for himself and Mr. PLATTS):

H.R. 1190. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. JACKSON of Illinois, Mr. GRIJALVA, Ms. WOOLSEY, Mr. STARK, and Mr. HOLT):

H.R. 1191. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for nonmilitary purposes, to create the Religious Freedom Peace Tax Fund to receive such tax payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mrs. LUMMIS (for herself and Mr. WU):

H.R. 1192. A bill to extend the current royalty rate for soda ash; to the Committee on Natural Resources.

By Mrs. MALONEY (for herself, Ms. ROS-LEHTINEN, Mr. NADLER, Mr. DEUTCH, Mr. GUTIERREZ, Mr. HINCHEY, Mr. WEST, Mr. ACKERMAN, Mr. CUMMINGS, and Mr. VAN HOLLEN):

H.R. 1193. A bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT (for himself and Mr. DAVIS of Kentucky):

H.R. 1194. A bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Ways and Means, 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 Mrs. MCMORRIS RODGERS (for herself, Mr. ROSS of Arkansas, and Mr. MCINTYRE):

H.R. 1195. A bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARY G. MILLER of California (for himself, Mr. CAMPBELL, Mr. MARCHANT, and Mrs. MYRICK):

H.R. 1196. A bill to remove the incentives and loopholes that encourage illegal aliens to come to the United States to live and work, provide additional resources to local law enforcement and Federal border and immigration officers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, Education and the Workforce, House Administration, Financial Services, Homeland Security, Ways and Means, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 1197. A bill to direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 1198. A bill to extend to the Mayor of the District of Columbia the same authority over the National Guard of the District of Columbia as the Governors of the several States exercise over the National Guard of those States with respect to administration of the National Guard and its use to respond to natural disasters and other civil disturbances, while ensuring that the President retains control of the National Guard of the District of Columbia to respond to homeland defense emergencies; to the Committee on Oversight and Government Reform, 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. PASCRELL (for himself, Mr. KING of New York, Mr. HOLT, Ms. BALDWIN, and Mr. PRICE of North Carolina):

H.R. 1199. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT:

H.R. 1200. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Armed Services, and Education and the Workforce, 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. PAUL:

H.R. 1201. A bill to amend title 5, United States Code, to provide for the establishment of a precious metals investment option in the Thrift Savings Fund; to the Committee on Oversight and Government Reform.

By Mr. PEARCE (for himself, Mr. MILLER of Florida, Mr. KINGSTON, Mr. BISHOP of Utah, Mr. GINGREY of Georgia, Mr. LAMBORN, Mr. BURTON of Indiana, Mr. GOHMERT, and Mr. FRANKS of Arizona):

H.R. 1202. A bill to restart jobs in the timber industry by providing for the protection of the Mexican Spotted Owl in sanctuaries; 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 Mr. PIERLUISI (for himself, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. SABLAN):

H.R. 1203. A bill to amend title 17, United States Code, to include the United States territories in the application of certain statutory copyright licenses related to low power television stations; to the Committee on the Judiciary.

By Mr. POLIS (for himself, Mr. HINCHEY, Mr. HOLT, Mr. CONNOLLY of Virginia, Mr. GRIJALVA, Mr. QUIGLEY, Mr. MCDERMOTT, Mr. STARK, and Mr. HONDA):

H.R. 1204. A bill to amend the Clean Air Act to eliminate the exemption for aggregation of emissions from oil and gas development sources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. QUIGLEY (for himself and Mr. CUMMINGS):

H.R. 1205. A bill to amend title 40, United States Code, to enhance authorities with regard to the disposal of real property, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROGERS of Michigan (for himself, Mr. BARROW, Mr. WALSH of Illinois, Mr. BURGESS, Mr. AUSTRIA, Mr. ROKITA, Mr. BOREN, Mr. CARTER, Mr. HECK, Mr. ROSS of Arkansas, Mr. STIVERS, Mrs. MCMORRIS RODGERS, Mr. HOLDEN, Mr. ROSKAM, and Mr. MCCLINTOCK):

H.R. 1206. A bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers; to the Committee on Energy and Commerce.

By Mr. SABLAN (for himself, Mr. CARSON of Indiana, Mr. HONDA, Mr. YOUNG of Alaska, Mr. DAVID SCOTT of

Georgia, Ms. HIRONO, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. KILDEE, Ms. LEE of California, Mr. GEORGE MILLER of California, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Mr. BOREN, Mr. AL GREEN of Texas, and Mr. PIERLUISI):

H.R. 1207. A bill to authorize the Secretary of the Interior to establish and operate a visitor facility to fulfill the purposes of the Marianas Trench Marine National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN HOLLEN (for himself and Mr. SESSIONS):

H.R. 1208. A bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses; to the Committee on Education and the Workforce.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. COHEN, and Mr. PIERLUISI):

H.R. 1209. A bill to reform the housing choice voucher program under section 8 of the United States Housing Act of 1937; to the Committee on Financial Services.

By Mr. YOUNG of Alaska:

H.R. 1210. A bill to provide limitations on maritime liens on fishing permits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ENGEL (for himself, Mr. GENE GREEN of Texas, Ms. BALDWIN, Mr. HINCHEY, Ms. LEE of California, Ms. JACKSON LEE of Texas, Mrs. MALONEY, Mr. MEEKS, Mr. RANGEL, Ms. SCHAKOWSKY, and Mr. TOWNS):

H. Res. 176. A resolution commending the progress made by anti-tuberculosis programs; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM:

H. Res. 177. A resolution expressing support for internal rebuilding, resettlement, and reconciliation within Sri Lanka that are necessary to ensure a lasting peace; to the Committee on Foreign Affairs.

By Mr. HECK:

H. Res. 178. A resolution amending the Rules of the House of Representatives to require a committee report on a bill or joint resolution to include a statement of whether the legislation creates any duplicative programs; to the Committee on Rules.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. GRIMM, Ms. TSONGAS, and Mr. SARBANES):

H. Res. 179. A resolution recognizing and appreciating the historical significance and the heroic human endeavor and sacrifice of the people of Crete during World War II and commending the PanCretan Association of America; to the Committee on Foreign Affairs.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, Mr. PALLONE, Mr. GRIMM, Ms. TSONGAS, and Ms. BERKLEY):

H. Res. 180. A resolution urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate; to the Committee on Foreign Affairs.

By Ms. MOORE (for herself, Mrs. MYRICK, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. KUCINICH, Mr. RUSH, Mr. MCGOVERN, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE of Texas, Ms. HIRONO, Ms. NORTON, Mr. CLEAVER, Ms. BASS of California, and Mr. BACA):

H. Res. 181. A resolution honoring the memory of Christina-Taylor Green by encouraging schools to teach civic education and civil discourse in public schools; to the Committee on Education and the Workforce.

By Mr. NADLER (for himself, Mr. PASCRELL, Mr. KING of New York, Mr. RANGEL, Mrs. MALONEY, Mr. ACKERMAN, Mr. ENGEL, Mr. ISRAEL, Mr. MEEKS, Mr. SERRANO, Mr. TONKO, Mr. OWENS, Ms. RICHARDSON, Mr. BERMAN, Mr. PAYNE, Mr. SIRES, Ms. WOOLSEY, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Mr. OLVER, Ms. WILSON of Florida, and Mr. LEWIS of Georgia):

H. Res. 182. A resolution recognizing the historical significance of the Triangle Fire in the struggle to improve worker safety standards and protections on the 100th anniversary of the fire; to the Committee on Education and the Workforce.

By Mr. SABLAN (for himself, Mr. PIERLUISI, Mr. WU, Mr. CONAWAY, Mr. GUTIERREZ, Ms. HIRONO, Ms. MOORE, Mr. MILLER of Florida, Mr. FALEOMAVAEGA, Mr. GEORGE MILLER of California, Mr. FILNER, and Mr. BOREN):

H. Res. 183. A resolution recognizing Company E, 100th Battalion, 442d Infantry Regiment of the United States Army and the sacrifice of the soldiers of Company E and their families in support of the United States; to the Committee on Armed Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. BILIRAKIS, Ms. BORDALLO, Ms. CLARKE of New York, Mr. FALEOMAVAEGA, Mr. LOEBSACK, Ms. MOORE, Mr. PIERLUISI, Ms. SUTTON, Mr. COURTNEY, and Ms. BALDWIN):

H. Res. 184. A resolution expressing support for designation of a ''Welcome Home Vietnam Veterans Day''; to the Committee on Veterans' Affairs.

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. CUMMINGS:

H.R. 1144.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States grants the Congress the power to enact this law.

By Mr. REICHERT:

H.R. 1145.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, of section 8, of article I of the Constitution, which states that the United States Congress shall have power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. PAUL:

H.R. 1146.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. NUNES:

H.R. 1147.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. WALZ of Minnesota:

H.R. 1148.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Sections 5 and 8 of Article I of the United States Constitution.

By Mr. BILBRAY:

H.R. 1149.

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 Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GOSAR:

H.R. 1150.

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.'' Further, pursuant to the Supreme Court ruling in United States v. South-Eastern Underwriters Association, 322 U.S. 533, 552–53 (U.S. 1944), insurance is constitutionally subject to Congressional regulation. As set forth by the Court:

Our basic responsibility in interpreting the Commerce Clause is to make certain that the power to govern intercourse among the states remains where the Constitution placed it. That power, as held by this Court from the beginning, is vested in the Congress, available to be exercised for the national welfare as Congress shall deem necessary. No commercial enterprise of any kind which conducts its activities across state lines has been held to be wholly beyond the regulatory power of Congress under the Commerce Clause. We cannot make an exception of the business of insurance.

Speaking directly on the power of Congress to regulate insurance, or to exempt the insurance industry from monopolistic practices under the Sherman Act, the Court explained:

Whether competition is a good thing for the insurance business is not for us to consider. Having power to enact the Sherman Act, Congress did so; if exceptions are to be written into the Act, they must come from the Congress, not this Court.

United States v. South-Eastern Underwriters Association, 322 U.S. 533, 561 (U.S. 1944). This bill eliminates the exemption created by Congress, under powers expressly enumerated in the Constitution. As for the proscription on class action suits based on antitrust legal theories against insurers, the Constitution does not guarantee the right to a class action lawsuit. Rather, individuals are simply guaranteed an individual jury trial under the Seventh Amendment. There is no collective right to a civil legal remedy. This act preserves private rights of action brought by aggrieved individuals and therefore comports with the Seventh Amendment and maintains enforcement of the public goals by the appropriate public entities, the states or the federal government.

That the Interstate Commerce Clause has been construed to grant Congress the power to regulate unfair or anticompetitive business practices that harm interstate commerce, was recently commented upon by the U.S. Supreme Court in Gonzales v. Raich, 545 U.S. 1 (2005):

The Commerce Clause emerged as the Framers' response to the central problem giving rise to the Constitution itself: the absence of any federal commerce power under the Articles of Confederation. For the first century of our history, the primary use of the Clause was to preclude the kind of discriminatory state legislation that had once been permissible. Then, in response to rapid industrial

development and an increasingly interdependent national economy, Congress ''ushered in a new era of federal regulation under the commerce power,'' beginning with the enactment of the Interstate Commerce Act in 1887 and the Sherman Antitrust Act in 1890.

Gonzales v. Raich, 545 U.S. 1 (2005). Finally, this Bill respects the Tenth Amendment and preserves the rights of each state to establish and enforce their own anti-trust or unfair competition statutes, and it narrowly construes the Interstate Commerce Clause to actions that involve actual commerce, a product that is purchased and sold, administered and utilized across state lines, and has a clear effect on national commerce. In this manner, this Act would satisfy even Justice Thomas' concurring view of the Interstate Commerce Clause, set forth in United States v. Lopez, 514 U.S. 549, 586–87 (1995), that the Commerce Clause empowers Congress only to regulate the buying and selling of goods and services trafficked across state lines. Modern class action lawsuits typically seek out class members from multiple jurisdictions, advertise nationwide, and predominate interstate issues to such a degree courts of multi-district jurisdiction are sometimes appointed. In this regard, class action lawsuits also engage in commerce across state lines and have been subjected to Congressional regulation, including the Class Action Fairness Act of 2005.

The Interstate Commerce Clause does not, as some have suggested, contain federal powers that are ''unlimited'' and indeed, the original application of this clause was quite narrow, as most aptly described in Federalist No. 42. In that tract, James Madison explains that the purpose undergirding the regulation of commerce among the States was to prevent each state from imposing taxes, duties or tariffs on goods from another state that would in effect limit trade among the states and create animus that ''would nourish unceasing animosities, and not improbably terminate in serious interruptions of the public tranquility.'' We follow here today, however, an accepted and long standing interpretation of the Commerce Clause that is not broad in that it regulates actual commerce involved between or transacted across state lines.

By Mr. FRANK of Massachusetts:

H.R. 1151.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause).

By Mr. RANGEL:

H.R. 1152.

Congress has the power to enact this legislation pursuant to the following:

Congress is given the power under the Constitution ''To raise and support Armies,'' ''To provide and maintain a Navy,'' and ''To make Rules for the Government and Regulation of the land and naval Forces.''Art. I, §8, cls. 12–14. See also: Rostker v. Goldberg, 453 U.S. 57 (1981).

By Mr. SMITH of Texas:

H.R. 1153.

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, Clauses 1 and 3 and the Fifth Amendment of the United States Constitution.

By Mr. CARTER:

H.R. 1154.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under the Fourteenth Amendment, Section 1 of the United States Constitution.

By Mr. PETERS:

H.R. 1155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2.

Article I, Section 9, Clause 7.

Article I, Section 8, Clause 1.

By Mr. DENT:

H.R. 1156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. REHBERG:

H.R. 1157.

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. REHBERG:

H.R. 1158.

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. HASTINGS of Washington:

H.R. 1159.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KISSELL:

H.R. 1160.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. 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 Mr. CHAFFETZ:

H.R. 1161.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to Article I, Section 8, Clauses 1 and 3, and the 10th and 21st Amendments to the U.S. Constitution.

By Mr. DICKS:

H.R. 1162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. SCHAKOWSKY:

H.R. 1163.

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.

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.

By Mr. KING of New York:

H.R. 1164.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4. The Congress shall have Power to establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Ms. JACKSON LEE of Texas:

H.R. 1165.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the Constitution.

By Mr. ISSA:

H.R. 1166.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. JORDAN:

H.R. 1167.

Congress has the power to enact this legislation pursuant to the following:

The 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 Mr. RIGELL:

H.R. 1168.

Congress has the power to enact this legislation pursuant to the following:

Amendment I, Section 6, Clause 1 of the United States Constitution. ''All Senators and Representatives shall receive a Compensation for their Services to be ascertained by Law, and paid out of the Treasury of the United States.''

By Mr. ANDREWS:

H.R. 1169.

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 (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers, and any other constitutional authority appropriate and relevant to the provisions of this bill.

By Mr. BACA:

H.R. 1170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, Clauses 12, 13, 14, 16, and 18.

By Mr. FARR:

H.R. 1171.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Ms. BERKLEY:

H.R. 1172.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. BOUSTANY:

H.R. 1173.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7.

By Mr. CAMPBELL:

H.R. 1174.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution of the United States.

By Mr. CARDOZA:

H.R. 1175.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to its authority under Clause 9 of Section 8 of Article I and Section 1 of Article III of the Constitution to create and regulate Federal Courts.

By Mr. COURTNEY:

H.R. 1176.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this legislation can be found in Article I, Clause 8, Section 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.

By Mr. CRITZ:

H.R. 1177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FORTENBERRY:

H.R. 1178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FORTENBERRY:

H.R. 1179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GARDNER:

H.R. 1180.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution which reads:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''

By Mr. GRIFFIN of Arkansas:

H.R. 1181.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 4 (Bankruptcy Clause).

Article I Section 8 Clause 18 (Necessary and Proper Clause).

By Mr. HENSARLING:

H.R. 1182.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 9, Clause 7 of the United States Constitution, which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .''

By Mr. HERGER:

H.R. 1183.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. ISSA:

H.R. 1184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 the Commerce Clause.

By Mr. ISSA:

H.R. 1185.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 the Commerce Clause.

By Mr. SAM JOHNSON of Texas:

H.R. 1186.

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 providing 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 Mr. KINZINGER of Illinois:

H.R. 1187.

Congress has the power to enact this legislation pursuant to the following:

According to clause 7 of Section 9 of Article I of the Constitution, Congress has the authority to control the expenditures of the federal government.

By Mr. LANCE:

H.R. 1188.

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 Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LATTA:

H.R. 1189.

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. LEWIS of Georgia:

H.R. 1190.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I of the United States Constitution and its subsequent amendments, and as further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 1191.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I of the United States Constitution and its subsequent amendments, and as further clarified and interpreted by the Supreme Court of the United States.

By Mrs. LUMMIS:

H.R. 1192.

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 Mrs. MALONEY:

H.R. 1193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which reads: ''To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.''

By Mr. McDERMOTT:

H.R. 1194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution that grants Congress the authority, ''To make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mrs. McMORRIS RODGERS:

H.R. 1195.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 to regulate Commerce among the several States.

By Mr. GARY G. MILLER of California:

H.R. 1196.

Congress has the power to enact this legislation pursuant to the following:

Section 5 of Amendment XIV to the Constitution.

Clause 1 of Section 8 of Article I of the Constitution.

By Ms. NORTON:

H.R. 1197.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, 16, 17, and 18 of Section 8 of Article I of the Constitution.

By Ms. NORTON:

H.R. 1198.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of Section 8 of Article I of the Constitution.

By Mr. PASCRELL:

H.R. 1199.

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. McDERMOTT:

H.R. 1200.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution, and Clause 3, Section 8 of Article I of the United States Constitution.

By Mr. PAUL:

H.R. 1201.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

This includes the ability to hire staff to assist in the execution of the foregoing powers and to define the salaries and benefits of those staff.

By Mr. PEARCE:

H.R. 1202.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. PIERLUISI:

H.R. 1203.

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 enact copyright law, as enumerated in Article I, Section 8, Clause 8 of the United States Constitution, and to regulate commerce among the several states, as enumerated in Article I, Section 8, Clause 3 of the Constitution.

By Mr. POLIS:

H.R. 1204.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. QUIGLEY:

H.R. 1205.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2. 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 Mr. ROGERS of Michigan:

H.R. 1206.

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 of the Constitution, which states ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. SABLAN:

H.R. 1207.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 and Article IV, Section 3, Clause 2 of the Constitution.

By Mr. VAN HOLLEN:

H.R. 1208.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Clause 1 and Clause 18 of Section 8 of Article I of the United States Constitution.

By Ms. WATERS:

H.R. 1209.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution of the United States.

By Mr. YOUNG of Alaska:

H.R. 1210.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. MANZULLO.

H.R. 91: Mrs. ELLMERS, Mr. GIBBS, Mrs. ADAMS, and Mrs. CAPITO.

H.R. 110: Mr. LOEBSACK and Mr. DOYLE.

H.R. 121: Mr. MCCOTTER.

H.R. 140: Mr. SCHWEIKERT and Mr. FORTENBERRY.

H.R. 156: Mr. CONNOLLY of Virginia.

H.R. 178: Mr. BRALEY of Iowa, Mr. MANZULLO, and Mr. RAHALL.

H.R. 191: Ms. DEGETTE.

H.R. 192: Mr. OLVER.

H.R. 198: Mr. KILDEE, Mr. GRIJALVA, and Mr. COBLE.

H.R. 210: Mr. FILNER, Mr. STARK, Mr. HINCHEY, Mr. GRIJALVA, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, and Ms. ZOE LOFGREN of California.

H.R. 219: Mr. CHABOT.

H.R. 258: Mr. SARBANES.

H.R. 276: Mr. MORAN.

H.R. 308: Ms. BASS of California.

H.R. 321: Mr. FARR.

H.R. 333: Mr. FITZPATRICK, Mr. CHANDLER, Mr. MCKINLEY, and Mr. CARDOZA.

H.R. 374: Mr. BACHUS, Mr. GUTHRIE, and Mr. SAM JOHNSON of Texas.

H.R. 396: Mr. WEST.

H.R. 401: Mr. COHEN.

H.R. 402: Ms. LINDA T. SÁNCHEZ of California and Mr. GRIJALVA.

H.R. 412: Mr. CARTER.

H.R. 431: Mr. RIGELL.

H.R. 436: Mr. GRIFFIN of Arkansas and Mrs. DAVIS of California.

H.R. 450: Mr. JOHNSON of Illinois.

H.R. 452: Mr. FITZPATRICK.

H.R. 455: Mr. BACHUS.

H.R. 456: Mr. KISSELL.

H.R. 457: Mr. POMPEO.

H.R. 459: Mr. KINGSTON, Mr. MANZULLO, Mr. MICHAUD, and Mr. ROGERS of Michigan.

H.R. 462: Mr. HURT and Mr. WOODALL.

H.R. 470: Mr. GOSAR and Mrs. BONO MACK.

H.R. 471: Mr. LATTA.

H.R. 515: Mr. MARINO.

H.R. 529: Ms. TSONGAS.

H.R. 539: Mr. GENE GREEN of Texas.

H.R. 546: Mr. HANNA, Mr. BASS of New Hampshire, Mrs. CAPPS, and Mr. HALL.

H.R. 591: Mr. BRADY of Pennsylvania.

H.R. 601: Mr. CICILLINE and Mr. VAN HOLLEN.

H.R. 602: Mr. CONNOLLY of Virginia and Mr. ENGEL.

H.R. 603: Mr. CONNOLLY of Virginia and Mr. ENGEL.

H.R. 604: Mr. CONNOLLY of Virginia and Mr. ENGEL.

H.R. 605: Mrs. EMERSON.

H.R. 616: Ms. ZOE LOFGREN of California.

H.R. 620: Mr. CANSECO, Mr. GARY G. MILLER of California, and Mr. DUNCAN of Tennessee.

H.R. 639: Mr. CARNAHAN, Mr. MILLER of North Carolina, Ms. TSONGAS, and Mr. YARMUTH.

H.R. 640: Mr. DONNELLY of Indiana.

H.R. 642: Mr. GOODLATTE and Mr. FITZPATRICK.

H.R. 653: Ms. SCHAKOWSKY and Mr. GARAMENDI.

H.R. 661: Mr. RAHALL.

H.R. 667: Mr. POLIS.

H.R. 673: Mr. BOREN.

H.R. 674: Mr. BUCSHON, Mrs. MCMORRIS RODGERS, Mr. CALVERT, and Mr. BOSWELL.

H.R. 712: Mr. CONNOLLY of Virginia, Mr. PETERS, and Ms. PINGREE of Maine.

H.R. 721: Mr. KLINE.

H.R. 729: Mrs. MALONEY and Mr. WELCH.

H.R. 733: Mr. MCKINLEY, Mrs. DAVIS of California, Mr. LYNCH, and Mr. MCGOVERN.

H.R. 735: Mr. LANDRY and Mr. PLATTS.

H.R. 748: Mr. GOODLATTE.

H.R. 756: Mr. LATOURETTE.

H.R. 763: Mr. DUFFY and Mr. BONNER.

H.R. 765: Mr. TIPTON.

H.R. 773: Ms. HIRONO.

H.R. 787: Mr. BACHUS, Mr. LANDRY, and Mr. POSEY.

H.R. 822: Mr. CRITZ, Mr. NUGENT, and Mr. POMPEO.

H.R. 826: Mrs. MYRICK.

H.R. 835: Mr. BLUMENAUER, Mr. COHEN, Mr. HASTINGS of Florida, Mr. JONES, Mrs. MALONEY, Mr. MCNERNEY, Mr. PETRI, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SMITH of New Jersey, Ms. SUTTON, Mr. KING of New York, and Mr. CRITZ.

H.R. 853: Mr. STARK.

H.R. 854: Mr. POLIS, Mrs. EMERSON, Mr. CALVERT, Mr. BONNER, Mr. HOLDEN, and Ms. TSONGAS.

H.R. 863: Mr. JOHNSON of Georgia.

H.R. 871: Mr. CICILLINE.

H.R. 872: Mr. MICHAUD, Mr. BARTLETT, Mr. BOREN, Mr. SHULER, Mr. SIRES, Mr. TIBERI, Mr. LATOURETTE and Mr. AUSTRIA.

H.R. 881: Mr. BILBRAY and Mr. WESTMORELAND.

H.R. 892: Mr. WALZ of Minnesota.

H.R. 893: Mr. RUNYAN and Mr. CRENSHAW.

H.R. 894: Ms. MOORE, Ms. EDWARDS, Mr. COHEN, Mr. FARR, and Ms. PINGREE of Maine.

H.R. 895: Mr. OLVER.

H.R. 900: Mr. JACKSON of Illinois.

H.R. 903: Mr. SIMPSON and Mr. HUNTER.

H.R. 906: Ms. BASS of California, Mr. GRIJALVA, Mr. YARMUTH, and Mr. JACKSON of Illinois.

H.R. 910: Mr. POSEY and Mr. FLAKE.

H.R. 920: Mr. GIBBS, Mr. BURTON of Indiana, Mr. MULVANEY, Mr. RIBBLE, Mr. MILLER of Florida, Mr. FRANKS of Arizona, and Mr. GINGREY of Georgia.

H.R. 925: Ms. HIRONO.

H.R. 929: Ms. HIRONO.

H.R. 937: Mr. ROKITA, Mr. LAMBORN, Ms. FOXX, and Mr. WILSON of South Carolina.

H.R. 938: Ms. MOORE, Ms. JACKSON LEE of Texas, Mr. BARTLETT, Mr. CLAY, and Mr. FILNER.

H.R. 942: Mr. RAHALL.

H.R. 960: Mr. WHITFIELD, Mr. GRIFFITH of Virginia, and Mr. MCKINLEY.

H.R. 968: Mr. SCHOCK, Mr. HUNTER, Mrs. ROBY, and Mr. PLATTS.

H.R. 984: Mr. STIVERS and Mr. BASS of New Hampshire.

H.R. 993: Mr. DUNCAN of Tennessee, Mr. BROUN of Georgia, and Mr. BURTON of Indiana.

H.R. 998: Mr. PASTOR of Arizona.

H.R. 1000: Mr. JOHNSON of Georgia.

H.R. 1006: Mr. CHAFFETZ.

H.R. 1022: Ms. WILSON of Florida, Ms. NORTON, and Mr. ELLISON.

H.R. 1032: Mr. KINGSTON, Mr. AKIN, and Mr. BISHOP of Utah.

H.R. 1041: Mr. TIBERI, Mr. WILSON of South Carolina, Mr. HARPER, Mr. WITTMAN, Mr. GRIJALVA, Mr. LANGEVIN, Ms. BERKLEY, Mr. RUSH, Mr. LATHAM, Mr. ACKERMAN, Mr. SHULER, Mr. BARROW, Mr. PRICE of Georgia, Mr. DEUTCH, Mr. GRAVES of Missouri, Mr. CRITZ, Mr. AUSTRIA, Mr. KISSELL, and Mr. BARTLETT.

H.R. 1051: Mr. REICHERT.

H.R. 1055: Mr. BUCSHON.

H.R. 1057: Mr. JACKSON of Illinois, Ms. HIRONO, and Mr. FILNER.

H.R. 1058: Mr. POSEY, Mr. DUNCAN of Tennessee, Mr. ROYCE, and Mr. THOMPSON of Mississippi.

H.R. 1065: Mr. TERRY, Mr. MCCOTTER, Mr. KELLY, Mr. SMITH of New Jersey, Mr. WESTMORELAND, Mr. DUNCAN of Tennessee, Mr. BURTON of Indiana, Mr. RIGELL, Mr. ISSA, Mrs. MCMORRIS RODGERS, Mr. CAMP, Mr. ROE of Tennessee, Mr. SHUSTER, Mr. TIBERI, Mr. POSEY, Mr. FORBES, Mr. LATTA, and Mr. LATOURETTE.

H.R. 1070: Mr. DUNCAN of Tennessee.

H.R. 1075: Mr. FRANKS of Arizona and Mr. COLE.

H.R. 1077: Mr. DAVIS of Illinois.

H.R. 1080: Mr. COHEN.

H.R. 1081: Mr. JOHNSON of Georgia, Mr. BONNER, Mr. LANDRY, Mrs. NAPOLITANO, Mr. RAHALL, Mr. LAMBORN, Mr. HEINRICH, Mr. CUELLAR, Mr. CROWLEY, Ms. FOXX, and Mr. LUJÁN.

H.R. 1082: Mrs. BIGGERT, Mr. STIVERS, and Mr. BACHUS.

H.R. 1084: Mr. SMITH of Washington and Mr. CLEAVER.

H.R. 1086: Mr. KISSELL.

H.R. 1089: Mr. GRIJALVA.

H.R. 1090: Mr. DEUTCH and Ms. WOOLSEY.

H.R. 1093: Mr. POSEY, Mr. BISHOP of Utah, Mrs. LUMMIS, and Mr. BUCHANAN.

H.R. 1106: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARNAHAN, and Ms. HIRONO.

H.R. 1111: Mr. STEARNS, Mr. ROSS of Florida, and Mr. MCCLINTOCK.

H.R. 1113: Mr. CARSON of Indiana, Ms. SCHAKOWSKY, Mr. RUSH, Mr. FILNER, Ms. WILSON of Florida, and Mr. GUTIERREZ.

H.R. 1118: Mr. HASTINGS of Florida.

H.R. 1119: Ms. JACKSON LEE of Texas.

H.R. 1121: Mr. HURT and Mr. MCCOTTER.

H.R. 1122: Mrs. NAPOLITANO, Ms. BROWN of Florida, and Ms. WILSON of Florida.

H.R. 1128: Mr. AL GREEN of Texas.

H.R. 1142: Ms. JACKSON LEE of Texas.

H.J. Res. 1: Mr. HELLER.

H. Con. Res. 21: Mrs. MCCARTHY of New York, Mr. CARSON of Indiana, Mr. WALBERG, Mrs. ELLMERS, Mrs. ADAMS, Mr. CRAWFORD, Mr. SMITH of New Jersey, Mr. BENISHEK, Mr. FITZPATRICK, Mr. SULLIVAN, and Mr. RAHALL.

H. Con. Res. 25: Mr. LUCAS, and Mr. CASSIDY.

H. Res. 44: Mr. LATTA, and Mrs. ADAMS.

H. Res. 77: Mr. ENGEL, Mr. MCCAUL, Mr. RIVERA, Mr. BURTON of Indiana, Mr. CICILLINE, Mrs. BLACKBURN, Mr. SCHOCK, Mr. PIERLUISI, Mr. GALLEGLY, Mr. BRADY of Texas, Mr. MANZULLO, Mrs. SCHMIDT, Mr. SIRES, Mr. MORAN, Mr. DIAZ-BALART, Mr. BUCHANAN, Ms. JENKINS, Mr. NUNES, Mr. BILBRAY, and Ms. BERKLEY.

H. Res. 86: Mr. GOODLATTE.

H. Res. 98: Mr. MCKINLEY, Mr. BUCSHON, Mr. ROSS of Florida, and Mr. ROGERS of Michigan.

H. Res. 106: Mr. FORBES.

H. Res. 111: Mr. PETERSON, Mr. PAULSEN, Ms. FOXX, Mr. MANZULLO, and Mr. TOWNS.

H. Res. 130: Mr. SIRES.

H. Res. 137: Mr. FARR, Mr. DOGGETT, Mr. MCNERNEY, Mr. SHERMAN, Mr. HIGGINS, Mr. CALVERT, Ms. SEWELL, and Mr. BOREN.

H. Res. 142: Mr. POLIS.

H. Res. 163: Mr. GRIJALVA, and Ms. HIRONO.

H. Res. 165: Mr. LANGEVIN, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mrs. MCCARTHY of New York, Mrs. DAVIS of California, Mr. BERMAN, and Ms. SCHAKOWSKY.

H. Res. 172: Ms. WASSERMAN SCHULTZ, Mr. COSTA, Ms. SCHAKOWSKY, Mr. TIPTON, Ms. BERKLEY, Mr. SIRES, Mr. KEATING, Ms. WILSON of Florida, Mr. MEEKS, Mr. GUTIERREZ, and Mr. PAYNE.

H. Res. 173: Mr. JONES.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, THURSDAY, MARCH 17, 2011 No. 41

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Thad Austin, Associate Pastor of the First Methodist Church in Murfreesboro, TN.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord, in whom we find life, bind our Nation to You. Make us a people devoted to prayer. Tame our wandering hearts and help us discover the meaning of freedom, justice, and mercy. Help our people to have the faith to seek You and the grace to pray for our enemies.

Lord, this is a solemn and holy day. Today, we celebrate a saint of Your church. May the virtues that St. Patrick embodied be instructive to us. For despite adversity, Patrick helped others find good news, and his actions changed a society.

May our lawmakers, like Patrick, grow in their love for You and their service to others. Enable them to see beyond the positions that divide this body and help them to long after humility, piety, and shared purpose.

Increase our faith, O Lord, and help our unbelief. Rouse our spirits and make us one Nation under You.

Eternal Father, Spirit, Word, we praise You, the Lord and light of our salvation. Hear our prayer, O Lord.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 17, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GUEST CHAPLAIN REV. THAD AUSTIN

Mr. MCCONNELL. Mr. President, it was a great honor to have the Reverend Thad Austin, of the First United Methodist Church in Murfreesboro, TN, provide the opening prayer this morning. I thank him for his wise words. Remembering the St. Patrick in St. Patrick's Day was a wonderful way to begin the session.

I first met the Reverend Austin at his alma mater, Asbury University in Wilmore, KY, when I visited there in 2007. Asbury University's mission is to engage the world and serve the Word through public service. Our guest Chaplain today has pursued that mission with great success.

Maybe it is a family calling. The Reverend Austin's grandfather, Dr. Edward U. Austin, was an admiral in the U.S. Navy who volunteered overseas as a medical missionary. His father, Stephen B. Austin, is a doctor who cares for our Nation's veterans.

They taught Thad that it was important to serve others—that in a nation that so generously provides what many in other parts of the world do not enjoy, it is important to give back.

The Reverend Austin has taken that advice very much to heart. He is still a young man, but he has accomplished a great deal. And he is not one to look back with pride on where he has been, but rather, look forward to all that he has left to do.

The Reverend Austin earned his degrees from Asbury University and the Asbury Theological Seminary, and he has also studied at Oxford University and the Wesley Theological Seminary here in the Nation's Capital. He is the pastor of congregational care at the First United Methodist Church, as well as a commissioned Elder there.

The Reverend Austin has preached in England, South Korea, and Mexico as well as in Kentucky, Tennessee, and several other States, and provided spiritual guidance and volunteer work in Mexico, Guatemala, Kentucky, and Tennessee. And while he has clearly gone on to do bigger and bolder things, let me also note that in 2009 he served as an intern in my office.

ADM Edward Austin, whose grandson has just addressed the Senate Chamber, is buried at Arlington. Our own Senate Chaplain Barry Black, also a Navy admiral, delivered his interment service. And I know Chaplain Black is just as pleased to have the Reverend Austin here with us today as I am.

Once again let me say it was a true honor to listen to the Reverend Austin's words this morning. I want to thank him for taking time from his important work to be here. And I thank him for his lifetime of service to his community and our Nation.

Mr. President, I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I join Senator MCCONNELL in welcoming Reverend Austin from Murfreesboro, TN, just down the road from Nashville. He formerly worked here, as Senator MCCONNELL said. We are delighted he has this privilege today to pray at the beginning of the Senate, which is something that has happened since the beginning of the Senate, since the very first days of the Senate. I thank him for taking his time to be here. Welcome.

Mr. President, will the Chair let me know when I have consumed 8 minutes?

The ACTING PRESIDENT pro tempore. Yes.

HEALTH CARE

Mr. ALEXANDER. Mr. President, this is St. Patrick's Day, as Reverend Austin mentioned, and we celebrate that. We are coming up on another important anniversary, and that is the anniversary of the enactment of the health care law, which the majority regards as a historic achievement and most Republicans regard as a historic mistake.

I want to talk a little bit about that law, but there is another anniversary I remember very well that came a few days before enactment of the health care law—the so-called health care summit that was held at the Blair House. It was a remarkable event.

The President of the United States, who is highly intelligent and well-versed on health care, invited a bunch of us down to discuss health care. He stayed and we stayed for 6 or 7 hours. During that discussion, it was a pretty free exchange. I especially remember one of them. I had been asked by Senator MCCONNELL and Representative BOEHNER to represent Republicans in presenting our side, and the President's invitation gave us a platform we usually don't have. He has a better platform than we do most of the time.

We made our argument that we would prefer an approach on health care that instead of expanding the health care delivery system, which we all know costs too much, we should go step by step to reduce the cost of health care so more people can afford to buy insurance. That was the basic discussion we had. We got down to some facts. I had said that, according to the CBO, the President's plan would raise individual premiums and make insurance cost more for individuals who buy insurance by 10 to 13 percent. The President said, after I finished:

So, Lamar, when you mentioned earlier that you said premiums go up—that's just not the case, according to the Congressional Budget Office.

I said:

Mr. President, if you're going to contradict me, I ought to have a chance to respond. The Congressional Budget Office report says that premiums will rise in the individual market as a result of the Senate bill.

The President said:

No, no, no, no—let me—and this is an example of where we've got to get our facts straight.

I said:

That's my point.

And it went on from there. I had to make a decision at that moment whether I should continue to have a public disagreement with the President. I thought I was right, and he thought he was right, so I decided it would be more appropriate for me not to do that in public, to let other Senators and Congressmen have their say. I exchanged a letter with the President that day, and I came to the floor of the Senate later that week to make my argument on why I believed premiums would go up.

Mr. President, I ask unanimous consent to have printed in the RECORD the transcript of my exchange with the President and that of Senator KYL and a couple of Members of Congress and the letter I sent to the President that day which made my point rather than publicly argue with him. My remarks I made on the floor of the Senate later that day are in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE

DISCUSSION ON COST CONTAINMENT AT BIPARTISAN MEETING ON HEALTH CARE REFORM

(Blair House, Feb. 25, 2010)

(ROUGHLY 11 A.M.)

THE PRESIDENT: For folks who even with those lower costs still can't afford coverage, we'd provide some subsidies. But here's what I want to emphasize is that even without the subsidies it's estimated by the Congressional Budget Office that the plan we put forward would lower the costs in the individual market for the average person who's just trying to buy health insurance and they don't—they're not lucky enough to work for a big company, would lower their costs by between 14 and 20 percent.

So, Lamar, when you mentioned earlier that you said premiums go up—that's just not the case, according to the Congressional Budget Office.

SENATOR ALEXANDER: Mr. President, if you're going to contradict me, I ought to have a chance to—the Congressional Budget Office report says that premiums will rise in the individual market as a result of the Senate bill.

THE PRESIDENT: No, no, no, no—let me—and this is an example of where we've got to get our facts straight.

SENATOR ALEXANDER: That's my point.

THE PRESIDENT: Well, exactly. So let me respond to what you just said, Lamar, because it's not factually accurate. Here's what the Congressional Budget Office says. The costs for families for the same type of coverage as they're currently receiving would go down 14 to 20 percent. What the Congressional Budget Office says is, is that because now they've got a better deal because policies are cheaper, they may choose to buy better coverage than they have right now and that might be 10 to 13 percent more expensive than the bad insurance that they had previously. But they didn't say that the actual premiums would be going up. What they said was they'd be going down by 14 to 20 percent. And I promise you, I've gone through this carefully with the Congressional Budget Office. And I'll be happy to present this to the press and whoever is listening, because this is an important issue.

SENATOR ALEXANDER: Well, may I—may I—

THE PRESIDENT: Let me just finish, Lamar. Now, the—what we've done is we've tried to take every single cost containment idea that's out there. Every proposal that health care economists say will reduce health care costs, we've tried to adopt in the various proposals. There are some additional ideas that Republicans have presented that we think are interesting and we also tried to include. So, let me give you an example.

You mentioned the idea of buying across state lines, insurance. That's something that I've put in my proposal that's actually in the Senate proposal. I think that it shows some promise. You mentioned that as—that Mike Enzi has previously said, that he's interested in small businesses being able to pool in the equivalent of some sort of exchange. So that's where there's some overlap.

But I just think it's very important to understand that what we've done is to try to take every single cost containment idea that's out there and try to adopt it in this bill. What I'd like to do is to see if we can proceed and have a very concrete conversation about what are the ideas that you guys have that you don't think are in our bill to contain costs. And what I want to do is to see if maybe we can adopt some of those or refine what we've already done in order to further reduce costs.

SENATOR ALEXANDER: Mr. President, I've had my time—

THE PRESIDENT: And what I'd like to do also is to make sure that you maybe suggest some of the ideas that are currently in the bill that you think are good, because, Lamar, in your opening introduction, what I saw was sort of a—the usual critique of why you thought it was bad. But as I said, we've adopted a lot of the ideas that we've heard from your side of the aisle. So I hope maybe you could say, well, those are the ones that we think are good ideas; here are the things that we think are bad ideas, as opposed to just painting in broad brush. Go ahead.

SENATOR ALEXANDER: Mr. President, let me—let me show some respect for my colleagues here. They're all here eager to speak, all sure they could do a better job than I could on any of these points. And what I would like to do is get back directly to you with why I believe—with respect—you're wrong about the bill. Your bill would increase premiums, I believe; you say it wouldn't. So rather than argue with you in public about it, I'd like to put my facts down, give them to you. Maybe other colleagues will say that. As far as Mike Enzi's proposal, he is ready to talk about it; others are.

THE PRESIDENT: Good.

SENATOR ALEXANDER: So I appreciate the opportunity that Mitch and John gave me to talk. You've made some interesting points, and why not let other members of Congress have a chance to talk.

THE PRESIDENT: I think it's a great idea. I'd like to get this issue settled about whether premiums are reduced before we leave today, because I'm pretty certain I'm not wrong. And you give us the information—and we're going to be here all afternoon. I promise you we'll get this settled before the day is out. All right.

Mitch, who would you like to talk about cost?

(REMARKS FROM CONGRESSMAN CAMP—LATER IN THE MEETING)

CONGRESSMAN CAMP: I'm almost done. I do want to say on this issue on premiums, CBO, in their letter, on page four, does say that the estimated average premium per person for non-group policies would increase by 10 to 13 percent.

THE PRESIDENT: This is the discussion that I just had to—about Lamar. And—

CONGRESSMAN CAMP: Yes, they do say that. And they do say that the value of the benefit is higher, and that is why it goes up.

THE PRESIDENT: Right.

CONGRESSMAN CAMP: But the reason the value of the benefit is higher is because of the mandates contained in the legislation. And this is one of our big concerns with a lot of the issues that have been raised. Yes, we have similarities. But when all of this is structured around a government-centered exchange that sets the standard for these policies, states can't get out of these requirements unless they seek a waiver from the Secretary. That kind of approach raises costs. And so both of your comments were correct that costs do go up and it's because they have a richer benefit, but the reason it's richer is because of the mandates contained in these very large bills.

(REMARKS FROM SENATOR KYL LATER IN THE MEETING)

SENATOR KYL: Now, let me give you a couple of examples. Dave Camp, I think, pointed out the answer to the dispute that you and Lamar Alexander had a moment ago, and he was exactly right. Let me quote from the Congressional Budget Office letter—this is from Doug Elmendorf to Evan Bayh, November 30th, 2009: ''CBO and Joint Tax Committee estimate that the average premium per person covered, including dependents for new non-group policies, would be about 10 percent to 13 percent higher in 2016 than the average premium for non-group coverage in the same year under current law.'' Oliver Wyman, a very respected third-party group says it's even more—about 54 percent; in my state of Arizona, 72 percent increase. Why is it so? For a variety of reasons, but one of which both you and Dave Camp agreed on. It is a richer benefit. How did it get that way? Because the federal government would mandate it under your legislation in the insurance exchanges. And as a result, there would be a higher cost. How does this happen?

THE PRESIDENT: Okay, Jon. I'm going to go to you, Jim, but I—since as has tended to happen here, we end up talking about criticisms of the existing bill as opposed to where we might find agreement, I feel obliged just to go through a couple of the points that you raised.

Just to go back to the original argument that Lamar and I had and we've now chased around for quite some time. Look, if I'm a self-employed person who right now can't get coverage or can only buy the equivalent of Acme insurance that I had for my car—so I have some sort of high-deductible plan. It's basically not health insurance; it's house insurance. I'm going to—I'm buying that to protect me from some catastrophic situation; otherwise, I'm just paying out of pocket. I don't go to the doctor. I don't get preventive care. There are a whole bunch of things I just do without. But if I get hit by a truck, maybe I don't go bankrupt. All right, so that's what I'm purchasing right now.

What the Congressional Budget Office is saying is, is that if I now have the opportunity to actually buy a decent package inside the exchange that costs me about 10 to 13 percent more but is actually real insurance, then there are going to be a bunch of people who take advantage of that. So, yes, I'm paying 10 to 13 percent more, because instead of buying an apple, I'm getting an orange. They're two different things.

Now, you can still—you still have an option of—no, no, let me finish. The way that this bill is structured uses a high-cost pool, a catastrophic pool, for people who can't afford to buy that better insurance, but overall for a basic package—which, by the way, is a lot less generous than we give ourselves in Congress. So I'm amused when people say, let people have this not-so-good plan, let them have a high-deductible. But there would be a riot in Congress if we suddenly said, let's have Congress have a high-deductible plan, because we all think it's pretty important to provide coverage for our families. And the federal health insurance program has a minimum benefit that all of us take advantage of. And I haven't seen any Republicans—or Democrats—in Congress suddenly say, ''You know what, we should have more choices and not have to have this minimum benefit.''

So what we're basically saying is we're going to do the same thing for these other folks that we do for ourselves—on the taxpayers' dime, by the way.

Now, there is a legitimate philosophical difference around that, but I think it's just very important for us to remember that saying there's a baseline of coverage that people should be able to get if they're participating in this big pool is not some radical idea. And it's an idea that a lot of states—we were talking earlier about what states do—a lot of states already do it.

U.S. SENATE,
Washington, DC, February 25, 2010.

Hon. BARACK OBAMA,
President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: During today's discussion on health care, you and I disagreed about whether the health care bill that passed the Senate on a party-line vote on December 24 would cause health insurance premiums to rise even faster than if Congress did not act. I believe premiums will rise because of independent analysis of the bill:

On November 30, the non-partisan Congressional Budget Office (CBO) wrote in a letter to Senator Bayh that ''CBO and JCT estimate that the average premium per person covered (including dependents) for new nongroup policies would be about 10 percent to 13 percent higher in 2016 than the average premium for nongroup coverage in that same year under current law.''

When you asserted that CBO says premiums will decline by 14 to 20 percent under the Senate bill, you are leaving out an important part of CBO's calculations. These reductions are overwhelmed by a 27 to 30 percent increase in premiums due to the mandated coverage requirements in the legislation. CBO added those figures together to arrive at a net increase of 10 to 13 percent—as shown in their chart in that same letter.

In that same letter, CBO wrote, ''The legislation would impose several new fees on firms in the health sector. New fees would be imposed on providers of health insurance and on manufacturers and importers of medical devices. Both of those fees would be largely passed through to consumers in the form of higher premiums for private coverage.''

On December 10, the chief actuary for the Centers for Medicare and Medicaid Services—who works for your administration—concurred with the CBO. In his analysis, the actuary said, ''We anticipate such fees would generally be passed through to health consumers in the form of higher drug and device prices and higher insurance premiums.'' He also said, ''The additional demand for health services could be difficult to meet initially with existing health provider resources and could lead to price increases, cost-shifting, and/or changes in providers' willingness to treat patients with low-reimbursement health coverage.''

For these reasons, the Senate-passed bill will, indeed, cause Americans' insurance premium to rise, which is the opposite of the goal I believe we should pursue.

Sincerely,

LAMAR ALEXANDER.

Mr. ALEXANDER. We talk a lot about the law of unintended consequences in dealing with legislation. In this case I believe the health care law is a situation where we had a lot of predictable consequences. Republicans were saying, for example, premiums are going to rise. In fact, they have. We were saying specifically that individual premiums will rise. It was predictable they would because, in the first place, the health care law requires that individuals buy a better policy than what they buy today. So if they are going to buy a Cadillac instead of a Chevy, it will cost more and they will get more benefits.

Second, there are some taxes in the health care law, such as with medical devices, that are passed on to the consumer and premiums will go up.

Third, a lot of people who moved into Medicaid are going into a system of government health care where the doctors aren't properly reimbursed. Many of the doctors shift the costs over to the people who buy insurance. That is called cost shifting.

For all those reasons, we have seen stories regularly in California, Nevada, Wisconsin, and Connecticut that individual premiums, over the last year, have gone up at least partially due to mandates included in the new law.

Let's look at some of the other issues we talked about during that time. We said the bill would raise taxes. In fact, it does—$813 billion. As I mentioned, the tax on medical devices is passed right along to people who buy insurance, and their costs go up.

We said it would cut Medicare, and it has. Eleven million Medicare Advantage recipients—about one-fourth of everyone who has Medicare—are seeing or will see their benefits reduced.

We said there would be thousands of pages of new regulations that would hamper small businesses and individuals as they go about their daily lives. We are beginning to see them come. The most notorious is that form 1099 which causes 40 million businesses to file a report every time they buy something that costs more than $600. We hear a lot of talk about repealing that. We have tried to repeal it for some time, but it is still the law.

Something that particularly bothered me about the debate were the unfunded mandates on State governments. We hear about college tuition going up in California 30, 40 percent. People would be surprised to think that the reason may be that the Federal Government is imposing more

health care costs on California, and the money that ought to go for the University of California or the University of Tennessee isn't there. Where does the university get the money to keep its excellence? It raises tuition.

Our former Democratic Governor, who just retired, said the health care law imposes on Tennessee more than $1.1 billion in new costs between 2014 and 2019. That is an unfunded mandate from Washington that will cost the people of Tennessee.

Fewer jobs will be created as a result of this law. Someone might say: How can you say that? I will give an example. I met with a group of leaders of the restaurant industry in America. They are CEOs of all the big restaurant companies. They are the second largest employer in America. They hire a lot of low-income people. One of them said they had been operating their stores with 90 employees on the average, and as a result of the health care law, their goal was to operate with 70 employees. That is fewer jobs. And there were many other examples of that around the room.

Even the student loan takeover has created a problem because students are actually paying more in interest on their student loans to help pay for the new health care law, which I think a lot of students would not appreciate.

The health care law that was passed a year ago, which some believe is a historic achievement, we believe is a historic mistake. We believe it would have been better and will be better to, instead of expanding a health care system that costs too much, go step by step to reduce its costs so more people can afford insurance. We will continue to advocate that position. We voted to repeal the health care law. We lost that vote. But we are continuing to work.

The ACTING PRESIDENT pro tempore. The Senator's 8 minutes has expired.

Mr. ALEXANDER. With Senator JOHANNS' leadership and others, we will work to repeal the 1099 provision. Senator HATCH and others are working to give Governors more flexibility in the Medicaid Program. And we will continue to advocate solutions such as allowing people to buy insurance across State lines.

Next Wednesday is an important anniversary. Some believe it is a historic achievement. We believe it is a historic mistake and that there is a better solution to health care costs.

I thank the leader for his courtesy in giving me a chance to go ahead.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HEALTH CARE

Mr. REID. Mr. President, when I was a little boy growing up, we used to have chickens, and every morning the roosters we had would make the most noise, unbelievable noise they would make. Maybe those roosters thought that when they crowed, the Sun would come up, but it had nothing to do with that. I have been places where roosters do not crow and the Sun still comes up.

My friend from Tennessee is using the rooster analogy and has about as much factual foundation as the analogy I just gave about the Sun coming up when the rooster crows.

I was at a breakfast this morning. One of my friends, a former chief of staff to one of the Senators here, said to me: Passing the health care bill was a miracle in the lives of him and his family. Those are his words, not mine. They have a child who developed diabetes. They could not find insurance for that child. Because of the health care bill, that child is fully insured now. That is what the health care bill is about.

For my friend to complain about the health insurance costs going up, a little bit of facts would make a lot of difference in that argument.

The health care bill does not go into effect until 2014. Parts of it do, but the main impetus of the health care bill to cover the 50 million people who have no health insurance does not kick in until 2014. The insurance costs have gone up because insurance companies raised the premiums, as they always do. One of the reasons we did the health care bill is to rein in the health care companies around the country that are really bankrupting our country.

Let's talk about what is in effect with the health care bill and what will be in effect. I did not come here to debate the health care bill, but when something is so without foundation and fact, I have to respond.

People, such as my friend Bob, have had miracles in their lives all over America during the past year because of that health care bill having passed because a child under 18 who has a preexisting illness cannot be denied insurance. Not only does it apply to children, every State in the Union has now set up programs for people who have long-term disabilities. Now they cannot be denied insurance. Not everybody gets that. You have to be uninsured for 6 months and other certain requirements, and it is not as good as for children under age 18, but it is pretty good.

I will also say this: Hundreds of thousands of students in college today have health insurance because their parents have health insurance. That is what we did in the law. We raised the bar on that so children can stay under their parents' health insurance for longer periods of time.

I am going to do an event next week in Nevada where we are going to have a number of businesses come together. People who employ fewer than 10 people whose average salary is less than $25,000 can have health insurance for the employees, and they get a 35-percent deduction in their premiums. That is because of the health care bill we passed. Mr. President, last year the IRS sent notices to 4.4 million small businesses in America to let them know that they may qualify for reduced premiums.

The health care bill is a very important bill. It is a milestone in the history of this country. We are setting up the exchanges now so everyone can have the same insurance I have. That is what it is all about. Millions of Federal employees have not perfect insurance but good insurance, as I have. My insurance is the same that an FBI agent has. Our goal is to make sure everyone in America has an opportunity to have insurance similar to ours.

The Presiding Officer may have a different health care plan than I have because every year—we are part of an exchange that we are going to set up for the 50 million people who have no health insurance. Every year, we get quotes from insurance companies, and we can buy different insurance. We can buy a Cadillac policy or maybe a Ford policy. We have a range of insurance we can buy. That is what we are trying and we have allowed America to have. Those exchanges are being set up in Nevada and other places around the country.

For people to talk about ObamaCare and let's get rid of it, get rid of it for what? Do we want my friend to go back to where he cannot get insurance for his child from these insurance companies whose interest is one thing—money, how much money they make? We have had to rein in those costs.

We keep talking about the cost of the health care bill. The Congressional Budget Office said it will reduce the debt of this country by $1.3 trillion. That is not some number I made up; it is the nonpartisan Congressional Budget Office.

I am convinced my friend was right. In his family's life, it was a miracle this past year because they had the ability to get insurance for their sick child.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, there will be a period for the transaction of morning business until 10:30 this morning, with Senators permitted to speak for up to 10 minutes each. The Republicans will control the first half and the majority will control the final half.

At 10:30 a.m., the Senate will resume consideration of S. 493, which is the small business jobs bill. We have been working through amendments on that legislation. Virtually every one of the amendments is not germane to the bill. That is OK. We are in the Senate, and that is how things work here. We have had scores of amendments filed. I am not going to file cloture on this bill today. We will work through the amendments, and maybe we can get a finite list of amendments when we come back. I hope we do not have to

file cloture on this bill. As I said, this is an extremely important bill.

Senator LANDRIEU was on a nationwide TV program today, and one of the commentaries—who, by the way, is a Republican, a former Member of Congress—said, and I am paraphrasing: Why would the Republicans want to hold up a jobs bill?

This is a jobs bill. The small business matter now before the Senate is a jobs bill, just as we did with the patent bill, just as we did with the FAA bill. It is a jobs bill. We should move on. We should have the amendments focused on how to improve a jobs bill and not do all this other extraneous stuff that virtually, without exception, has nothing to do with this bill.

At 12 noon, the Senate will proceed to consideration of H.J. Res. 48, the 3-week continuing resolution. There will be up to 3 hours of debate on that matter prior to a vote on passage of the joint resolution.

Following the CR, there will be 2 minutes of debate prior to a vote on the confirmation of Calendar No. 11, the nomination of Amy Berman Jackson, of the District of Columbia, to be U.S. District Judge for the District of Columbia.

We are going to have a briefing this afternoon for Senators at 2 o'clock dealing with the situation in the Middle East. That will be a classified briefing.

Mr. President, I ask unanimous consent that the time used by my friend—he is my friend; I have the greatest respect for Senator ALEXANDER; he is a true gentleman—that the time he used in his speech be deducted from the Republican's time in morning business this morning. They have the first run at morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

HEALTH CARE

Mr. MCCONNELL. Mr. President, next week does indeed mark the 1-year anniversary since the Democratic health care bill was signed into law. We all recall the debate quite well. It was the most partisan of debates. The only bipartisan moment was in the House when there was bipartisan opposition to the new health care bill. In the Senate, it was a strictly partisan vote—60 Democrats voted for it, 40 Republicans voted against it. If a single Democrat—even one—had changed their vote on that Christmas Eve, we would not be looking at the 1-year anniversary of the Democratic health care bill. This morning, I would like to look back on what we learned during that year.

Shortly before the final vote, then-Speaker PELOSI famously said that the Democrats had to pass the bill so they could find out what was in it—away, as she put it, from the ''fog of controversy.'' Now that the fog has lifted, the question arises, What do we know now that we did not know then?

We now know that those who promised us that ''if you like your plan, you can keep it'' were dead wrong. The Obama administration has already admitted that at least 7 million seniors will now lose their Medicare Advantage plans. And one of the administration's own top health care analysts recently admitted that this oft-repeated pledge was ''not true in all cases.''

We all knew the bill created strong incentives for businesses to drop or change employees' health care plans, the ones they get through their jobs. Now that the bill is passed, the White House admits it too. One recent study suggests that as many as 35 million American workers could see their employer-based health insurance plans dropped in this way. The administration's promises on this point, which were echoed by Capitol Hill Democrats, such as Speaker PELOSI, turned out to be hollow. Today, even the administration itself predicts more than half of all American workers will see their current employer-sponsored health care plans change within a couple of years' time.

Shortly after the health care bill became law, the Department of Labor acknowledged all of that. Small businesses would be most affected, it said, with as many as 80 percent expected to have to change their coverage to comply with the new law. For all remaining businesses, the administration now estimates that somewhere between 39 and 69 percent will be forced to change their plans to comply with costly and burdensome new dictates from health care bureaucrats in Washington.

What happened to the reassuring predictions that everybody's plans would stay the same? It turned out to be nonsense—utter nonsense.

Americans have every reason to be outraged, not only by the bill itself but also by the rhetoric that was used to sell it. Far from being reassured of all the bill's merits, Americans feel betrayed. Check the record. I doubt that one Democrat who voted for this bill told their constituents they would see a change in their plans. Yet here we are a year later and they just expect people to accept it. Democrats knew exactly what Americans wanted to hear, and that is what they told them. Perhaps the biggest deception of all was the claim that people could keep the plans they have.

OK, what else do we know about the bill? At a time when nearly 14 million Americans are looking for work, we know this bill only increases costs and burdens on employers and small businesses, making it even harder for them to keep current workers on board or to hire new ones. According to the independent Congressional Budget Office, the health care bill will result in the loss of more than 800,000 jobs over the next 10 years. What is more, 200 economists and experts, including two former CBO Directors, have said that the law's ''expensive mandates and penalties . . . create major barriers to stronger job growth.''

Another chief selling point of the bill is the promise that it would lower costs. Yet now we hear estimates from one of the administration's top actuaries that it will increase costs by $311 billion. And the CBO now estimates it will increase Federal health care spending by nearly $½ trillion over the next decade.

What about the cost to individuals and families? Well, according to the same independent analyst at the CBO, once fully implemented, the bill is expected to cause premiums on family policies to increase an average of $2,100 a year. So $311 billion more in cost to the government; $2,100 a year more in cost to the average family.

Meanwhile, other new rules are making it difficult for families to secure child-only plans. The fact that families in 19 States no longer have access to these once-common plans is just one of the harmful, unintended consequences Americans are stuck with now that the ''fog of controversy'' has lifted.

Taken all together, these broken promises illustrate why so many Americans continue to support a full—a full—repeal, which the new Republican-led House has passed, followed by commonsense reforms that will actually lower costs, improve care, and protect jobs.

The fog of controversy may have lifted, but contrary to the confident predictions of some, the contents of the health care bill are even worse than anyone expected. One year later, it looks even worse than it did then, and that is saying something.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I ask unanimous consent that morning business be for 1 hour and that the time be equally divided.

The ACTING PRESIDENT pro tempore. Is there objection?

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 51 minutes, 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 Republicans controlling the first half, the majority controlling the final half, and

the time consumed by the Senator from Tennessee deducted from the Republican time.

Mr. KYL. Mr. President, would the Chair acknowledge that the 51 minutes now is the time of 1 hour, equally divided, minus the time of Senator ALEXANDER; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

HEALTH CARE

Mr. KYL. Mr. President, as three of my colleagues have already noted this morning, President Obama's health care law turns 1 next week, and in my view it hasn't been aging very well.

On the eve of its 1-year anniversary, I too would like to review a few key developments related to the law and its implementation and note that, at least to me, it is very clear this bill has not become more popular with Americans but decreasingly popular.

Let us go back to March 23, 2010, just about 1 year ago. That is when the President signed this health care bill into law. Later, that very day, 13 States filed a lawsuit against it in a Florida Federal court. Another 13 States have joined the suit since. In addition, Virginia filed its own separate lawsuit on the day of enactment.

May 11, 2010. The nonpartisan Congressional Budget Office revised upward its cost estimate of ObamaCare. According to the CBO, ObamaCare will cost $115 million more than originally estimated, pushing the cost of the program to over $1 trillion.

June 2010. With public opinion still decidedly against the law, a poll at that time found that 58 percent of Americans supported repeal. The Department of Health and Human Services launched a public relations campaign to try to change people's minds. Many seniors received a pamphlet from HHS Secretary Kathleen Sebelius that made claims such as:

> Your guaranteed Medicare benefits won't change—whether you get them through original Medicare or a Medicare Advantage plan.

But, of course, the pamphlet failed to mention the fact that the law cuts Medicare Advantage plans by $202 billion over 10 years, meaning higher premiums, less benefits, and fewer plan choices for seniors. The CBO estimates that the extra benefits currently provided by Medicare Advantage plans will be cut in half.

July 11, 2010. President Obama used a recess appointment to name Donald Berwick as Administrator of the Centers for Medicare and Medicaid Services, an agency that will play a critical role in the implementation of ObamaCare. The President used this procedure in an attempt to bypass the regular confirmation process before the Senate had held a hearing or voted on the nominee. The recess appointment allows Dr. Berwick to run the Centers for Medicare and Medicaid Services through the end of this year.

A hearing would have given Senators the opportunity to question Dr. Berwick about his very controversial views, including his espousal of health care rationing. He has, for example, praised the British national health care system, which routinely denies and rations care, as ''extremely effective'' and ''conscientious.''

On September 24, 2010, the Department of Health and Human Services issued its first waiver of ObamaCare provisions dealing with the limited benefit or mini-med plans. Since then, a total of 1,040 waivers have been granted, many to the administration's favored political constituencies. It seems as though they like the law as long as it doesn't apply to them.

December 13, 2010. A Federal district court judge in Virginia ruled that the law's mandate that individuals purchase government-approved health insurance is unconstitutional.

January 19 of this year. The House of Representatives voted 245 to 189 to repeal ObamaCare.

January 25, 2011. My Governor, Jan Brewer of Arizona, asked Secretary Sebelius to waive the maintenance-of-effort provision in the health care law. That is the provision that forces an unfunded Medicaid mandate on States by denying them the flexibility, the full ability to manage their own Medicaid Programs to fit their own budgets and their own unique Medicaid populations. This is a huge problem because Arizona, along with most other States, is experiencing a dire budget crisis.

January 26, 2011. Medicare Chief Actuary Richard Foster testified before the House Budget Committee. He acknowledged to the committee that President Obama's promise that Americans will get to keep their coverage if they like it is ''not true in all cases.''

January 31, 2011. Judge Roger Vinson, a Federal district court judge in Florida, ruled that the individual mandate in the law is unconstitutional and he invalidated the entire law. He concluded the law's requirement to buy insurance or pay a fee:

> . . . is outside Congress' Commerce Clause power, and it cannot be otherwise authorized by an assertion of power under the Necessary and Proper Clause. It is not constitutional.

He also writes:

> It is difficult to imagine that a nation which began, at least in part, as the result of opposition to a British mandate giving the East India Company a monopoly and imposing a nominal tax on all tea sold in America, would have set out to create a government with the power to force people to buy the tea in the first place. Surely this is not what the Founding Fathers could have intended.

On February 2 of this year, on the Senate vote to repeal the law, it failed on a party-line vote, 47 to 51. So the Senate did not follow the path of the House of Representatives to repeal ObamaCare.

On February 14, Valentines Day, the IRS submitted to Congress its fiscal year 2012 budget request. The health care bill is mentioned by the IRS more than 250 times. The IRS will have to hire thousands of new workers to implement the many new tax provisions. As the request noted, the health care law:

> . . . presents a major challenge for the IRS. It represents the largest set of tax law changes in 20 years, with more than 40 provisions to amend the tax laws.

Just to remind my colleagues and our constituents throughout this country, the health care law has more than 40 provisions, the largest set of tax law changes in 20 years.

February 22 of this year. A Clinton-appointed Federal judge ruled that ObamaCare is constitutional because the Constitution somehow permits the Federal Government to regulate what the court called ''mental activity.''

So much for keeping your thoughts to yourself.

On March 3, 2011, at the request of the Obama administration, a Federal judge in Florida, the Federal judge who had previously ruled that ObamaCare is unconstitutional, clarified his ruling and noted his continuing concern with the fact that if the law is upheld, he says, ''Congress could, indeed, mandate that everyone buy broccoli.''

I think the first President Bush would have a real problem with that mandate.

March 14, 2011, just 3 days ago. The latest Rasmussen poll shows that support for repeal of the health care law has reached its highest level since May of 2010, with 62 percent of likely voters now favoring repeal.

That is what we should do. These developments highlight just some of the reasons why the bill is so unpopular and so deeply flawed that the American people agree it should be repealed and it should be replaced with more sensible ideas.

The debate on the health care law will no doubt continue throughout this year, especially now that two Federal courts have already ruled it is unconstitutional. It would be best if we could stay the law until the Supreme Court rules on its constitutionality. States and businesses could save a great deal of money, and insurance companies wouldn't have to raise their rates. We will have a chance, I hope, to vote on such a proposal.

Some things age well with time—not ObamaCare.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. THUNE. Mr. President, I rise also to speak to the issue of the health care reform bill, which my colleague from Arizona has pointed out is now seeing its 1-year anniversary. I think it is good to put in perspective the issues most Americans care about.

As I travel my State of South Dakota and elsewhere in this country, I hear repeatedly what most Americans think we ought to be focused on right now in Washington, DC; that is, the economy, job creation, spending, and debt. They believe those are the issues that are most important. I think the public

opinion polls reflect that. If we look at any public opinion poll today, generally, they are in that order: It will be jobs, the economy, spending, and debt.

As I look at what this health care bill has done—and use the metric of jobs and the economy and spending and debt and look at it on the 1-year anniversary—I think we would have to say this has been a major failure in terms of speaking to or addressing the issues the American people care the most about.

On the issue of jobs and the economy, there were lots of statements made about this when it was passed; that it was going to create lots of jobs. The former Speaker of the House, NANCY PELOSI, said, in its life, the health care bill will create 4 million jobs; 400,000 jobs almost immediately. Yet we have the CBO Director recently testifying that the new law will reduce employment over the next decade by 800,000 jobs.

So we have a piece of legislation that is going to, according to the CBO, cost us jobs in the economy. Couple that with the fact that it will raise taxes, and raise taxes dramatically on the economy, by $½ trillion in the first 10 years, $1 trillion dollars when it is fully implemented, and we see that businesses will pass those costs on to the people in this country who buy things—consumers—and, obviously, it leads to higher costs for a lot of these items.

It leads to higher health care costs because most of those taxes were imposed upon health insurance companies, on pharmaceutical companies and on medical device manufacturers and many of those costs are being passed on. One would have to argue very hard to suggest that any kind of a tax increase is going to create more jobs. In fact, historically, it is very clear that any time we raise taxes, it actually costs the economy jobs.

So we have the CBO Director talking about the loss of jobs, we have the fact that we have some massive tax increases in this legislation that will cost us jobs, and we also drive up the cost of doing business in this country because we are increasing the cost of health care for a lot of small businesses that are trying to provide coverage to their employees.

What we have seen consistently is an argument from the other side that this was going to drive down the cost of health care. Yet, again, the facts tell an entirely different story.

There was a statement made by the President: Reform will lower the cost of health care for our families, our businesses, and our government. Again, the Chief Actuary at the Centers for Medicare and Medicaid Services estimates the law will increase costs by $311 billion in the first 10 years alone, over and above normal inflation. CBO, the Congressional Budget Office, estimates the new law will increase health care spending by the Federal Government by $464 billion over the next decade. CBO estimates when it is fully implemented, the law will increase insurance premiums on a family policy by an average of $2,100 per year—increased costs of health insurance for employers and employees, which is going to cost the economy jobs. It drives up the cost of doing business in this country. All these factors in this health care legislation contribute to a loss of jobs because they make it more expensive for small businesses in this country.

If you use the metric of job creation and how this legislation impacts the economy, I think you would have to describe it as a major failure. The American people determine what is important. They have decided, and rightly so, when you have as high unemployment as we have in this country today, job creation should be the No. 1 priority of their policymakers in Washington, DC. In fact, we should be looking at policies that will be conducive to job creation, not policies that will inhibit job creation. The massive health care law that was passed last year will have exactly the opposite effect we should be striving for when it comes to jobs. We ought to be looking for policies that will create jobs. This actually will cost the economy jobs. You have the metric of job creation. If you measure the health care bill against that a year later, I think you would have to say it was a complete failure.

The issues I mentioned that also bear on what is important to Americans today, spending and debt—how does health care legislation stack up against those criteria? First, with regard to spending, we all know by now that when it is fully implemented this new health care legislation will cost $2.6 trillion, a $2.6 trillion expansion of government—literally the largest expansion of the Federal Government in the last half century. You would have to go back to the 1960s to find a time that you see the government expand at the rate we have seen in the last 2 years alone, and that is reflected in the debt and deficit figures over the last 2 years.

Since President Obama took office, the debt in this country has grown by over $3 trillion. In fact, if the budget he presented is implemented, that total debt will double by the end of the next decade. If you take a $14 trillion gross debt, almost $14 trillion—which is where it is today—if the President's budget is implemented you would see that debt double over the course of the next decade to over $26 trillion.

You have massive amounts of borrowing, massive amounts of debt, massive amounts of new spending and tax increases, all of which create an environment in which it is going to be very difficult for our economy and for the job creators to create jobs. But you have grown significantly the size of government.

How about the issue, as I said earlier, of debt? We talk a lot about the $14 trillion gross debt we have today. We have a lot of research out there that suggests when you are carrying that kind of debt load, if you sustain it over any amount of time it is going to cost you a significant amount of economic growth. In fact, there is a good body of research out there that suggests when you have a gross debt-to-GDP ratio of 90 percent or higher, which is where we are today, it costs you about 1 percent a year.

The President's former economic advisor, Christina Romer, said anytime you lose a percentage point of economic growth it costs you a million jobs. If we are losing, because of this high level of debt, a percentage point of economic growth every year, we are losing a million jobs every year as a result of that as well.

How does the whole health care debate bear on this issue of debt in the long term? I think it is important, again, to point out that many of the things that were put into this bill, that were designed to be used as offsets to pay for the bill, end up in the outyears adding massively to the deficit. I will use a good example of that, the CLASS Act, a new long-term care entitlement program which was put into this bill. At the time it was being debated it was actually described by the chairman of the Budget Committee, the Democratic chairman, as a Ponzi scheme of the highest order, something Bernie Madoff would be proud of. That is how the CLASS Act was described. That particular act, and its creation, was used as a $70 billion offset to pay for the new massive health care entitlement program.

What is going to happen, and we are finding out now more and more about this, is that particular program, although it generates some revenue in the early years, runs huge deficits when you get into the outyears because of the way the program is structured, because of adverse selection. Because of the way the program was designed in the first place you start adding massively to deficits in the outyears. Secretary Sebelius, at the Department of Health and Human Services, admitted to me in answer to a question at the Senate Finance Committee, that the CLASS Act program is ''totally unsustainable.''

During yesterday's Finance Committee hearing I asked the question about whether there was actuarial modeling done prior to the law's passage so that Democrats and Health and Human Services would have known how bad this program is, and she would not respond to or answer that question.

I asked Chairman CONRAD, the chairman of the Senate Budget Committee, for a hearing to look at these actuarial models that Health and Human Services has developed to analyze the CLASS Act. Why has she come to the conclusion that it is totally unsustainable when many of us knew that in advance? In fact, that is what CBO, the Congressional Budget Office, was saying in advance.

We have created these new entitlement programs that are going to lead

massively to higher deficits and more debt well into the future, the CLASS Act being one example of that. I suggest as well that when you create a $2.6 trillion new entitlement program, if history is any indication, that would dramatically understate what the true costs are. We have seen that historically, that whatever the estimates are about some of these new government programs, they are significantly less than what was estimated when they were created in the first place.

I would argue on the issue of how the new health care bill on its first anniversary impacts the issue of debt, we are not going to know probably for some time but I think we can get a pretty clear idea that this is going to lead to much higher deficits and much higher debt in the outyears because of the statement the Congressional Budget Office and the CMS Actuary and even now the Secretary of Health and Human Services are saying with regard to programs such as the CLASS Act—which was created under this bill.

I think the other reason you are going to see the debt and deficit explode is because of the gimmicks that were used by the Democrats to finance the health care bill. I mentioned the CLASS Act was one of those, but there were a number of other gimmicks that were used as well. There was the Medicare payroll tax increases, the Medicare cuts that are supposed to occur under this to pay for the new health care entitlement program. It was also indicated at that time they were going to extend the lifespan of Medicare. Essentially, what happened is the same revenues were spent twice; they were double counted. In other words, there was new revenue going to come into the Medicare trust fund because of increased payroll taxes and because of the reductions in spending in those Medicare accounts that allegedly would create a credit for the Medicare trust fund. Unfortunately, all those new revenues are going to be used to finance this new health care entitlement program.

Somewhere down the road, when the time comes to pay the bills of Medicare, you are going to have to borrow money to do that because of the way these gimmicks were used and the way the double counting was used, not only to credit the Medicare trust fund but also to use it as an offset for the new health care entitlement program.

If you look at the actual numbers it is somewhere on the order of $400 billion that was double counted in the Medicare trust fund and about $30 billion, I believe, was the number on the Social Security trust fund. For these gimmicks, the chickens are going to come home to roost at some point in the future and it is going to lead to significantly larger deficits and a much higher debt than we are looking at today, than what was contemplated when the legislation was passed in the first place.

Whether it is the gimmicks that were used, whether it is these new entitlement programs such as the CLASS Act, whether it is the actual cost—even estimated cost of $2.6 trillion in new expansion of government, whether it is the loss of jobs associated with the higher taxes, the higher health care premiums in this legislation, if you are going to evaluate it based upon the issues that are most important to the American people—and that is the economy, jobs, spending, and debt—on the first anniversary of this health care reform legislation, this has been already a huge failure by any objective measurement. My guess is before this is all said and done we are going to continue to see more and more of our employers having to drop their coverage, perhaps pay the penalty rather than continue to provide coverage for their employees, and push them into the government program.

I think you are going to see more and more government control, more and more influence and intervention of the Federal Government, more and more cost to taxpayers, and higher and higher health care costs for small businesses and for families and for individuals in this country. On the first year anniversary of this legislation, I think the best thing Congress could do would be to repeal it and start over with commonsense health care reforms that will actually reduce the cost of health care, that will be fiscally responsible, that will not break the bank, and that will help get us on a path where we can create jobs and get the economy growing again rather than inhibiting that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, we are in morning business?

The ACTING PRESIDENT pro tempore. We are.

Mr. DURBIN. The Democratic side is now recognized?

The ACTING PRESIDENT pro tempore. They are.

Mr. DURBIN. How much time is remaining?

The ACTING PRESIDENT pro tempore. There is 25 minutes 47 seconds.

INTERCHANGE FEES

Mr. DURBIN. Mr. President, I usually do not get up in the morning and race to read the editorial page of the Wall Street Journal. It is not part of my morning routine. I do not agree with them on most of the positions they have taken and I have found many times the statements they make are sometimes grossly inaccurate. This morning was no exception.

They printed an editorial on the issue of interchange fees on debit cards. They had some critical things to say, which is their right, and my responsibility as an elected official to absorb. I know folks on Wall Street and their friends in the press are not happy with the interchange reform which Congress passed last year. They are certainly entitled to their opinion, but they are not entitled to their own alternative reality. When I read this Wall Street Journal editorial this morning, I felt as though I had entered into some fact-free twilight zone.

Swipe fee reform is an important issue. So the people who are following this debate understand what we are talking about; each time you use a credit card or a debit card to pay for something—a meal at a restaurant, groceries, pharmaceuticals, a donation to a charity, buying gas for your car—each time you do there is a fee that is charged to the merchant. That fee is charged by both the bank issuing the card and the underlying credit card company. It is called an interchange fee.

And it is a fee that is imposed on businesses large and small all across America literally without negotiation. It is a fee that is dictated because there is little or no competition.

The Wall Street Journal probably prides itself on being the protector or defender of the free market system. There is no free market system when it comes to interchange fees. If you want to accept a Visa or MasterCard from a certain bank, you will pay a certain interchange fee every time a card is used at your establishment. What I learned in a hearing on this subject years ago is that there is virtually no negotiation in establishing these fees. And merchants came to me. The first who came to me was not a major retailer but a buddy of mine in Quincy, IL, named Rich Niemann. Rich Niemann is a very conservative man who probably reads the Wall Street Journal every day, but he has done quite well for himself and his family and his company by opening up food stores all over the Midwest.

Rich is a roll-up-your-sleeves, grassroots businessman. He said to me: Senator DURBIN, these credit card companies and their banks are killing us. The interchange fees bear no relationship to the actual cost of the transaction.

He said: You know, if somebody pays for groceries with a check, it clears the bank for pennies regardless of whether the check is for $10 or $100. If they use a debit card, which is a plastic check drawing directly out of their account to pay, it ends up we pay an interchange fee which is substantially higher; and there is nothing we can say about it.

The Wall Street Journal, the defender of the free market system, the defender of competition, has to acknowledge the reality that there is no competition when it comes to these duopolies, Visa and MasterCard, and when you consider that merchants have no voice or little voice in establishing what their fee is going to be when it is charged.

So we came to the floor of the Senate and said we need to have interchange fee reform. The measure passed, the amendment passed, by a margin of 64 votes—17 Republicans, 47 Democrats—and then was accepted in conference

and became part of the law, the Dodd-Frank Wall Street reform.

What it said was this: The Federal Reserve would analyze the current state of the market and establish what a reasonable and proportional interchange fee would be, what is fair. Since there is no competition under the current system, let's at least establish what is fair. Let's not let Visa, MasterCard, and the banks fix prices for lack of competition.

You know what the early analysis showed? The average interchange fee was in the range of 40 cents per transaction. The actual cost? The actual cost? Closer to 10 cents, maybe even less. They were charging three to four times as much over the cost of actually clearing the transaction to merchants and retailers across America, which, of course, diminishes their profitability, diminishes their ability to expand their small businesses and large alike and is passed on to the consumer.

Now, you would think even the Wall Street Journal, this bastion of conservatism and defender of the free market, would acknowledge the obvious. The obvious is, small businesses and large businesses alike are being overcharged across America by credit card companies and banks without restraint. That is not a free market that is imposing a cost.

What is it worth in terms of interchange fees, which they refer to kind of dismissively as small and not to be concerned about? What is it worth to the credit card industry and the major banks in America every month? It is worth $1.3 billion in interchange fees collected on debit cards—$1.3 billion.

So let's do the math for a minute. It is over $15 billion a year—$15 billion a year—which the Wall Street Journal wants to protect as a handout to the biggest banks and credit card companies in America. Well, be my guest, Wall Street Journal, but do not stand up and say you are defending businesses across America because businesses, large and small, are sick and tired of the noncompetitive, opaque system that currently exists they are paying for.

My amendment does not create price fixing. It places reasonable limits on price fixing that is already present in the interchange system. If you look at any bank's Web site, see if you can find how much that bank charges merchants in interchange fees. You will not find anything. There is no disclosure.

Why? Because for years the banks let Visa and MasterCard fix the interchange rates that each bank receives when its card is swiped. This means banks do not have to compete with one another on the fees they receive from merchants. They all receive the same fees no matter how much any particular bank actually spends to process a transaction or prevent fraud.

The current interchange system, the one that needs to be reformed, is a price-fixing scheme. Period. My amendment simply says if big banks are going to let the Visa and MasterCard duopoly fix fees on their behalf, the Federal Reserve should regulate those fees so they are reasonable. If a bank wants to charge its own fees to reflect the cost it bears, so be it. My amendment does not regulate that. As long as those fees are transparent and competitive, I am fine with them. But when the banks all get together, when they conspire to let Visa and MasterCard fix fees for them, that is when my amendment steps in. That is what offends the Wall Street Journal, the defender of America's free markets.

We know big banks today receive far more in interchange than it costs them to do debit transactions. They use this excess interchange subsidy for things such as ads and reward programs and executive bonuses and, certainly, for profits. That is what they do.

The effect of my amendment will be to squeeze the fat out of the interchange system. Big banks will still be able to use interchange to pay for reasonable processing costs, but they will not be able to use this interchange scheme to take excess fees out of the pockets of merchants and their customers.

Well, you might ask, is this the case in every country? The answer is, no. In other countries that use Visa and MasterCard, something interesting has occurred. Do you know what the interchange fee is on debit card transactions in Canada? Zero. No fee. Do you know what it is in Europe? It is a tiny fraction of what it is in the United States. So for Visa and MasterCard and the banks that issue these cards to argue that even reducing interchange fees will cripple them, will force them to raise fees, will cancel services they already offer, is to belie the reality that in many places in the world, unlike America, they are not overcharging merchants. They have reasonable interchange fees; in some places, no interchange fees.

Let's look at the Wall Street Journal's claim that because of swipe fee reform, we ''will soon be paying for check-writing privileges.'' Well, this is an old song. We have heard it before.

It is surprising the Wall Street Journal would repeat this argument to say that interchange reform will cause people to start paying for their checking accounts. I would urge them to read back issues of their own newspaper. Let's go back to the November 12, 2008, Wall Street Journal article entitled, ''Banks Boost Customer Fees to Record Highs.'' Well, this was long before the Durbin amendment. They were already raising fees, and they will continue to raise fees. That is why some of the banks enjoy huge profit margins and bonuses, dramatic bonuses, for the executives who work there.

They might read the opening line of that article which said:

> Banks are responding to the troubled economy by jacking up fees on their checking accounts to record amounts.

I am quoting the Wall Street Journal. They were already raising fees on customers long before this debate began. Another line in the same article says:

> The average costs of checking-account fees, including ATM surcharges, bounced-check fees and monthly service fees, have hit record highs.

That was 2008, long before our debate on the Senate floor. If the Wall Street Journal's writers cannot be bothered to even read their own newspaper, I urge them to read what the Bank of America's spokeswoman, Anne Pace, told the Associated Press on October 19, 2010. She said:

> Customers never had free checking accounts. They always paid for it in other ways, sometimes with penalty fees.

Again, this is a spokesman for the industry being brutally honest about free checking.

It astonishes me how many people simply repeat the banking industry's talking points without ever doing any fact checking. Banks always say if anybody tries to regulate them, it will lead to higher consumer fees and checking fees; and reporters print it like it is the gospel.

Hasn't anyone ever realized that threatening higher consumer fees is a great strategy to scare away any efforts at reform? It is a great tactic because it is all speculation. We cannot prove or disprove for sure what is going to happen in the future.

What we can do is look at past experience and use it as a guide. For example, we know from the last few years that banks and credit card companies have constantly tried to raise fees both on consumers and merchants as high as the market would allow them to go despite the recession. We also know from experience that competitive markets, which the Wall Street Journal should honor before they honor these duopolies involved in price fixing—competitive markets overseen by reasonable regulation are the best way to keep fees and prices at an appropriate level.

Unfortunately, we also know the current interchange system is an unregulated, uncompetitive market. That is why we see fees that are hidden, nonnegotiable, and many times higher than what a competitive market would produce.

Let's talk about the Wall Street Journal's views on how swipe fee reform will impact consumers. I do not know that the Wall Street Journal would be viewed by many, if any, as a great proconsumer publication. This morning they wanted to wear that mantle. They say it is a ''hoax'' that reform is proconsumer; then, ''as usual, the little guy is going to get trampled.''

How frequently have you turned to the Wall Street Journal to find out who is going to stand up for the little guy in America? Almost never in my case and, certainly, they have this wrong.

Some might say it is great the Wall Street Journal now appears to care about consumers. Of course, I would feel better about it if I had not read yesterday's editorial in the Journal. That is one where they said they would like to see Congress kill the Consumer Financial Protection Bureau.

This is a series. There is a recurring theme. The theme is consumers are going to lose, and merchants are going to lose, and small business is going to lose if this defender of the market, the Wall Street Journal, has its way.

Here is the reality. Consumers right now are already paying for the interchange system. In November 2009 the GAO said, under the current system, ''merchants pass on their increasing card acceptance costs to the customers.'' The Consumer Federation of America, which supports reform and opposes the repeal that is now underway, does care about consumers. That is why they exist. Here is what they said in a letter this week:

> The current interchange system is uncompetitive, non-transparent and harmful to consumers. It is simply unjust to require less affluent Americans who do not participate in or benefit from the payment card or banking system to pay for excessive debit interchange fees that are passed through to the cost of goods and services.

That quote is from the Consumer Federation of America. U.S. PIRG, Public Citizen, and the Hispanic Institute submitted testimony last month where they said:

> The current swipe fee market is broken and all consumers pay more for less because of escalating swipe fees.

They also said:

> Sixteen countries and the European Union regulate swipe fees and their experience demonstrates that regulation benefits consumers in lower fees and lower costs of goods.

Make no mistake, what is at stake here—what is at stake here with the effort to repeal or delay the implementation of this reform on behalf of businesses, large and small, across America—what is at stake here is a handout to the largest banks in America and the credit card companies of more than $15 billion a year.

A bailout was not enough for these big banks. Now they want a handout, and the Wall Street Journal is standing by the sidelines applauding that notion. These defenders of free enterprise cannot wait to construct a system where the largest banks on Wall Street and the credit card giants can take more money out of our economy from small businesses and consumers alike. That is their idea of free enterprise; it is not mine.

The Wall Street Journal accuses me of pushing for swipe reform as a ''sop to Wal-Mart, Home Depot and other giant retailers.''

Well, make no mistake. Every merchant, every business accepting debit cards is going to be affected by this reform, large and small. And the facts tell us that everyone who accepts debit cards will benefit from swipe fee reform, not just big merchants but small businesses, universities, health care providers, charities, government agencies, as well as many others, convenience stores—the list goes on.

I ordered a study 2 years ago and held a hearing last year in my appropriations subcommittee on how much the Federal Government pays in interchange fees with our taxpayer dollars. The total was $116 million a year. Those who are supporting the repeal or delay of this reform are imposing additional debt on a government already deep in debt. Where will those debts be incurred? From the biggest banks on Wall Street and the biggest credit card companies, by and large.

I tried to reform the government interchange rate on my appropriations bill last year but could not get it through. I will be back.

I have been at this interchange reform effort for a number of years now. I got into it because of a hearing held by then-Republican Senator Arlen Specter. Before that hearing, I did not know or even understand this issue. After it, I decided something had to be done. I would not be doing this if it was just for the big box companies. I would not be fighting so hard for reform if it was not good for small businesses and certainly for consumers and the American economy.

I hope the Wall Street Journal is also aware that card companies such as Visa charge higher interchange fees to small business than to big businesses. How do you like that for competition? Small businesses get it the worst under the current system. Wouldn't it be nice if the Wall Street Journal stood for small business once in a while? Go look at Visa's Web site, at their interchange rates for retail debit. You will see right now the biggest retailers have to pay an interchange fee of 0.62 percent plus 13 cents a transaction, while the smallest retailers pay 0.95 percent plus 20 cents a transaction.

Dollar for dollar, interchange reform will help small businesses more than big ones. That is the reality of this reform.

I do not expect to ever be endorsed by the Wall Street Journal. I do not even know if they make endorsements, and I have not even asked. But I am going to insist they stick with the facts. I know the Wall Street Journal is not going to stray very far from Wall Street banks, which bear the same basic name, as well as the credit card companies that are a duopoly in this American economy. I am going to continue this battle for Main Street, not Wall Street.

I urge my colleagues who are being inundated—literally inundated—by banking lobbyists right now seeking to stop this reform; that when they go home, steer away from the big banks. Go to the small businesses that accept credit cards and debit cards. Go to any one of them and ask them whether they think this is an important reform for the future of their small business, their employees, and for the local economy. I think they are going to hear the other side of the story. Some of these small businesses cannot afford the lobbyists who are prowling the halls of Washington today, but they deserve our attention as much as, if not more than, the big banks on Wall Street and the card companies.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent to yield back any remaining morning business time, which I think is under 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

The legislative clerk read as follows:

> A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

> McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to or taking into consideration the emission of a greenhouse gas to address climate change.
>
> Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.
>
> Inhofe (for Johanns) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.
>
> Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.
>
> Paul amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011.
>
> Sanders amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age or create private retirement accounts under title II of the Social Security Act.
>
> Hutchison amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.
>
> Coburn amendment No. 184, to provide a list of programs administered by every Federal department and agency.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

AMENDMENT NO. 244 TO AMENDMENT NO. 183

Ms. LANDRIEU. Mr. President, I call for regular order now with respect to the McConnell amendment, which is the pending amendment on our bill, amendment No. 183, and send a second-degree amendment to the desk.

The ACTING PRESIDENT pro tempore. The McConnell amendment is now pending.

The clerk will report the second-degree amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 244 to amendment No. 183.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the end, insert the following:

The provisions of this title shall become effective 5 days after enactment.

Ms. LANDRIEU. Thank you, Mr. President. That now puts us in order to continue the discussion of our very important bill that Senator SNOWE and I have been managing this week on the floor. I appreciate all the Members' cooperation, particularly the members of the Small Business Committee who voted this bill out 17 to 1, because they know, both Republicans and Democrats, the importance of reauthorizing this vital program—one of the Federal programs that works, one of the Federal programs that helps to create private sector jobs, one of the Federal programs that gives the taxpayer a great return on their investment.

One of the gentlemen who testified before our committee last week said for every $1 invested in this program, the taxpayers get a return of $107. That is a pretty good return on investment.

I see two of my colleagues. Senator CARDIN is a member of our committee and a very valued member of our committee, I may say. He would like to speak for 5 or 10 minutes about an amendment he thinks is important that we potentially could get included in our bill. I see Senator COATS from Indiana, who is here to speak on the McConnell amendment. I think we do not have a consent, but we will kind of go back and forth as Members come and continue to talk about some important aspects of the bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, first, let me thank Senator LANDRIEU for her extraordinary leadership in bringing this bill to the floor. This is a critically important bill for our economy. It helps small businesses. It helps the economic engine of America. It helps with innovation with small businesses.

We already know small businesses will be where most of the job growth will take place. We know that. We also know small businesses are where most of the innovation will take place. When we look at patents that are filed, there are more from the small businesses per employee than we see from large companies. But in order to help small businesses be able to be innovative, the SBIR Program is critically important.

I congratulate Senator LANDRIEU for bringing this bill forward. It has received strong bipartisan support within the Small Business Committee. It provides the resources where small companies can take risks and innovate for America's future. It extends the program for 8 years, giving predictability to companies and investors, so they can go out and do what is best for this country, extending the program to 2019.

It increases the allocations available for the small business community over time from 2.5 percent to 3.5 percent. It increases the individual size of the grants from $100,000 to $150,000 in phase I and in phase II from $750,000 to $1 million. It does one other thing that is critically important. It allows small businesses to bring in venture capitalists and still be able to qualify for an SBIR loan.

For all these reasons, I strongly support the efforts of Senator LANDRIEU and Senator SNOWE and would encourage my colleagues to support the legislation that has been brought forward.

But I come to the floor, and I am going to ask consent that the pending amendment be set aside, but first let me explain the amendment I would like to offer. It is an amendment that would continue a policy that was started in 2009 to allow small businesses the opportunity to be able to get surety bonds to be able to compete on government procurement in the construction industry.

Current law requires that for all Federal and State construction projects—Federal and State construction projects—exceeding $100,000, the company must provide a surety bond. Congress established the Surety Bond Guarantee Program more than 30 years ago because they knew it was difficult for small businesses to be able to get a surety bond. The limit had been $2 million under that program. So we assisted small companies in being able to get surety bonds of up to $2 million until 2009.

As part of the Recovery Act, I offered an amendment with Senator LANDRIEU and Senator SNOWE—this was a bipartisan amendment; as a matter of fact, I do not know of any objections to the amendment—that increased the amount from $2 million to $5 million and gave the Administrator the authority to guarantee bonds of up to $10 million to permit small companies to be able to compete with large construction companies for procurement work.

What is so difficult? Well, you talk to a small business owner, and they will tell you what they have to go through with their bankers in order to get any type of financing. Then, if they try to get a surety bond, it is the same assets that the surety bond company wants them to guarantee in order to get the surety bond, putting them in a catch-22 situation, where they cannot get the surety bond and financing. They have to choose between one or the other. That is the reason why we established the Surety Bond Guarantee Program 30 years ago.

The higher limit had been in place from 2009 to 2010. The SBA had estimated they would issue $147 million in bonds in support of projects over $2 million. In March of 2010, the SBA Performance Report indicated that more than $360 million in bonds was actually issued. It has been an unquestioned success—the higher limits.

One other point: There have been absolutely no losses under the surety bond program, zero. That is why the Congressional Budget Office has given us an informal estimate that this amendment would have no direct impact on spending or revenue. This is a no-cost amendment that is strongly supported by the small business community because they know it is critically important for them to be able to compete fairly on construction contracts. It has bipartisan support.

What the amendment does is extend the limits we put in law in 2009 that expired at the end of 2010. That is the amendment.

Mr. President, I do want to make a unanimous consent request, but I understand we are under an agreement now that we cannot ask that. I am getting word from my chairman. But let me go on record to say I would request that there be an opportunity for this amendment to be offered or included. I do not believe it is controversial. It does not cost, as I said, any expenditures. It is very important for the small business community. It has bipartisan support, and I hope I will be given the opportunity to be able to offer that amendment.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I wish to thank Senator CARDIN for his cooperation. He has been so patient. It is an important amendment. It is an amendment that both Senator SNOWE and I support and many other colleagues support it. We hope to get to a time, if not this week, as soon as we get back, to be able to offer and have this amendment pending so it can receive the vote I do think it deserves.

I see the Senator from Indiana, who I think wants to speak on a different amendment, so I will yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I thank the Senator from Louisiana for arranging the opportunity for me to speak. I intended to do this in morning business, but that time was running out, so she graciously arranged time for me to speak as we took the bill back up.

AMENDMENT NO. 183

Mr. President, I wish to speak in support of the McConnell amendment that would prohibit the EPA, Environmental Protection Agency, from regulating greenhouse gas emissions under the Clean Air Act. This is nothing more than a backdoor energy tax that should be the purview of Congress to enact or not enact and not the responsibility or the authority given to the EPA.

The McConnell amendment, which is essentially the amendment language that was provided by Senator INHOFE and Senator VITTER, is patterned after the Energy Tax Prevention Act, which I have cosponsored, along with a bipartisan group of nearly 43 Senators. An identical bill was passed recently on a bipartisan basis by a House committee.

There is a growing consensus in Congress and across the country that Washington bureaucrats cannot be and should not be setting our Nation's policy on climate change. The McConnell amendment would make it clear that it is the Congress and not the Environmental Protection Agency that ought to be squarely in the driver's seat with regard to energy and climate policy.

It has become clear that the administration's cap-and-trade bill has had no chance of passing the Senate—again, because of bipartisan opposition. It is also clear that the White House has then determined they are going to try to circumvent the Congress and try to push this agenda through rules and regulations made by unelected bureaucrats. As a result, the EPA has created these new greenhouse gas regulations that are nothing more than a backdoor cap-and-trade regime. So while the administration talks about the need to strengthen the economy and put Americans back to work, these types of harmful rules that are being imposed by regulatory agencies—and specifically the EPA on climate control in this regard—are having just the opposite effect.

The reality is that not only in my home State of Indiana, which obtains more than 90 percent of its electric power from coal resources, but in States across this country that are using fossil fuels currently to generate energy, this would have an extraordinary, detrimental effect on their economies and their ability to produce the necessary power needed to run businesses and heat and cool homes.

Particularly at a time such as this, it is extraordinary that this backdoor effort by the EPA is simply throwing a major impediment in the way of the economic growth we are now starting to see after 2 years of a very serious downturn. The factories are starting to move again. Some are starting to hire. The machines are starting to turn. At a time such as this, all of a sudden, an unelected bureaucracy in this government, supported by the White House, simply says: Now is the time to attack the climate control issue. We didn't like what Congress did when they turned this down, so therefore we will take over and do it ourselves.

I have nothing against looking at ways to provide additional sources of energy that can help with our climate control, whether it is solar, wind, biothermal, biomass, geothermal, or any number of other alternatives. But these alternatives need to be cost-effective and competitive, and currently they are not.

I had the opportunity to serve in Germany as Ambassador for 4 years. During that time, I was able to pay very close attention to a mandate that was imposed by the German Parliament of switching to alternative sources, on a mandated basis, to 20 percent of the total energy being derived by a certain period in time. As a result of that, the government provided enormous subsidies to wind and solar in particular and other alternative forms of energy, which was to be financed by those industries using fossil fuels to provide energy. The results recently announced in Germany were that this is not obtainable, and this came at a considerable cost to consumers and to industries of that country.

Two things happened. No. 1, when the government provided massive subsidies to move to wind and solar, of course a lot of attention went to production of those two types of alternative energy sources, it wasn't based on a competition. It wasn't based on what it would cost the taxpayer. There was an extraordinary subsidy that had to be paid by the fossil fuel industries—namely, coal and oil and natural gas—to subsidize those sources.

The problem is, they ended up with a distorted economic picture, and ultimately the cost goes to the taxpayer and to the consumer. Basically, the fossil fuel industry producing energy had to subsidize the alternative forms of energy—namely, wind and solar—on a 5-to-1 basis, obviously raising prices to consumers and to industries using energy that was derived through fossil fuels.

The second problem was that the politics—which always happens in any situation like this—rears its ugly head, so every member of every State had to get their share of the subsidy. So we see windmills all over Germany that are not turning because the wind doesn't blow in some sections of the country, and we see solar panels being installed in places where, in the North in particular, the sun doesn't shine very much. So they have an extremely cost-ineffective system put in place subsidized by the taxpayer.

So as we look forward to alternative sources of energy, we have to recognize the realities of what we are dealing with here, particularly at a time when we are in economic distress and just trying to move into a better economic picture for the future. If we are going to impose massive taxes on industries that are providing energy to drive our factories, run our businesses and heat and cool our homes, it is going to add significant costs to employment and all of those who use that electric energy.

So these are issues that need to be debated in this Congress and with the American people and in a transparent way, rather than addressed by a regulatory agency that has no responsibility to the taxpayer, no responsibility to the consumer, and is trying not to have any responsibility to the congressional authority that governs this.

I have yet to hear of a credible alternative that can fully replace coal for electric power generation. Most of our States and particularly many of our heavy manufacturing States are nearly totally dependent on fossil fuels to run their businesses.

It seems to me that while technology can help us in the future move toward a position of having some additional forms of energy to meet our energy needs, today, the reality is we need this source of energy to run our economy. If only the EPA could recognize the reality of this situation, then maybe we could reach some commonsense agreement on how to move forward on climate control and other issues. Instead, it appears this agency is determined to shut down coal plants, costing thousands of jobs, weakening the economy, and increasing electric bills for families who are already struggling to make ends meet. The EPA's actions simply are irresponsible and exceed their authority.

So we come back to the essence of what the McConnell amendment does. It returns the responsibility and authority for energy and climate policy to the elected Members of the Congress. These are issues that impact every American and should not be determined by unelected Washington bureaucrats who have made up their minds to regulate regardless of the consequences. These decisions belong to the Congress and not to the EPA.

We need to pass the McConnell amendment. I believe it will achieve bipartisan support because our Nation's energy policy needs to be addressed by this body and not the EPA. So I urge strong support for the McConnell amendment when it comes up for passage.

With that, I yield the floor, and I again thank the Senator from Louisiana for the time that was allocated.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The senior Senator from Maine.

Ms. SNOWE. Mr. President, I wish to join my colleague, the chair of the Small Business Committee, to further elaborate on some of the key issues regarding the pending legislation before the Senate to reauthorize the Small

Business Innovation Research and the Small Business Technology Transfer Programs for 8 years.

When we consider what the value is of both of these programs, what it will represent to our Nation's economy during these perilous economic times is indisputable. It certainly will bolster economic growth. It certainly will bolster small businesses and innovation and put America at the forefront of new technologies, as we have seen with the examples of those who have been recipients of awards from the SBIR Program, most notably Qualcomm when they started more than 25 years ago with fewer than a dozen employees and $1.5 million in awards from SBIR. Now they are, as we know, a Fortune 500 company with more than 17,000 employees, just to cite one example. There are numerous examples certainly in my State and in the chair's State of Louisiana and all across this country, and that is the point.

This program has an illustrious history. I think it is important to note how far back this program goes. It was really inspired as a result of a White House small business conference that recommended applying the original pilot program at the National Science Foundation to a wider range of agencies. In particular, according to the National Academy of Sciences' landmark study on the SBIR Program, the recommendation was grounded in a number of facts, including evidence that a declining share of Federal research and development dollars was going to small businesses; difficulty among innovative small businesses in raising capital in a period of historically high interest rates; and research suggesting small businesses were at the vanguard of job creation, which, as we all know today is certainly the truth.

So the SBIR Program was formally established in law back in 1982, and I was a Member of the U.S. House of Representatives and an original cosponsor of that legislation. The legislation set out several goals, including to stimulate technological innovation, use small businesses to meet R&D needs, foster and encourage participation by minority and disadvantaged small businesses in technological innovation, and increase private sector R&D.

So all of that has occurred with this legislation over that period of time in which it has been part of our Nation's laws. That is why it is so important, when we reconvene after this recess, to make sure we have the opportunity to move this legislation along. It is critical because we are at a point in time in our economy where we need the jobs, we need the investments in small business.

This is not adding additional costs to the Federal budget because it is drawing from the already appropriated funds for research and development within 11 different Federal agencies that would set aside certain amounts in both of these programs for small businesses. It has broad support among a variety of organizations that are also crucial because they have been at the forefront of benefitting from these programs and understand the value of these programs and how they will bolster our economy.

I am pleased to note that we have organizations such as the NFIB, the U.S. Chamber of Commerce, the National Small Business Association, the Small Business Technology Council, and the National Venture Capital Association which, in a letter, stated that our legislation:

> . . . represents a fair compromise to ensure that America's most innovative small businesses can once again have access to existing government incentives to grow jobs by commercializing new discoveries.

Furthermore, groups that have long been at odds with these small business groups on SBIR reauthorization are now solidly behind the legislation. This is because we worked over the last 2 years during the course of drafting this legislation for reauthorization and built a compromise and a consensus on the definition of venture capital and who can participate in the program. There had been a ruling within the Small Business Administration that said it had to be individuals, which excluded a number of different venture capital backed firms from being able to participate. So we developed a consensus across the political aisle—with broad support—that ultimately brought additional organizations on in support of this reauthorization.

Most notable is the Biotechnology Industry Organization—again, talking about bringing drug therapies to market that take 10 to 15 years. They require millions and millions of dollars to develop a drug therapy and bring it to market, and the research and development and ultimately to commercialize that drug therapy treatment certainly is very costly. So to have the added benefit of venture capital investments from research and development funds that are already provided within the Federal agency is a long-term benefit for our country.

In its letter, the Biotechnology Industry Organization notes:

> [t]his bill represents a balanced approach to ensure that America's most innovative small businesses can access existing incentives to grow jobs by commercializing new discoveries.

The group also says it represents a compromise to ensure that America's small businesses remain at the forefront of global innovation. It also states that SBIR helps small biotechnology companies continue lines of medical research that might otherwise go unfunded. It will help to increase access to early-stage capital, which is a critical source of funding if we are to develop the therapies that are so important to advancing our medical systems in this country and our health care. It bolsters economic growth, job creation, breakthrough drug treatments, and therapies for patients, and it also increases America's competitiveness in the global economy.

That is exactly the intent of this program that was created in 1982, and that certainly underscores the value of this program as stated by the Biotechnology Industry Organization. I am confident this legislation represents an unprecedented compromise that will give us the necessary momentum to get this reauthorization over the finish line once and for all. This is a welcome change, after 10 temporary short-term extensions over the past 2½ years. I think the legacy of this program is making significant contributions to America's economy, and to the well-being of small businesses, the engine that drives America's economy. We depend on small businesses to create most of the jobs in America. We need to facilitate that, given the high unemployment rate—when we have had 21 consecutive months of an unemployment rate at or above 9 percent. That is the longest stretch in our Nation's history.

These two programs collectively and individually will contribute significantly to the growth of small businesses and job creation in this country. That is why there is a broad array of organizations that are supporting this legislation, because it is a testament to its history of success.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN of Ohio). The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I see we have several colleagues on the floor, and there is another coming down to speak on an amendment. I thank Senator SNOWE for her explanation of some of the compromises and changes and modifications the two of us worked on with our committee members over the last 6 years to bring a bill to the floor that has bipartisan support. I thank her.

One telling chart I want to put up before yielding to the Senator from Vermont, who wants to speak on an amendment, is very interesting. It talks about job creation and the importance of this program. One report that looked into this program between 1985 and 1995 said that SBIR-awarded firms added an average five times as many employees as comparable firms that did not receive SBIR funding.

Again, this is the Federal Government's largest program. Amazingly, it doesn't cost the Federal Government any more money because it is research and development dollars that are already set aside for the purpose of research and development. It makes sure that small businesses have access to these dollars.

When we do provide that kind of access, which this bill does, these grants and contracts go to companies that not only produce great technology but hire workers. I wanted to put that into the RECORD. I have other things to put into the RECORD as well.

I see Senator SANDERS, the Senator from Vermont, on the floor.

At this point, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, it was my intention to offer a modification of the amendment I offered yesterday on Social Security. Given the parliamentary situation right now, I can't do that. I intend to do that as soon as I can.

Mr. President, the original Social Security protection amendment that I introduced earlier would have prevented Congress from cutting Social Security benefits, raising the retirement age or privatizing Social Security without the affirmative vote of two-thirds of the Senate and the House.

I introduced this amendment because I strongly believe that Congress should not be able to cut the hard-earned Social Security benefits of current or future eligible recipients without a super-majority vote in both the Senate and the House, and I continue to hold those views.

I have heard from some of my colleagues—colleagues who strongly support protecting Social Security—that adopting this amendment would have the effect of changing the rules of the Senate and establishing new precedents. While I do not share those views, I have listened to my colleagues' concerns and worked with the majority leader to modify this amendment.

As a result, Majority Leader REID is a cosponsor of this modified amendment. There is not one Senator or Member of the House who is more committed to protecting Social Security than Majority Leader REID and I thank him for his leadership on this issue.

The Sanders-Reid amendment expresses the Sense of the Senate that, as part of any legislation to reduce the Federal deficit, Social Security benefits for current and future beneficiaries should not be cut and that Social Security should not be privatized.

The Sanders-Reid amendment makes it clear that Social Security has never contributed one dime to the Federal budget deficit or the national debt.

The Sanders-Reid amendment makes it clear that Social Security currently has a $2.6 trillion surplus that is projected to grow to $4.2 trillion in 2023.

The Sanders-Reid amendment makes it clear that it would be absurd to be discussing Social Security within the context of deficit reduction.

Let me repeat what I said yesterday. Social Security has not contributed one nickel to our deficit, and it makes no sense to conflate the serious problems of our deficit and national debt with Social Security. That is not an accurate projection of reality.

As I think we all know, in 1983, Social Security did face a crisis. Within a 6-month period of that point, it would not have been able to pay out benefits it owed to eligible Americans. Today, Social Security can pay out all benefits owed to all Americans who are eligible for the program for the next 26 years.

I will speak more about this issue. I wanted to inform my colleagues that we intend to modify the amendment we have offered. We will do that when the parliamentary situation allows us to do that.

I thank the Senator from Louisiana for allowing me to say a few words.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. ENSIGN. Mr. President, I want to talk for a while on the Hutchison amendment which says that, while the health care reform bill President Obama and the majority passed last year is going through the courts, any related provisions would be put on hold until the courts decide whether the law is constitutional.

This is an important amendment because States and private companies are being forced to spend a lot of money putting programs into place that may not have to be put into place if this bill is indeed struck down as unconstitutional. During the health care debate last year, I raised a constitutional point of order against the individual mandate because, frankly, I believe strongly that it is unconstitutional. A few of the courts around the country have agreed with me and ruled that it is unconstitutional. Unfortunately, that constitutional point of order was voted down along party lines. There is still a very good possibility—and I am hoping the courts will see it this way—that this bill will be struck down as unconstitutional because there are no ''severability clauses'' in the legislation. In other words, if one part is found unconstitutional, the entire bill is unconstitutional.

The individual mandate is the place most people are focusing on. If that is struck down as unconstitutional, the whole bill will come down. Yet States, with all of the programs and exchanges they have to set up, will literally be spending hundreds of millions of dollars trying to comply with a law that may be unconstitutional. We should not have them go through that. We should actually have an expedited procedure to go through the courts and put everything else on hold so we can determine whether this law is constitutional.

Let me talk a little bit about some of the problems we are seeing with the health care bill. First of all, we know it is raising premiums. It was promised that the average premium in the United States would go down by about $2,500 per year.

I will give you one quick anecdote I heard yesterday. I was on the phone with one of Nevada's largest employers, Steve Wynn, of Wynn Resorts. He is known to be probably the most union-friendly, the most employee-friendly employer in the State of Nevada. He has been for years. His employees love him. He pays well and offers good benefits. He told me yesterday they did a study from 2005 to 2010 of their health care costs. They increased, on average, about 8 percent a year. This year, he said that, specifically because of this health care bill, their increase was 12 percent. That is a 50-percent increase in the rate of growth of their health care costs.

What did that mean to the average employee who works for Wynn Resorts? Wynn Resorts shouldered a lot of the costs, but the economy in Nevada is pretty tough right now. It is tough on employers, so they passed some of those costs to the employees. It means an additional cost of $900 a year to the average employee who works for Wynn Resorts. This is a story I have heard repeated across Nevada over and over again.

Two-thirds of our economy is driven by consumer spending. If you take $900 out of the pockets of the average employee in my State—and I am sure that is being repeated across the country—that is less money people have to spend to encourage economic growth.

We know that this bill was over 2,000 pages. Very few people, if any, have read it. If they did read it, I can guarantee you that almost no one understood it, even the people who wrote it. This bill now has over 6,000 pages of regulations which, once again, are incredibly complex. Unless you are a large company that has experts and lawyers who can search through this law to figure out what it means to you, it is very difficult to understand.

There was over $500 billion taken out of Medicare. It wasn't taken to shore up Medicare; it was actually taken out to create a brand new entitlement program. This health reform law takes $500 billion out of Medicare and puts it toward a new entitlement program instead of shoring up Medicare and making Medicare a better system.

There were also hundreds of billions of dollars in higher taxes in this bill. Sure, the majority passed it. They said it was just the health insurance companies they were going to tax, and just medical devices were going to be taxed. There were 11 new taxes in this health care bill, which is one of the reasons I opposed it.

Here is a real-life example of what those taxes mean to patients and those developing future cures. One company produces an extraordinary device for people who have uncontrollable seizures—epilepsy is a common name for that condition. One of the treatments developed by this company to treat epilepsy is an electronic device that helps reprogram the brain. It is implanted in the brain: instead of a pacemaker for the heart, it is like a pacemaker for the brain. It is an expensive device, which costs over $20,000. The company that makes this device puts most of the money they make back into research and development so they can make better devices. Because of this new tax, they are not going to have nearly the same resources to put back into R&D to develop better products and help more patients in the future. If we had not had this device in the first place, many people who have completely uncontrollable seizures would

not have had this help. With this device, over half of those people are actually able to control their seizures. No other medication works for them. Half of them are able to control their seizures because of this device.

These are the types of things in this bill that are doing damage to our health care system, which is by all accounts the finest health care system in the world. The biggest problem with this health care bill is that it didn't go after the No. 1 problem we have in health care: the cost. Health care is too expensive in the United States. Even though it is of the finest quality, it is too expensive. We should strike down this bill as unconstitutional, or repeal it. Then, we should start with a health care reform bill that goes after the true problem in health care, and that is the cost.

What can we do about the cost of health care? We should absolutely do something that many States are already doing; the State of Texas is a good example of where it has been successful. We should change our medical liability laws, to rein in out-of-control trial lawyers across the country who are driving up all our health care costs. We know doctors prescribe all kinds of unnecessary tests just to cover themselves in case of a lawsuit.

When good medical liability reform bills are put into place, the true victims of medical malpractice actually get compensation because there are not as many frivolous lawsuits clogging up the courts. The other thing that happens is the cost of medical liability insurance and the cost to our health care system goes down.

The Congressional Budget Office reported that there would be approximately $70 billion to $80 billion in savings over the next 10 years if we enacted medical liability reform. I think that estimate is very low, but the number is not insignificant.

There are many other things we can do to create a health care reform bill that brings down costs. First of all, we need to put the patient back at the center of the health care universe. Today we have what is called a third-party payer system. The person receiving the care is not the person paying for the care. We need to put the person who is receiving care back with, what is known as, skin in the game. Then, they will start talking with their doctor and their doctor will talk with them. This can be done through health savings accounts.

Health savings accounts combine a high-deductible policy with a health savings account that either an individual's employer contributes to or the individual contributes to, and the individual actually negotiates with their doctors. The beautiful part about that is that they do not have to worry about a gatekeeper. Anybody who belongs to an HMO knows they have to go to a gatekeeper before getting to a specialist. If it is your money, you can go to any doctor you want, and the doctor has to be accountable to you because it is your money.

If we had over 300 million people in the United States shopping for health care, then market forces would drive down the cost of care and bring up the quality. Unfortunately, the government already controls most health care in the United States. The government pays almost 60 percent of total bills. When we add it all up, about 60 percent of the bills are paid for by the Government of the United States. The government already controls health care. That is the reason we continue to see costs in health care skyrocketing over many years, until recently when the costs are going up even faster.

This health care reform bill that passed last year—some people call it ObamaCare—is actually making the situation worse, not better, for the health care system in the United States.

I believe strongly that the Hutchison amendment, which would freeze any implementation of the health care bill until it is decided in the courts whether it is constitutional, is a vital amendment. It will make sure that States and private sector companies do not waste a lot of money complying with a bill that might be struck down as unconstitutional. This is money we cannot get back. Once it is spent, it is gone. We cannot get that money back.

We already know how many States are struggling with their budgets right now. We see what is happening in Wisconsin, Ohio, and my State of Nevada. It is happening all over the country. We need to put this bill on hold until we know whether it is going to be ruled constitutional.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I rise to speak on a matter that is a real concern to me and many in this body but, most importantly, to the citizens of this country. It has to do with efforts to climb out of this long recession. There are still pockets of the United States—the Presiding Officer's home State, my State—that feel as if we have not made any progress. When I talk with business owners in my State, I know they are still weathering the storm, looking to invest in a down economy, and they want to start hiring again. That is why I am glad we are, once again, debating a small business bill and that I have a chance to reintroduce the bipartisan Small Business Lending Enhancement Act as an amendment.

I have to say, this is a little like ''Groundhog Day.'' I am looking at my friend from the State of Louisiana. In October of last year, a report by the New York Federal Reserve said three-quarters of small businesses looking for credit last summer were turned down or received only some of the financing they requested.

In this report from the Federal Reserve, they stated: ''Reports from small-business owners of a credit gap have been both vocal and frequent.''

We in Congress have decided to act on and try to extend additional credit to small businesses because more credit means additional growth and, therefore, increased job creation.

Unfortunately—I should say ''fortunately'' we created a $30 billion lending fund for banks. The unfortunate part of that is we did not simultaneously allow credit unions to do more. Since that time, banks have been reducing credit availability. Even after receiving $30 billion of taxpayers' money in last year's Small Business Jobs Act, banks still are not meeting demands for small business loans.

I am still very committed to taking the commonsense step to allow credit unions to increase the amount of money they can lend to small businesses. I, once again, introduced the Small Business Lending Enhancement Act, which would open additional credit to small businesses without costing taxpayers a dime. Let me say this again—without spending a dime of taxpayer money.

We have to acknowledge credit unions know the small businesses in their communities that need loans to expand and hire. The credit unions have money to lend to those businesses. Right now, Federal law limits the amount of small business loans a credit union can extend to 12 percent of their assets. Nearly 350 credit unions, accounting for approximately 60 percent of all business loans subject to the 12 percent cap, are facing their cap and will have to dramatically slow their business lending.

It is hard for me to believe the government is telling these financial institutions they cannot help create jobs in their local communities. That is why my amendment would double the amount of money credit unions can offer small businesses.

We all know these small business owners. I wish to touch on two stories. I was particularly compelled by a small businesswoman in Colorado by the name of Stacy Hamon. She is a small business owner in Thornton, CO. She started her own business, 1st Street Salon. She initially went to a bank for a loan and was turned down because credit was in short supply. To make her dream of owning her small business come true, she went to her credit union, and they gave her the loan she needed through a second mortgage on her home.

The success story of Stacy unfolds in pretty dramatic and wonderful ways. When I visited her, she had plenty of business and even hired more workers. These are real American jobs and a shining example of economic expansion that would not have been possible if it were not for a credit union stepping up and offering her a loan.

Another Coloradan, Lisa Herman of Broomfield, e-mailed me her success story of securing a credit union loan to expand her business. She is co-owner of

Happy Cakes Bakeshop in Denver's Highland Square neighborhood. She has been in business since 2007. Despite the troubled economy, her business blossomed. Her revenues were up 27 percent by the summer of 2009. She is booking 20 weddings a month and had to expand her retail operations and move into a new shop.

Same story: When she wanted to secure a loan through a traditional bank, it did not happen. It did not pan out. But a local credit union was able to provide her with a loan for her to grow her business. That meant more business and more jobs for her community. That is the American way.

Banks and credit unions are competitors. They do not always get along. But this is not about them. This is about small business. For perspective, credit unions today only represent 4.5 percent of all business loans at depository institutions. If we take this commonsense step I am proposing and double small business lending by credit unions, it would still leave 91 percent of the small business market to banking institutions. Again, this is a smart, no-cost way of increasing lending without drastically changing the composition of the small business lending market.

Since some of my colleagues I know have been visited by folks who do not want credit unions to lend more to small businesses, I wish to make one thing clear. Credit unions have been making small business loans since their inception in the early 1900s. That is 100-plus years ago. It was not until 1998 that there were any limits whatsoever on what they could loan. That means, for 90 years, credit unions were free to help small businesses in their communities without the Federal Government necessarily getting in the way. That meant uninhibited small business support, growth, and job creation. But right now, the Federal law, whether initially intentioned, is keeping these jobs from Americans who are out searching for work.

It is estimated that the average credit union small business loan is approximately $220,000 and that each $92,000 in additional lending on the part of the Nation's credit unions will create one additional job. In the next year, I am going to say when we adopt this concept, credit union business lending could increase to over $10 billion, which conservatively would create 100,000 new jobs. All we have to do is increase the statutory cap on credit union business lending.

I wish to state again for the record: These small, simple statutory changes would not cost taxpayers a cent, but they would dramatically increase the capital available to small businesses to help make payroll, buy inventory, expand, and innovate.

Moreover, the proposed statutory changes are safe and fully supported by the National Credit Union Administration, which is the credit union regulator. They are the product of an agreement reached last year by the Senate Banking Committee and the Treasury Department.

As I begin to close, I wish to note all the organizations that support increasing credit union small business loans: Americans for Tax Reform, the National Association of Realtors, the National Small Business Association, the National Association of Manufacturers, the Heartland Institute, the Competitive Enterprise Institute, the League of United Latin American Citizens, the National Cooperative Business Association, National Farmers Union, the Hardwood Institute, National Council of Textile Organizations, and many others.

I urge my colleagues to do what is right and let's finally fix this unnecessary Federal limit on small business loans and support a small, focused, bipartisan amendment to increase job growth and support for our local small businesses.

I believe my amendment is at the desk. I ask unanimous consent that the pending amendment be set aside and that the Udall amendment No. 242 be called up and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Yes, I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mr. UDALL of Colorado. Mr. President, if I may ask my colleague, through the Chair, the nature of the objection given that this would be so important to expanding business opportunities when our economy is in a troubled state.

The PRESIDING OFFICER. The senior Senator from Louisiana is recognized.

Ms. LANDRIEU. I am happy to report and respond through the Chair that a Member of the Senate has put a hold on parliamentary procedures that would allow us to move forward on any amendments, the Senator should be aware. So we are unable, at this time, to have his amendment pending. I am personally happy he came down to speak on the amendment. There are other people who feel strongly about that issue as well. I hope the Senator understands we are not able to take up his amendment at this time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I know the Senator from Louisiana has an interest in the possibilities of this legislation. I also see my colleague from Maine, who has graciously joined me in cosponsoring this important bill and, as well, understands the way in which we would trigger innovation, lending, and job creation. I thank her.

I yield the floor.

Ms. LANDRIEU. Mr. President, I might note that Senator JOHNSON's committee has jurisdiction over the amendment Senator UDALL spoke about. The Banking Committee has the jurisdiction, not the Small Business Committee, which is one of the concerns I have.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I want to rise in support of the comments as well as the initiative of the Senator from Colorado, Senator UDALL, because I think this is a critical way to create jobs in America—by lifting the member business lending cap at credit unions. As he indicated, there was a historical norm of no cap on small business lending—or business lending—that could be done by credit unions in this country. I am very pleased to join him in this effort. Hopefully, we will have the opportunity to consider this initiative here on the floor. It deserves it.

At a time when government essentially has exhausted all of its options to create economic growth and jobs, this is one demonstrable way in which we can create jobs in America and also have a massive infusion of capital at no cost to the Federal taxpayer, at no cost to the Federal Government.

As the Senator from Colorado indicated, for 90 years there was no cap. In 1998 the Congress decided to impose a cap of 12.25 percent on business lending that could be done by credit unions. We want to raise that cap to 25 percent to inject more than $10 billion of new capital in our Nation's economy. It could create, potentially, as the Senator indicated, 100,000 new jobs within its first year, including some 1,000 jobs in my own State. We are a small State—Maine. We have 1.3 million people, and more than 600,000 Mainers are members of credit unions.

Credit unions play a pivotal role in our State and our Nation's economy. They are on the front lines each and every day in our small communities, serving their members and local businesses. One of the greatest handicaps and hardships right now for small businesses, as demonstrated by a recent survey by the Federal Reserve, is that three-quarters of small businesses looking for credit last summer were turned down and received only some of the financing they requested.

Small businesses are on the front lines of our economic recovery. They are the innovators and the job creators, the driving engine of the Nation's growth and prosperity, yet they are not getting the access to capital that is necessary to create jobs and to make the investments in their companies and firms that will stabilize the economy. So it is indisputable about the value this legislation would represent in terms of helping small businesses have access to that capital.

Credit unions have been making business loans since their inception, for more than 100 years. They provide the essential capital in small communities. They understand the importance of lending to creditworthy customers, they understand the nature of their communities, they know their members and can make a difference in so

many businesses as well as in the local communities. We know that in the past they have demonstrated responsible underwriting practices and strong management. They have money to lend—at a time when capital is much needed.

At a time when we are struggling to find ways to create jobs, this is one sensible solution to that approach. Frankly, I am very disturbed about the inability of our economy to create the kind of jobs Americans deserve. As I said earlier, as of January this year, we have experienced 21 consecutive months of unemployment at or above 9 percent, which is the longest stretch in the recorded history. The second highest was back in the early 1980s. But if you think about the jobs that were created last month—one of only 3 months in the last 2 years in which 200,000 jobs were created, at that rate it would take 8 consecutive years to achieve the pre-recession unemployment level of 5 percent. We would have to create more than 300,000 jobs every month over the next 2 years to reach a 7-percent unemployment rate. In the month of January only 36,000 jobs were created.

We have a long way to go. While the net unemployment rate, as it stands today, is 8.9 percent, in all reality—as an article indicated yesterday in the Washington Post—it is closer to 10.5 percent because of so many discouraged workers that have left the workforce. In this initiative, we have an important, effective, responsible way of putting money into the communities, allowing the credit unions to lend to creditworthy customers and businesses, the same entities that will help drive this economy into recovery.

We depend on small businesses. They are the ones that are going to make it happen. That is why I want to commend the Senator from Colorado for offering this initiative. It is vitally important. I hope we don't defer the consideration of this legislation in this Congress, that we have the opportunity, when we return from this upcoming recess, to consider it and to vote on it.

I also wish to give a few other facts that I think are important to illustrate the value of these loans in the community. The Treasury Department found that 25 percent of credit union member business loans were made to members with household incomes of less than $30,000 and that these loans totaled 13 percent of the outstanding member business lending balances. Another 20 percent went to households with incomes reported to be $30,000 and $50,000. So we are talking about middle-class America. We are talking about mom-and-pop operations and households that otherwise would be denied access to credit. We know that. We have heard it chapter and verse. I have heard it anecdotally from so many businesses in my State and across the country. We have heard testimony before the committee about the inability of so many small businesses to gain access to credit.

Banks have decreased lending, for all practical purposes, to small businesses. That is why we have to do everything we can to enable these firms to access credit and loans that will allow them to stay in business and to sustain their operations in these very difficult times.

Again, I want to thank the Senator from Colorado for offering this initiative, and hopefully we will have the opportunity to consider it and to vote on it because it is one way of stimulating job growth. I think that is indisputable based on the track record of the previous lending that has been done by the credit unions. This is one opportunity we should be able to have in making sure small businesses have access to capital that will allow them to continue.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the Senators for their discussion of that amendment. I wish, before Senator UDALL leaves, to correct one thing for the record.

As the manager of the Small Business Innovation Jobs bill, which the Senator was so helpful to us in passing, we did ask the credit unions if they wanted to be a part of that lending program and they declined to participate. So I wanted, for the record, for that to be clear.

I do know—and let me speak for myself—that credit unions serve a valuable role in our Nation today, and we want to acknowledge that. But I want the Senator from Colorado to know that, according to the information I have been given, they were asked if they wanted to participate in the Small Business Lending Fund, and they declined. They may change their mind later, and we can amend that program later should they so decide. But I thank the Senator for his comments.

I see the Senator from Georgia is on the floor, so I will yield my time. I think he wants to speak on a different amendment, but I think that is the purpose of this morning's discussion.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Georgia.

Mr. ISAKSON. I thank the Senator from Louisiana, and I look forward to being in New Orleans this weekend, I might add. It is a great State and a great city.

Madam President, there is a pending amendment by Senator HUTCHISON dealing with medical waivers, which prompts me to come to the floor for a minute and talk about that issue as it affects Georgia today, and in particular to talk about it in the context of what our Governor and legislature are having to deal with right now in terms of the mandates of the health care bill signed on March 23 of last year by President Obama.

In fact, on the signing of that bill, there were a couple of statements made, reflecting back on that long debate, and I want to repeat them right now. One was made by Speaker PELOSI, saying about a month before the House passed the health care bill, that you had to pass it to find out what is in it. That was a funny statement at the time, but it became prophetic as we are beginning to discover over and over the unintended consequences of the legislation on our States and on medicine.

Secondly, Vice President BIDEN declared the magnitude of the impact of the health care bill. That magnitude is turning out to be higher cost, less benefit, and more regulation on our States.

In particular, I want to bring two points up to talk about why this whole issue of medical waivers is so important. Our insurance commissioner, Ralph Hudgens, has submitted to CMS for a waiver on the medical cost-benefit rule in terms of benefits paid on policies, taking it up to 85 percent. That mandate in the health care bill is going to force not better coverage but less coverage by our insurance companies in Georgia because they will leave when they cannot meet it.

It is the intention to regulate the amount of benefits paid. But the application means companies that can't meet it by the time set in the bill will leave the State. So instead, you will have less of what was promised rather than more. You will have less available choice and more people forced to a single-payer system in the government operated through an exchange.

This prompts me to talk about the second issue going on in Georgia. Our newly elected Governor, Governor Nathan Deal, is trying to deal with a mandate on setting up the State exchange that will be available to operate by 2014, in a period of time where the public wants no part of the national health care bill and wants to wait on a Supreme Court ruling on June Vinson's opinion from Florida.

I come to the floor to say these medical waivers are important. States are having to ask for them because of the impact of the overall health care bill that was signed on March 23 of last year. If some relief doesn't come, we are going to have some cataclysmic events. One will be the impact on employees and small businesses, which is what this bill is all about.

I ran a small business. I had independent contractors for whom under ERISA you could not provide health insurance. I tried my best to get this Congress and this President to consider an associated benefit program approval so we could have people, such as those in my profession, assemble together and form large risk pools so they could compete for insurance, the same as major companies and States do. That was rejected instead for an exchange and for a simple system that says small businesses must provide health insurance to their employees, but if they do not provide it, they will pay a modest fine that is much less than the cost of the insurance. That one statement and rule alone forces people in

small business to leave health care coverage from an insurance carrier, getting it through their employer, and instead they are forced to go to a government exchange where choice is limited and mandates are many.

I want to commend the distinguished chairman and ranking member of the Small Business Committee for the effort they are making on this bill, but also commend Senator HUTCHISON on the importance of considering the volume of these waivers being filed; why are they being filed, and are they an early warning for what will happen to us when this bill goes into effect if we don't take the ObamaCare legislation and commit drastic surgery or, better yet, start over and build a system that works, where we have the private delivery of health care and a minimum of government interference.

I thank very much the chairman for giving me the time to speak.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Louisiana.

Ms. LANDRIEU. I thank the Senator from Georgia for coming to the floor to participate in the debate. I have a different view on the amendment he spoke on, but we will continue that debate. In fact, we have been debating health care policy in this country for the last 2 years. While I appreciate his views, I am hoping we get to keep the debate very focused and specific, if possible. But I understand the amendment of Senator HUTCHISON, and the amendment Senator ISAKSON supports does affect small business, so we look forward to more comments as we go forward.

Madam President, as we wait to move to the CR—which under unanimous consent I think we are moving to in a few moments, so we will be off the debate on this bill—I want to submit for the RECORD some of the data associated with job creation.

I know Senator SNOWE is very sincere in her comments about the lack of job creation in the country, and I want to say I agree with everything she has said in terms of the rates of unemployment being very concerning. That is why she and I have spent so much time in the committee trying to look at the array of bills we have, at least in our jurisdiction, and see what we can do to help change the outlook. I am very proud to say we have, I think, in large measure contributed in a positive way.

But for the record, in terms of job numbers, because I don't think President Obama and his administration get the kind of credit I think they deserve, and frankly, the Democratic leadership doesn't get the credit it deserves for turning around a desperate situation, I am going to submit these numbers for the record, but I will also have a chart later because I think it is important for people to understand. I want to throw a few of these numbers out. I am sorry I do not have this chart clearly reproduced at this point, but I am going to give you a couple of numbers.

In January of 2009, this country lost 820,000 jobs, in that 1 month. In that 1 month, we lost more jobs, according to this document I am looking at, than any month probably in the last 10 or 15 years. I am going to go back and check.

I ask for 1 more minute? I do not see Senator INOUYE. I am going to actually ask for 2 or 3 more minutes until he gets to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. That is the highest number of jobs lost in years, and I will tell you exactly how many. The point is, President Obama was not the President in 2009, January of 2009; he was just sworn in in 2009. He was elected in 2008. So the job losses of a year before, which started February of 2008, which was the beginning of the recession, before President Obama was sworn in—we lost 83,000 jobs; in March, 72,000; in April, 185,000; in May, 233,000; in June, 178,000; in July, 231,000; in August, 267,000; in September, 434,000; in October, 509,000; in November, 802,000; in December, 619,000; and then in January, the month he got sworn in, we lost 820,000. I understand people have different views, but to blame a President who was not even in office for this recession is wrong and it is not fair. That often happens. It does not happen from my ranking member, but it does happen from others around here.

In addition, that terrible loss of jobs continued as Wall Street collapsed, fat cats ran off with the money, people's Social Security and 401(k)s—not Social Security, thank goodness, but 401(k)s tanked, public pension funds that people are screaming about, that something is wrong with them—yes, a lot is wrong with them. The Wall Street greed, unparalleled in the history of this Nation, sunk so many of our pension funds—not necessarily the fault of Governors or legislators or employees themselves—and there is some underfunding opportunity, I would say, there. I know something about this. But the big culprit was the collapse of the market which was started before this administration.

These numbers continue: 500; 300. What is happening this year, 2010? It is starting to reverse. Yes, ma'am, it is starting to reverse—in March, a plus of 192,000; in April, a plus of 277,000; in May, a plus of 458,000; in October, a plus of 171,000. I could go on.

The point is, it is not all gloom and doom. There are some things that are working. We need to keep working together. That is why Senator SNOWE and I are on the floor.

I see Senator INOUYE coming. It is time to go to the CR. But we are working together the way our committee has had a tradition of working to try to take a bill here, a bill there, putting good programs in place, putting new ideas in, thinking outside of the box, because we all have to do the best we can to get this economy moving again.

I wanted to say that for the record, to submit this data.

I see the chairman of the Appropriations Committee, and I believe at this time, Madam President, I will yield the floor and we can proceed to the next order of business.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.J. Res. 48, which the clerk will report.

The bill clerk read as follows:

A Joint Resolution (H.J. Res. 48) making further continuing appropriations for fiscal year 2011, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 3 hours of debate equally divided between the leaders or their designees.

The Senator from Hawaii.

Mr. INOUYE. Madam President, I rise to discuss H.J. Res. 48, a short term continuing resolution designed to keep the Government open through April 8th. If the Senate passes this resolution it will be the sixth short term continuing resolution this year. With its passage we will be more than half way through the fiscal year and still operating without a budget.

H.J. Res. 48 would fund the Government for an additional 3 weeks and would reduce the rate of operations for the Federal Government by an additional $6 billion. If adopted, we would be operating the government at a rate that is $51 billion below the amount requested by the administration for fiscal year 2011.

At this level, our spending on security programs will be $30 billion below the president's request and $21 billion lower on domestic spending. I would also point out to my colleagues that this is $31 billion below the so-called Sessions-McCASKILL level which every member of the Republican caucus voted for last year.

The aggregate amount in this short term CR is the level proposed by the President as a compromise with the House Republicans and it is the same amount that was included in the amendment which I offered as an alternative to the House continuing resolution last week.

By agreeing to this level, the Senate will be $6 billion lower than current spending levels, but no lower than the President has recommended.

While several of my colleagues have complained that we simply have not cut enough Government spending, most of our subcommittee chairmen, and many Members of the Democratic caucus are beginning to think that we have already cut too much.

I believe the disparity in views can be partially explained by the information described below.

Recently the Center on Budget and Policy Priorities released a report which notes that in comparing appropriations funding levels, the appropriate measurement should be expressed in inflation-adjusted dollars, normally referred to as real growth.

The Center's point is that the cost of Government operations increases each year by inflation. One cannot ignore the fact that if the price of goods and services rise by 1, 2 or 10 percent, the Federal Government's cost in providing those goods and services also increases by this rate.

When we fail to consider the effect of inflation on Federal discretionary programs in viewing spending rates, we are not accurately reflecting what it costs to run the Government. If utility prices are increasing by 5 percent, and if we don't budget the extra amount, we are forced to cut other programs to pay for the fact of life increase in our utility bills.

Longevity increases paid to civil servants and military pay raises are also fact of life increases that we cannot ignore. These bills have to be paid even if we aren't budgeting for their increased cost.

And. if we aren't basing our funding decisions on real costs, adjusted by inflation, we are in fact forcing Government to cut the services it provides even when it receives the same funding level as in the previous year. This isn't a political talking point; it is a mathematical fact.

The report from the Center on Budget and Policy Priorities measures the impact of inflation on the cost of Government. By its calculation using the CBO baseline, real spending approved for fiscal year 2011 to date is $34 billion lower than what was provided in fiscal year 2010, a cut of $18 billion in real security spending and $16 billion in domestic spending.

With this amendment we will be cutting domestic spending by another $6 billion in nominal terms, but more than that in inflation adjusted dollars.

Democrats have been chastised for only cutting $10 billion from fiscal year 2010 levels.

I would note that even in that comparison, which fails to take into account many fact of life increases, we should all understand that domestic spending is being cut by more than $14 billion, while security spending is slated to increase.

Furthermore we are now halfway through the fiscal year. Agencies have spent on average 50 percent of their funds. Each dollar we reduce at this time has the effect of doubling the cut made in programs for the rest of the year.

Our subcommittee chairmen recognize the difficulties that this level of spending will create for the programs they oversee. Accordingly, many of my colleagues on the Appropriations Committee are saying enough is enough, while those who are not as familiar with the details of budgeting complain that we should be able to cut spending more.

I ask the Senate to consider one more measurement. For domestic discretionary spending the total available for the whole year after the passage of this bill will be $400 billion. In FY 2010 we had $413.6 billion for these purposes. For nearly the entire first half of this year we were spending funds at a rate of nearly $410 billion.

Since the year is halfway over, approximately half of the $140 billion—or $205 billion—has already been allocated. In general, that means we will only have approximately $195 billion to cover the cost of operations for all of our domestic agencies for the rest of the year.

This rate of spending for the rest of this fiscal year is $23.6 billion below the rate we spent last year. And when we compound this, recognizing that inflation has increased the cost of operations for domestic programs by $16 billion a year according to the center on budget and policy priorities, we see that effectively for the remainder of the year we will be asking our agencies to operate at a rate which is $39.6 billion below what we gave them for the same level of goods and services that we supported last year. In real terms even under this short term CR, we will be requiring our agencies to absorb more than a 9 percent reduction in spending compared to a year ago.

Agreeing to a cut of this size this late in the fiscal year will be challenging for our agencies to manage. I believe our subcommittee Chairmen recognize this reality and it is why most of them are concerned that the level of cut that we are agreeing to is already deeper than is prudent.

Finally, I want to point out to everyone who is listening exactly where we are, and what we are really talking about in trying to conclude our negotiations on spending for this fiscal year. Those who talk about $3.7 trillion in spending and billions in unneeded funds are not dealing with the reality of this continuing resolution.

What the decision comes down to is this. After this resolution passes, our domestic agencies will have approximately $195 billion to meet all their needs through the end of the year.

This covers the salaries of people who monitor our food supplies, of our air traffic controllers who keep U.S. airspace safe, of our customs officials and U.S. Marshalls who monitor our borders. It includes the cost of all of our programs to support education from kindergarten through college, of those who ensure that our social security benefits are paid, and of thousands of other activities.

We have reduced their funding effectively by 10 percent.

How much more of this $195 billion which accounts for only about 5 percent of the $3.7 trillion budget; how much more of this spending can we really afford to cut before we are required to lay off food inspectors and shut down meat plants?

How much more can we cut before we have no funds to pay employees to monitor our borders and ports? How much more before we have to cancel the construction of dams, bridges, highways, levees, sewers, and transit projects and throw thousands of private sector workers onto the street?

It should not be forgotten that when we force either civil servants or private sector workers out of their jobs, they both add to the unemployment rolls. They will not be paying taxes any longer, but they will tax already stretched social services. Surely we can agree cutting jobs, whether public or private, is not the right approach to assist our slowly rebounding economy.

This is not a question of how much we can or should save from a $3.7 trillion budget, but a question of how much more our colleagues think we should cut from the $195 billion we have left to pay for our domestic agencies when we will be effectively asking the agencies to cut another 10 percent in spending over the next 6 months.

In the coming days as we try to resolve our differences on domestic spending for the rest of this fiscal year I hope my colleagues will keep these points in mind.

Having said that, I intend to support this CR because it will provide the funding level that the White House has endorsed, and because if it fails we would likely have to shut down the Government. That would be unacceptable.

I encourage all my colleagues, those who think we have cut too much and those who do not, to support this 3 week extension to allow our colleagues additional time to try and reach an overall compromise on discretionary spending for the rest of the fiscal year.

Madam President, I ask unanimous consent that the time in quorum calls be allocated on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. 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. NELSON of Florida. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. NELSON of Florida. Mr. President, you remember a year ago, before we passed the health care bill, everybody testified that Medicare was set to go into bankruptcy in 7 years? Do you remember back then, just a year ago, Medicare paid doctors when seniors got sick, and Medicare was focused on the quantity of care instead of the quality of care? Back then Medicare paid hospitals more if a patient got an infection that could have been avoided in the hospital, and they paid hospitals less if they avoided that infection in the first place because Medicare, whatever the cost was, paid it. And do you

remember back then that doctors would perform the same test over and over for the same patient because they had not been encouraged in a law to work together and to share results? That is why a year ago we passed the Health Care Reform Act. Now that act extends the life of Medicare by 12 more years until at least the year 2029.

Now, because of a change in that law, Medicare does not just care for people when they get sick, it is a more comprehensive health care system. Now the senior citizens receive an annual wellness visit. As part of the new Medicare law they can receive screenings and tips on how to manage or prevent conditions such as if they have diabetes or high blood pressure, and they do not have to wait until they get sick. In my State of Florida that is a lot of senior citizens. That is 3.2 million senior citizens.

Another thing this health reform law does is increase payments to hospitals for providing higher quality care. It gives hospitals the incentives to prevent avoidable illnesses, and the law improves the quality by increasing the number of primary care physicians.

In my opening statement I said hospitals were paid more if people got an infection in the hospital. We are now going to pay the hospital less. We are going to give the hospital an incentive not to have that kind of hospital that increases infections while the patient is there. Now doctors, under the new law, can track the patient care. They can make sure patients are seeing the right specialists, and they can help specialists avoid repeating the tests and the procedures.

There is a part that is just being implemented now in the health care bill called the accountable care organization. Combined with that will be electronic records. So, instead, the Medicare beneficiary, the senior citizen going to this specialist, this specialist, this specialist, and this specialist, and all of them getting Medicare fee for service, now they are going to be under the umbrella of an accountable care organization that may be in the private sector. It may be part of Medicare Advantage, in an insurance company that is managing the care for the Medicare recipient.

Whatever it is, it is going to integrate with electronic records, with the enhancement of primary care physicians, so that all of that duplication is not done and so that everybody is talking to everybody through the electronic records. So these doctors now are going to be able to keep track of patient care, to see the right specialists, and to help the specialists avoid repeating the tests.

Now, you remember a year ago when senior citizens had to pay a lot for their senior citizen prescriptions under Medicare? That meant that sometimes our seniors did not get the treatment they wanted because they could not afford it. Remember back then that Medicare covered the first $2,800 worth of prescription drugs, but then they did not get any Medicare coverage for drugs until they had exceeded $6,300.

If they did not have the money and were a senior citizen, I will tell you what was happening in that $3,000-to-$4,000 gap. The senior citizens, as some of the senior citizens in my State and in your State, Madam President, were doing without, or they were cutting their prescription drugs in half, or they were, unfortunately, making the choice between food or their medicine, something that in America, in the 21st century, you cannot believe is going on. But, in fact, it was and, unfortunately, it still is.

It is about to go out because we are now covering that gap that is known as the doughnut hole in the new health care reform bill. So this bill that was passed a year ago is closing the gap in that coverage, and in my State alone, that means that 235,000 Florida seniors received a check this year of $250 that helped cover the cost of those prescriptions in that last year of 2010. This year, in 2011, under the new law, the seniors who hit that gap called the doughnut hole are going to receive a discount of 50 percent off the cost of their prescriptions.

The gap under this new law is going to be entirely eliminated by the year 2020. It is going to be gradually phased in.

One year ago, a lot of folks talked about the effect of health reform on Medicare Advantage. Remember that? Remember all that criticism about how Medicare Advantage was going to go down and how it was going to get cut? When we started proposing some real improvements to Medicare Advantage, a lot of the opponents were saying it was going to kill the program. They said it was going to cut those benefits, and it scared a lot of our senior citizens.

The truth was, the insurance companies that provided Medicare called Medicare Advantage had a cushy extra 14 percent over Medicare prescription direct benefits. Medicare fee for service plus 14 percent is what the insurance companies were getting. Those insurance companies pocketed much of that government extra spending, and we were not, under the old law, holding those insurance companies accountable for enough on quality.

As a result of that health care reform bill, today that program is stronger than ever. Remember how they said it was going to get whacked and it was going to cause the seniors to go way down?

I can tell you, in my State, enrollment is up 6 percent in Medicare Advantage, and the premiums are down in Florida by 9.6 percent on Medicare Advantage. The new health care reform bill allows us to push back against the insurance companies that wanted to charge too much for Medicare Advantage. Just in my State, we were able to save Florida seniors $4 million in the form of extra health benefits or reduced out-of-pocket costs for their Medicare coverage.

Under the new law, we are going to be able to reward Medicare Advantage plans: Medicare insurance companies—we are going to be able to reward those that provide the quality plans, the high-quality care.

Remember back 1 year ago what was happening on waste, fraud, and abuse in Medicare? The standards to prevent that waste, fraud, and abuse in Medicare were certainly not tough enough. How many times did we pick up the newspaper and we read about this guy had fleeced Medicare by opening a storefront that was a fake storefront and they started billing Medicare right and left and Medicare was paying it. As a result, the criminals were able to rip off Federal health care programs. A lot of that was because there was not an adequate enough review.

This new law has enforcement officials with new tools to prevent fraud before it occurs. This Senator had a part, a little bitty part, in that. The law gives States money to conduct background checks on long-term care providers and to educate seniors on fraud prevention, to educate them about those people who prey on our senior citizens and take advantage of them. My State has received in excess of $3 million thus far in order to provide that education on fraud prevention.

Because of the changes in this health care reform bill, Medicare is now stronger than ever. As it is being implemented over the course of the next several years, it did not take effect all at once. There is a lot of implementation in each year over about the next 4 years. As it does, Medicare is going to be stronger than ever. We certainly need to continue to protect and strengthen Medicare for all of our seniors.

On the occasion of 1 year ago, when this new law on health care reform became law—it is so complicated and there are mistakes in it and we will correct those mistakes over time. That is the good part about this being implemented over the next several years; that where there is a mistake, it can be corrected. If this goes all the way up to the U.S. Supreme Court, which I expect it will, and if the Court declares a part of it as unconstitutional, that does not mean the Court is going to strike down the whole law. But there are plenty of opportunities, where there need to be corrections as it is being implemented, that we can do that.

But I wished to come to the floor and point out some of these reforms that have already strengthened the Medicare Program, as well as providing a more favorable environment in which to receive health care coverage, particularly for America's senior citizens.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

Mr. BROWN of Ohio. Mr. President, I wish to speak for a moment on the continuing resolution and then speak on something else. It should not matter which political party we belong to. It is not right for any elected official to use the budget process to squander our economic potential and undermine our economic competitiveness. I see far too many people doing that in this debate.

I also see we are looking in a small window of the budget—something like one-sixth of the budget is where all the cuts are—confining the discussion to that, without looking at a millionaire's tax, without looking at closing loopholes.

We know, the Presiding Officer knows, if a company in Wheeling, WV, right across the river, or in St. Clairsville, OH, shuts down and moves to Mexico or China, they can actually deduct the cost of that move and that shutdown. That makes no sense. We need to close those tax loopholes. We need to look at the entire budget as we make these cuts.

Yesterday, I was on the phone with the majority leader talking to Ohio and Nevada media and also with John Paul Hill, an Ohio veteran who, after being discharged from the Army, was left homeless and turned to drug abuse.

With the help of a Housing-Urban Development-Veterans Affairs Supportive Housing—called HUD-VASH—Grant Program, he has an apartment. His life is on track. He is enrolled in college at Cuyahoga Community College in northern Ohio and he is on track to graduate and will be very employable.

Those are the kinds of cuts Republicans have made to maternal health care programs, to Head Start, to programs such as this for homeless vets. It is unconscionable that is the approach they have taken instead of much more serious long-term deficit reduction.

We also know from what JOHN MCCAIN's chief economic adviser said that the Republican budget that came out of the House would result in 700,000 lost jobs this year because of their approach, and that is clearly not good, as this economic recovery has begun—not fast enough in West Virginia or Ohio or anywhere else in this country, but it has begun. So we do not want to undercut that.

(The further remarks of Mr. BROWN of Ohio are printed in today's RECORD under ''Morning Business.'')

Mr. BROWN of Ohio. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. 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. ALEXANDER. Mr. President, I ask unanimous consent that Senator BENNET and I have up to 10 minutes for a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, Senator BENNET and I have just announced an effort that I think most teachers, most principals, and many parents will want to be a part of. We are going to look at the education system in Tennessee and in Colorado—two of the more progressive States in education—to see if there are too many tests and too many regulations. We want to make sure the tests we have are good tests and the regulations we have are reasonable regulations, and any minute we can save from an unneeded test or an unnecessary regulation is a minute a teacher can spend devoted to teaching.

So we have done two things. First, we are introducing today legislation that we hope will be a part of the new Elementary and Secondary Education Act when it is passed that will have the Education Secretary set up a task force that will do something we don't usually do in government, which is subtract instead of add government—in other words, to continuously ask teachers, principals, and others what tests, what regulations are unnecessary so we can get rid of them.

Second, we are going to start right away to do this in Colorado and Tennessee. We have talked to our Governors—Governor Hickenlooper and Governor Halsam—and we are going to put together a task force of educators in our State and ask them to say to us: What regulations are unnecessary? What tests are unnecessary?

When I was Governor, I used to say to the Education Secretary, who was then Bill Bennett: There are too many Federal regulations. He would say to me: I bet you have more State regulations than Federal regulations. And he was right.

When I was Education Secretary, I had many teachers and others say to me: We can't do this, we can't do that because of the Federal regulation, when, in fact, there was no such Federal regulation. What often happens is that the confusion between what the Federal Government requires and what the State government requires creates inordinate confusion in the classroom, and teachers feel all tied up.

So we are going to start right away to do this. We are both very excited about this. We think this should give teachers and others in the classroom an opportunity to do their jobs. One day less on an unneeded test might mean one more day teaching a child U.S. history, which would suit me fine.

I wish to congratulate Senator BENNET for his contribution to the debate, his ideas. His ideas come from his experience as an extraordinarily successful superintendent of the Denver Public School System. So we are taking his more recent experience and my own background, putting them together with our teachers and principals, and we look forward to reporting to our colleagues what we find, as well as to Secretary Duncan, who will be a full partner with us in this. We hope this is part of the Elementary and Secondary Education Act when it is enacted in a bipartisan way.

Mr. BENNET. Mr. President, I thank Senator ALEXANDER for his leadership over so many years on education issues confronting this country and making sure every child in America has the opportunity to fulfill their full potential. I thank him also for his work on this bipartisan effort to do something very unusual for government and also for public education, which is actually to begin an inquiry about not what the next rule or regulation should be but whether there are rules and regulations that are now obsolete or whether our State regulations and Federal regulations are actually not accounting for each other in any way other than to overburden the people who are actually teaching our kids and our kids themselves.

I used to spend a lot of time when I was superintendent of Denver public schools wondering why everybody in Washington was so mean to our teachers and to our kids. Now that I have been here for a couple years, I know the people here are not mean. But this Senate floor is a very long way from the classrooms of this country—the classrooms in Tennessee and the classrooms in Colorado. We have to remember what the effects of everything we do are on that moment when a teacher is in her classroom with 20, 30 kids and trying to do her best to make sure they move forward.

This is an opportunity to not show up with the answers but to ask questions of our teachers and principals and moms and dads and see what we can take away. I have learned something since I have been here, which is that an awful lot of the burden we are placing on people in schools and classrooms and the way in which State and Federal regulations interact with each other—if we can reduce that burden while at the same time elevating our accountability system, improve our accountability system, make sure we are holding everybody accountable for delivering the outcomes from our kids, that not only will we get better results but we are going to find that there is a lot more time in the schoolday and the school year for kids to have well-rounded education all across America.

I thank our former Education Secretary for his work, and I thank our current Education Secretary, Arne Duncan, for working with us on this initiative. I am so looking forward to having a conversation with people, where we are saying: What can we take away, rather than: What are we going to impose on you now?

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum on the

Colorado-Tennessee working group on effective regulation and assessment systems for public education, which outlines the roles Senator BENNET, myself, Secretary Duncan, along with Governor Haslam of Tennessee and Governor Hickenlooper of Colorado, will have.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GO–TN WORKING GROUP ON EFFECTIVE REGULATION AND ASSESSMENT SYSTEMS FOR PUBLIC EDUCATION

The structure of the working group will be as follows:

Co-Chairs: Sen. Michael Bennet, Sen. Lamar Alexander, Secretary Arne Duncan, Governor Bill Haslam, Governor John Hickenlooper.

Charge:

(1) Examine Federal, State, and local regulations governing public schools in Colorado and Tennessee.

a. Differentiate between financial, programmatic, general education, special education, and civil rights requirements.

b. Identify which governmental entity requires each regulation.

c. Measure cost of compliance in terms of funds spent on compliance and time in hours and personnel.

d. Identify duplicative, redundant, or unnecessary regulations at each governmental level.

e. Investigate how Federal, State, and local interpretations of laws and regulations create additional or unnecessary burden and are used as rationale (or cover) for imposing requirements that are not actually mandated by law.

(2) Examine Federal, State, and local assessment systems for public elementary, middle, and high schools.

a. Determine purpose and intent and length of each assessment (e.g., measuring student achievement, teacher effectiveness, system accountability).

b. Determine frequency, length, and scheduling and measure impact on length of time in hours and days spent on testing.

c. Identify duplication in the current system and opportunities to streamline the accountability system.

d. Examine whether current assessments are returned with sufficient speed and quality to inform instruction, student grading, and teacher effectiveness.

e. Examine reporting practices of test results and the degree to which they are returned in a timely manner with sufficient quality to be useful to parents, teachers and principals, and students to inform and improve their work, including targeting instruction to student needs, grading student work, and evaluating teacher and principal effectiveness.

f. Analyze the ability of quality assessments to measure whether a student is prepared to graduate from high school and pursue college or a career without the need for academic remediation.

g. Examine what factors most contribute to quality assessments and the extent to which high-quality assessments can advance student learning.

h. Assess the technology infrastructure for next generation assessments.

i. Identify opportunities to improve assessment practices to better promote parent, teacher and principal, and student understanding of progress toward college and career readiness and public understanding of school performance and educational productivity.

(3) Prepare a report analyzing findings and make recommendations for local, State, and Federal policy makers including:

a. State legislators
b. Chief State School Officers
c. State Federal Programs Director
d. Superintendents
e. Principals
f. Teachers
g. Assessment Experts
h. Educator Effectiveness Experts

Mr. ALEXANDER. Mr. President, one more time, the bottom line of this proposal by Senator BENNET and myself is that every minute a teacher spends on an unneeded test or regulation is a minute the teacher cannot devote to teaching a child. What we are asking the teachers of Tennessee and Colorado to do for us is to identify the rules and regulations we need and the rules and regulations we can get rid of.

Mr. BENNET. Mr. President, I will add one more example to this from my experience in Denver. We complied with No Child Left Behind in the Denver public schools. But there was something that didn't make sense to me and to our teachers and our families, which is that we thought we were asking and answering a completely irrelevant question when it came to accountability, which was: How did this year's fourth graders do compared to last year's fourth graders?

The accountability system in the United States is based upon that. What our teachers told me is: Michael, it is irrelevant because they are not the same kids.

They are right. So we moved to a system that asked the question: How did this group of fifth graders do compared to when they were fourth graders and third graders, compared to what every other child in Colorado with a statistically similar test history did as well. All of a sudden, we began to see places that were driving growth for kids but that were completely unrecognized by the Federal law. We saw other places where kids were achieving at high levels but were falling behind during the course of the year.

There is a lot of wisdom in this country about how to move our kids forward. What we have to do is tear down some of the barriers that are in the way of those good ideas. It took me a long time to get that performance system signed off on both at the State and Federal levels. The State of Colorado has a growth model, and we are talking about growth models all over the country as a result of the work we did in Colorado and the good work that has been done in other States as well.

Sometimes people ask: Why is it so hard to scale quality in public education? If we can, in some small way, tear down some of the unintended barriers to that scaling of quality education, I think our kids will be better for it.

Again, I thank the Senator from Tennessee for signing up on this initiative. I look forward to learning what is working well and what is not working so well in our respective States and watching this spread across the United States. I thank the Chair.

Mr. ALEXANDER. I thank the Chair also.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we will soon be voting on a continuing resolution to continue funding the U.S. Government for 3 weeks. I believe that will reduce spending over that 3-week period by $2 billion a week, which is far less than the debt we are incurring in each of those weeks, but it is significant progress. Add it to the $4 billion we did in the previous 2-week CR.

I will support this continuing resolution. It keeps us on track to achieve a $61-billion reduction in Federal spending this fiscal year, which ends September 30. It is important we take action. It is a matter that is important financially to American business interests and foreign business interests that may be thinking of investing in the United States and people who might buy our huge number of Treasury bills that we sell each week and are purchased by people all over the world. They want to know if we have our house in order, if this is a safe place to invest their money.

We need to do something now. When our majority leader, Senator REID, proposed not $61 billion but that we reduce spending only $4 billion throughout the rest of this fiscal year, I said then and believe now that is only a product of being in the Washington bubble. We are in denial of the reality of the crisis we face. I do not want to talk down the American economy. I believe the American worker is willing to work, is competitive, but we cannot burden that worker with excessive debt.

How does that happen? I am ranking Republican on the Budget Committee. We have heard testimony from Drs. Rogoff and Reinhart, who have written a book called ''This Time is Different.'' Their study of nations that have gotten into trouble financially and have had debt crises over the last 20 years shows a consistent pattern of problems.

One of the things they concluded is that when a nation's debt reaches 90 percent GDP, the economic growth in that country slows down. The median was 1 percent, but the average was more than 1 percent. Some countries had more than a 1-percent drop in growth. Japan has a higher debt than we do, I think the highest in the world. They have an interesting way they have been able to finance it, but they have had no growth for quite a long time. It is consistent with the Rogoff-Reinhart study.

Does that apply to us? We are about 95 percent now. Our debt is surging. By the end of this fiscal year, the numbers are that our debt will be 100 percent of GDP, well above the figure. One might

ask: What does 1 percent growth mean? If we are looking for growth of 2 or 3 percent, 1 percent is half our growth.

What does it mean in other terms? Experts have said that a 1-percent reduction in growth amounts to 1 million jobs lost.

I believe we are beginning to feel a negative pull on our bounce back from this recession as a result of growing debt right now, not years down the road as some people have been saying and predicting; that we are going to have a debt crisis down the road. I hate to say it.

Erskine Bowles, President Clinton's Chief of Staff, was appointed by the President to cochair the debt commission with Senator Alan Simpson. They testified before our committee last week, and this is what they said about the nature of the crisis we face. They spent weeks studying the numbers, hearing from experts all over the world, about our debt situation. They reported that we have to take action now.

In a joint statement they presented to the committee, they said this is the most predictable financial crisis this Nation has ever faced. In other words, they said if we do not change course, it will be the most predictable crisis we have faced.

Senator CONRAD, our Democratic chairman, who is very concerned about these issues, asked them when. Mr. Bowles, who himself is a successful financial businessman and financier, said about 2 years. Senator Simpson contributed to the discussion and said: I think a year.

I hope we do not have some sort of debt crisis in a year. The fact that has even been discussed should be a cause for alarm. Let me say, in January, Alan Greenspan said we could have a debt crisis in 2 to 3 years. Moody's has discussed downgrading our debt. They have warned they might downgrade our debt in less than 2 years. We need to take action now. That is the deal. That is the matter.

We had some fine new Members elected to the House and the Senate last Fall. The American people believed those they elected would come to Washington and help us get off this course of wild spending. I believe the American people get it. They are not in a bubble. They know we cannot continue this way. They are prepared to take some action, and we need to do it. If we fail to take action that is noticeable and significant, it would send the wrong message around the world. They would say: Even with this election change that occurred in Washington, you are still not changing your course.

I urged the President before the State of the Union Adderss to talk straight to the American people about the threat we face, and he did not do so. The first 37 minutes of his speech was about new investments he called on us to make. Investments, of course, is new spending. He never once took a few moments to explain to us the kinds of things Mr. Erskine Bowles said or Mr. Alan Greenspan said about how we are on an unsustainable course. He never even acknowledged we are on an unsustainable course. He never warned us that we are going to have to tighten our belts, just as Governors are doing, as mayors are doing all over America. When we do not have money, we do not have money. If we do not have money, we have to change course.

I was disappointed, as were some of our Democratic colleagues, that we have not had the kind of national dialog and ask the American people to receive somewhat less from the Federal Government than they have been.

Why do we have to do it? Because we are facing a crisis in good leadership, which means the leader has to tell the people what the threat is, what the danger is, and how we are going to get out of it.

I truly believe one of the highest duties of any Member of Congress or any leader in America is to protect the American people from foreseeable dangers. As Erskine Bowles said, this is the most predictable crisis we have ever faced. It is heading to a bad end—hopefully, not as soon as they warned us it could happen so we will have time to get off this course. That is important.

The President said in his State of the Union Address that we will be living within our means. He did a radio address after he submitted his budget, and he said: We are going to be living within our means. My budget puts us on a track to prosperity. We are going to continue to invest, and we will be living within our means and paying down the debt.

Mr. Jack Lew, the Director of the Office of Management and Budget, says we are going to be living within our means and paying down our debt. Basically, they are saying: Don't worry. You guys are getting all hyped up. We can still invest. We can still spend. Don't worry about it.

What do the facts say? We do not need political talk; we need a fact-based budget. We need fact-based discussions. The facts are we are not going to be paying down our debt in 10 years under the President's budget. We are not going to be living within our means.

What is the situation? His own budget is four volumes. In that plan it calls for spending levels that increase the total gross debt of the United States from $13 trillion to $26 trillion. Under that plan, the lowest single annual deficit that occurs is over $600 billion. The highest deficit President Bush ever had was 450. That was too high. The lowest he is projecting in his own numbers is 600.

Even more troubling, in years 7, 8, 9 and 10 of his budget the deficits are going up. It is almost $900 billion in the 10th year. How could they say that? How could the President look the American people in the eye and say my budget is going to cause us to live within our means? How could Mr. Lew say that?

I examined Mr. Lew in the Budget Committee. I asked Mr. Lew, the lowest deficit you are going to have is $600 billion. How is that living within our means? He said: Well, there is something called a primary deficit. I said: What? He said: The primary deficit. I asked: Well, what is that? He said: Well, you don't count interest.

You don't count interest. When a family living in tight times today is trying to squeeze their budget, do they not count their interest on their credit card or their mortgage payment? How can they say they are balancing the budget, living within our means and not count interest that we pay on the debt? All of the money we borrow we have to pay interest on. We pay interest on $14 trillion. If it doubles to 26, we will pay interest on that. Last year, our interest payment for the United States of America was about $208 billion in interest payments alone.

Under the President's budget, the interest payment in the 10th year is $844 billion, according to his numbers. This is the fastest growing item in the entire budget. They assume an interest rate at 3.5 percent. I don't think and most experts do not believe that is going to remain so low. This is historically very low. Historically, we average about 6 percent on our debt. So if it went from 3 percent to 6 or 7 percent, instead of $840 billion I guess it would be $1.9 trillion in interest payments. And that could happen if we don't get off this unsustainable path we are on.

I am frustrated about this. People say: Well, this CR business is only discretionary spending. It is only a small part of the overall budget. You shouldn't even attempt to fool with it. You are wasting your time. No, no, no. We are going to have to take every part of the budget and see what we can do to contain the growth in spending, or even reduce spending, to eliminate some spending that is totally worthless because we get no real benefit from it. We need to make our government more productive, lean, and efficient. We can do that.

We cannot continue on this course. The House of Representatives has passed a proposal, a continuing resolution, that would reduce spending through the rest of the fiscal year a total of $61 billion. We should accept that. That is not too much. It is probably not enough, but it is enough to count.

For example, it is a $61 billion reduction in baseline U.S. spending. If you reduce the baseline, even if next year you start going up 1 percent, that 1 percent will be on a baseline that is $61 billion lower. We have calculated the numbers, and over 10 years, that $61 billion, plus the interest you don't have to pay, will save the United States Treasury $860 billion. That is a good step. That does make a difference. People who deny it makes a difference are wrong. It is not going to savage

anybody, unless some of these programs aren't working, and then they ought to be zeroed out. So I want to make that point clear.

How much is the discretionary spending—the money we spend here on education, on highways, on things of that nature—defense? Discretionary nondefense is about 12 percent of the budget; 60 percent or so is in Social Security and Medicare, and they are growing at an unsustainable rate. We need to take steps now to save Social Security, to put Social Security on a path so our seniors can rely on it and our young people can have confidence that when they become senior citizens, they can rely on it also. It is not that difficult to do.

This has been talked about by editorial boards around the country, by experts and economists and professors and Congressmen and Senators for years. But the crisis is getting more real and acute now. Yet what did the President do? He said not one word about that in his State of the Union or his budget. His budget doesn't do anything about any of the entitlements. You can't cut discretionary spending and you can't cut entitlement spending. In effect, they are saying nothing is to be challenged. I know that is not a rational approach to the crisis we are in today.

We have to work together. We have Senators together right now—Democratic and Republican—who are trying to figure out a way to make some alterations in the trajectory of our debt in America and to put us on a sound path. Democrats and Republicans are meeting—Senator WARNER, Senator CHAMBLISS, I think Senator MANCHIN and others are talking. They want to see us do something historic. I think we need to. But on the Budget Committee, Budget Director Lew said the President wasn't for any change. He took the view that Social Security doesn't have a problem; nothing is going to happen until 2037. Well, what happens then? It falls off a cliff, and that is assuming you count this paper that is supposed to be backing it up. But the money has been spent. We need to get Social Security on a sound course, and we can do it.

We have to work on Medicare, which is even more problematic and more dangerous. We need to get it on a sound course. We need to get our heads together on discretionary spending and contain our growth in discretionary spending, all of which is possible to do. All of that is possible to do. We have the opportunity to put our country on a road to prosperity and growth. We will need to do some things such as reforming our tax laws to more fairly raise revenue in a way that allows more growth to occur, because we need to have growth. We have to create jobs. We need to redo our energy policy and produce more American energy and hold the cost of energy down, not drive up the cost of gasoline and electricity on the American people.

Momentum, I think, is on the side of this. When Majority Leader REID offered his pittance of a reduction—a $4 billion reduction—10 Democratic Senators defected. They didn't vote for it because they didn't think it reduced spending enough. We had three Republicans who didn't support the $61 billion. They thought it ought to go lower than that. So the momentum out there is to go further than we are going.

The American people get it. Our expert testimony from witnesses tells us that. We have seen Bill Gross, of the PIMCO Bond Fund, the largest fund in the world, say they are not buying any more U.S. Treasuries, basically calling on the United States to reduce our debt. He didn't have confidence in it. We need to get busy and do some things. It is going to have to be done in a bipartisan way, there is no doubt about it.

There are two choices, I believe, truly. One is a tougher road, but it is the road to prosperity. It can return us to the kind of leadership role in the world we need to be in. The other road is the road to decline. Nothing comes from nothing. Nothing ever could, Julie Andrews sang. There is no free lunch. Debts have to be paid. Interest has to be paid on debts. This is reality. We don't live in a fantasy world. The time to stand and be counted is now.

This $61 billion reduction in spending through the last 6½ or so months of this fiscal year is a statement. It is actual, it is real, it will reduce the total indebtedness of the United States by $860 billion over 10 years. We could do more, but Congress being what it is, slowly coming around to the challenge, we are not ready probably to do more. But we need to do $61 billion. We do not need a compromise halfway, some $30 billion reduction in spending. I do believe that would show weakness on our part—a lack of resolve—which would not be a good signal for our fragile economy today.

We need to meet the test, to face the defining challenge of our time, and that is spending. It is the dominant issue facing America today, no doubt about it. It dwarfs every other issue. I wish it weren't so. When I came, in 1997, I guess we were still fighting over spending then, trying to contain spending, but by 1998 and 1999 we were in surplus. We balanced the budget. They started in 1994 and made some tough decisions. It is going to be harder this time. The hole is deeper, the demographics and the systemic threats to our financial order are greater than it was, there is no doubt about it. But we can do it.

I think it is our time to fulfill our duty—our duty to our Nation and to the American people to preserve America's heritage. We are standing at a time in this country where we have to make a choice. Let's make this choice. Let's do this 3-week extension, take it down $6 billion more over that 3 weeks, and then let's come back and do $61 billion and celebrate the first real step in decades to contain growth and spending. Let's promise this is the beginning. Let's promise that we are going to review all our spending, and we are going to do it in an honest, aboveboard way, fact based, not politics, not smoke and mirrors, or fantasy budgets, but real numbers facing real threats.

If we do that, I think the American people will be supportive. They were supportive in the last election. I believe they will be supportive again.

I thank the Chair for his leadership on these issues in the Senate. I think there is growing consensus here that progress must be made.

I yield the floor.

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. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN.) Without objection, it is so ordered.

Mr. KYL. Mr. President, I wanted to say a few words in support of the continuing resolution that the House of Representatives passed that we are going to be voting on here in another hour or so. It is H.J. Res. 48.

This is the second short-term funding extension to prevent a government shutdown while our congressional leaders are negotiating to try to reach an agreement on a long-term plan to keep our government working through the end of this fiscal year ending in September. The short- and long-term continuing resolutions under discussion are leftover work from 2010 to finish the job of funding the government, as I said, through the end of this fiscal year.

Notably, the spending cuts that have been achieved so far are really the first meaningful spending cuts the Congress has passed since the Deficit Reduction Act which was enacted in February 2006.

The House-passed 3-week CR or continuing resolution, which runs until April 8, includes $6 billion in spending cuts, which will keep the Congress on track to implement the overall $61 billion in spending reductions which are included in the long-term CR. Enactment of this short-term measure would mean that in just 5 weeks we will have cut $10 billion from this year's spending, and because of the adjustment in the baseline, that means that over a 10-year period of time, we will have saved the taxpayers $140 billion. Even in Washington, DC, that is real money.

The cuts in H.J. Res. 48 include funding rescissions, reductions, and program terminations. It also eliminates earmarked accounts within the Agriculture, Commerce-Justice-Science, Financial Services, General Government, and Interior Subcommittee jurisdictions. It reduces or terminates 25 programs, for a savings of $3.5 billion, and

eliminates $2.6 billion in earmarked account funding—all in all, a pretty good day's work. While we could argue the spending cuts are not large relative to the overall budget, as I said before, they will amount to $140 billion in savings over 10 years.

I urge my colleagues to support this ability to cut funding—something we do not often have the opportunity to do. Why do we need to do this? Well, we all know that, first of all, we have a gross Federal debt exceeding $14 trillion. In fact, we are piling up debt at such a fast rate, that soon, the administration says—and the administration has—the President has asked us to increase the debt ceiling of the United States because of the amount of debt we keep adding to that that exists.

Obviously, we are living beyond our means. We have to borrow $4 billion a day. Another way to look as it is that for every dollar we spend here, we have to borrow 42 cents of that from somebody else. About half of that borrowing occurs from foreign nations. If you want to look at how the debt relates to the American citizens, it is equal to $45,500 per American or, if you want to relate it just to those who pay taxes, it is $127,000 for every taxpayer in the United States. That is how big our debt is.

That money has to be paid back. This is not something that just is out there in the ether somewhere; our creditors will want to be paid back when the bonds we have issued become due. It is either going to be us here in Congress and the President deciding how to reorder our priorities so we get our fiscal house in order or eventually the bondholders are going to do it for us by demanding far higher interest rates in order to buy our debt.

It is not just a fiscal problem, it is a national security problem. The Chairman of the Joint Chiefs of Staff, Mike Mullen, has made the point: ''I believe that our debt is the greatest threat to our national security.''

Now, why does he say that? Well, there are two basic reasons why. If we do not have the economic capability of funding all of the national security requirements we have, we no longer are the world's leading power, able to project our authority throughout the world, our ability to help others as well as defend ourselves.

Second, when we get into hock with other countries, become their debtors, our ability to influence their decisions in the world is diminished. It is very hard for us to go to the Chinese, who hold a couple trillion dollars of our debt—I think it is a figure roughly in that neighborhood—and say: We demand that you support us in the United Nations Security Council to impose sanctions on Iran. It is pretty easy for them to say: Oh, really? How about that debt you owe us? How about if you pay a little higher interest rate on that money?

Well, of course, paying a higher interest rate would devastate both our Federal budget and our economy. So it impacts our ability to influence others around the world, thereby also influencing our national security.

Finally, there is the impact of the cuts we are making today, when we pass this legislation, on job creation in our country. There is a direct relationship between government spending on the one hand—going into debt—and job creation on the other. It is one of the reasons we have the high unemployment we have today. In fact, if you look at a chart, there is an absolute direct correlation between the unemployment in our country and the deficit spending and debt in our country. That is why we have to get that lower. When we reduce the amount of debt and we spend less, which is what this legislation will do, we can leave the money in the private sector, enabling private businesses to invest that money, including in jobs, thereby not only hiring more people but helping our economy to grow.

In his work, Stanford economist John Taylor has shown this direct correlation between these spending cuts and increased employment. He recently released an analysis, and it is titled ''Why a Credible Budget Strategy Will Reduce Unemployment and Increase Economic Growth.'' That is the title. It concluded that the spending cuts in H.R. 1, which is the underlying continuing resolution in the House, ''will increase economic growth and employment as the federal government begins to put its fiscal house in order and encourage job-producing private sector investment.'' He is, by the way, among 150 top economists in the United States who signed a statement arguing for a change in direction and immediate action ''to begin to slow government spending, reduce uncertainty, and support the creation of new private sector jobs.''

We can begin that process by adopting the legislation that is before us here in another hour or so. It will, as I said, cut an additional $6 billion, so that the total in this last month and 1 week will be $10 billion in spending cuts that will, over a 10-year period of time, save the taxpayers $140 billion—all in all, a good day's work.

I urge my colleagues to support the legislation.

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. 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.

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, I rise to speak about the current debate over the current Federal budget. On Tuesday, a very telling and very troubling vote was held in the House of Representatives. In order to pass the 3-week continuing resolution needed to avert a government shutdown, which we are considering here in the Senate today, Speaker BOEHNER was forced to rely on votes from House Democrats.

He had to do so because conservative Republicans abandoned their party leadership in droves. They fumed that the measure lacked special interest add-ons dealing with ideological issues such as abortion, net neutrality, and global warming.

In all, 54 conservative Republicans rejected the measure—even though it was necessary to avert a shutdown, even though their own leadership negotiated the proposal, and even though it included $6 billion in additional cuts to domestic discretionary spending. This is a bad omen.

Last week, the Senate held two test votes: one on H.R. 1 and one on a Democratic alternative. We knew that neither proposal would have the votes to pass and, sure enough, both went down.

The purpose of those votes was to make it clear that both sides' opening bids in this debate were nonstarters and thus pave the way for a serious and good-faith compromise. But, unfortunately, an intense ideological tail continues to wag the dog over in the House of Representatives.

Speaker BOEHNER had hoped after H.R. 1 failed in the Senate, it would convince his conservatives of the need to compromise. Instead, those conservatives have only dug their heels in further, and that is no way to improve our Nation's fiscal footing.

Speaker BOEHNER has said in no uncertain terms that he wants to avoid a shutdown, and I believe him. He is a good, honest man. The problem is, a large percentage of those in his party think ''compromise'' is a four-letter word.

I do not envy the position the Speaker is in, but he is going to have to make a choice. This is not a yellow wood in Robert Frost's poem, but there are two divergent roads, and, sorry, Speaker BOEHNER cannot travel both. He can cater to the tea party element and, as Congressman MIKE PENCE has suggested, ''pick a fight'' that will inevitably cause a shutdown on April 8—that is one path—or he can abandon the tea party in these negotiations and forge a consensus among more moderate Republicans and a group of Democrats. I think we all know which road he should choose.

Speaker BOEHNER would not have been able to pass this short-term measure without Democratic votes, and he will not be able to pass a long-term one without Democratic votes either.

Throughout this debate, Democrats have repeatedly shown a willingness to negotiate, a willingness to meet Republicans somewhere in the middle, and yet the rank and file of the House GOP has been utterly unrelenting. They have wrapped their arms around the discredited, reckless approach advanced by H.R. 1, and they will not let

go. In fact, they just keep squeezing harder.

Worse, the last few days have taught us that spending cuts alone will not bring a compromise.

The new demand from the far right is that we go along with all their extraneous riders. These riders don't belong on a budget bill, but they were shoehorned into H.R. 1 anyway. Now the hard-liners want them in the final deal.

This is why a compromise has been so hard to come by in the budget. It is because Republicans want more than spending cuts; they want to impose their entire social agenda on the back of a must-pass budget.

Those on the right are entitled to their policy positions, but there is a time and a place to debate these issues, and this ain't it. If this debate were only about spending cuts we probably would come to an agreement before long, but we will have a hard time coming to an agreement if those on the hard right treat the budget as an opportunity to enact a far-ranging agenda.

Many Republicans in the House recognize the unreasonableness of the hard-liners, to their credit. STEVE LATOURETTE of Ohio said passing the 3-week stopgap was ''exactly what people expect us to do—find cuts and continue to talk.''

MICHAEL GRIMM, a very bright freshman from my home State of New York, said the tea party lawmakers were making ''a big mistake.''

This is proof positive there are reasonable Republicans in the House, including some reasonable freshmen such as Mr. GRIMM who, along with a group of Democrats, can provide Speaker BOEHNER with the way around the tea party. In order to avoid a dead end on these budget talks, Speaker BOEHNER should abandon the tea party and work to forge a bipartisan consensus. It is the only way out of this bind.

Thank you, Mr. President. I yield the floor.

Mr. LEVIN. Mr. President, on March 2, we voted on a short-term continuing resolution. We vote today on another. I opposed the earlier measure, and for the same reasons, I oppose this one as well.

First, this legislation makes unjustified cuts in important Federal programs. These cuts will affect the safety and well-being of Americans who already have suffered through the worst recession since the Great Depression, and who still are waiting for a robust economic recovery to lift their fortunes.

The cuts in this bill include a more than 15-percent reduction in important agricultural research programs that help our farmers fight threats such as plant diseases and invasive species. And they include a reduction of $200 million—almost 25 percent—in funding for community-oriented policing grants that help local law enforcement agencies afford the equipment they need to keep our communities safe.

Second, while this legislation will do real damage to important programs, it will have little effect on its professed target: the Federal budget deficit. Focusing solely on cuts in nondefense discretionary spending, as this and previous continuing resolutions have done, cannot solve our budget problems, because those programs make up less than 15 percent of our budget.

Lastly, this legislation makes not even a gesture toward what must be an essential part of any deficit-reduction strategy: revenue improvements through the closing of tax loopholes and a rollback of the unjustified tax cuts for the wealthiest Americans that occurred under President Bush.

I will repeat what I have said before: We cannot seriously dent the Federal budget deficit unless we address revenues as well as spending. This is a matter of simple arithmetic. Hacking away at a narrow slice of the budget cannot significantly reduce our deficit. But it can do significant damage to our Nation's safety and security and to the welfare of American families. Passing legislation that does such damage is an error; passing it while failing to address unjustified tax cuts and loopholes that benefit the wealthy adds insult to injury.

Mr. HATCH. Mr. President, I want to take a few moments to discuss a pressing matter.

In a few hours, the Senate will take up another short-term continuing resolution to fund the government for fiscal year 2011. Earlier this month, I voted no on another short-term CR. From my perspective, the spending reductions provided in that bill were a start, but they sent a bad sign.

Washington needs to make clear, to citizens and to the markets, that it is serious about restoring the fiscal integrity of the United States. Don't get me wrong, any spending reductions are good spending reductions. But by getting into the habit of passing continuing resolutions rather than long-term funding bills with significant reductions in government spending, Congress and the White House send the signal that real spending restraint is impossible. The spending reductions in the last CR were a start, but they simply did not go far enough to bring fiscal sanity back to Washington. Unfortunately, in this opening volley in the debate over spending—to borrow from the former coach of the Arizona Cardinals, Denny Green—Democrats have shown that they are what we thought they were.

The rest of the world heard voters loud and clear last fall. Voters want spending restraint from Washington. Republicans told voters that Democrats could not be trusted on spending. And Democrats are still making our case.

One of my Democratic colleagues in the Senate has said that with respect to fiscal year 2011 spending reductions, I think we have pushed this to the limit. Last week, Democrats drew their line in the sand, and according to the Congressional Budget Office, they refused to reduce spending by any more than $4.7 billion. So in an appropriations bill that would spend over $1 trillion, Democrats could not find any more than $4.7 billion in reductions. The most they could come up with is a spending reduction of one-half of one percent? If Democrats consider these pathetic spending reductions pushing it to the limit, I would hate to see them really slacking off. In the Democrats' world, you are only truly stingy if you fail to increase spending. But failing to increase spending is not reducing spending, and we need to be reducing spending. American families are doing it at home, and we need to be doing it here. Pushed it to the limit? Give me a break.

There is no better time than right now to get serious about reducing spending. First, with each short-term CR that passes, it becomes less likely that we will get the full $61 billion in spending reductions that Americans want to see Congress adopt. Second, I am not going to sign onto the Democrats' strategy of short-term CRs that will jeopardize our national defense. We cannot be funding national defense in little 2- and 3-week blips. And third, we need to make it clear that discretionary spending matters. Democrats are fond of saying that the problem with our budget deficits is not discretionary spending. Well, it might not be the entire problem but it is a big part of the problem.

Democrats suggest that discretionary spending is a sideshow. The real money is in entitlements. Let me make one point here. Democrats today say they want to focus on entitlements, but you can bet the farm that today's budget-minded Democrats will start bludgeoning Republicans for any effort, no matter how modest, to get entitlement spending under control. The writer Andrew Ferguson got it right when he called these Democrats tough-choosers. They always talk about making the tough choices to get our spending under control, but the minute Republicans attempt to address deficits and debt, these same Democrats hammer Republicans for the cold-heartedness.

Getting at entitlement spending requires bipartisan leadership and Presidential leadership. Yet the President, who has enough time to go on national television and fill out his NCAA bracket, is only committed to a serious conversation about entitlements. We need more than a conversation; we need leadership. But leadership on spending is wanting among Washington Democrats.

In the end, these Democratic tough-choosers won't stand strong on discretionary spending or entitlement spending. So let's focus on discretionary spending. It is a problem, and it is what the American people sent us here to address. Nondefense discretionary spending has grown by 24 percent over

the last couple of years. This needs to be rolled back significantly. People in Utah understand that returning us to 2008 spending levels is the responsible thing to do.

When Democrats tell you that discretionary spending does not matter, think of a person who needs to go on a diet. The person weighs 300 pounds and needs to radically change his lifestyle in order to get in shape. When a Democrat says that we don't need to worry about discretionary spending, it is like an overweight person saying there is no need to worry about the half-pint of cookie dough ice cream he eats every day because he has cut out his daily large pizza. If you want to lose weight, you can't have either. And if you want to reduce spending, you need to address all of it.

The fact is, we are up to our eyeballs in deficits and debt. For the third consecutive year, we will have a deficit of over $1 trillion. We blew $1 trillion on the stimulus and followed that up with a $2.6 trillion health care bill that we could not afford.

I appreciate the efforts of my Republican colleagues, both in the House and the Senate, as they try to reach an agreement on a spending bill that should have become law last year. But Democrats, who controlled the White House and both Houses of Congress, shirked their responsibilities. And now they are digging in, trying their best to thwart the will of the American people and hold the line on the spending that Democratic special interests demand.

Here is a basic question that should inform this debate. What do you do when you are spending more money than you make? Even a second grade student could tell you that you stop spending money. Democrats' subservience to the spending status quo would not pass a second grade math class. But do they really mean to say that they can't find anything to cut? For some, every new crisis—real or imagined—seems to demand a solution that only government can provide. But how often do we really look back with a critical eye and evaluate the effectiveness of all of these new government programs? I am afraid not nearly enough.

Thanks to the work of my colleague from Oklahoma, Dr. COBURN, the GAO recently identified possibly hundreds of billions of wasteful and redundant government spending. Government is littered with programs that can be reduced or eliminated. To that end, along with my colleague from Colorado, Senator UDALL, I have introduced legislation that would create an anti-appropriations committee specifically designed to ferret out and cut government waste. And, of course, the ultimate fix for all of this spending is the balanced budget amendment, which I have introduced with my colleague Senator CORNYN, and is cosponsored by 31 of our colleagues. With a balanced budget amendment and with serious efforts by Congress, we can reduce spending in Washington, and we can restore constitutional limits on the size and reach of the Federal Government. This is no longer an ideological issue. Democrats might not know that yet. But spending is now an issue that transcends partisan allegiances.

Washington's reckless spending has now become a serious enough issue that financial markets are paying attention. Just last week, the world's largest bond investor divested all of its holdings in U.S. Treasuries. This is hardly a vote of confidence in the integrity of our Nation's finances. Yet what is the Democrats' solution? Let's reduce spending by $4.5 billion. To borrow from my friend and colleague from Iowa, Senator GRASSLEY, this is a spit in the ocean.

Congress needs to send a signal to the world that it is serious about taking on government spending. Unfortunately, Democrats remain intent on being unserious. I will not play these games with our Nation's fiscal integrity. I look forward to a meaningful debate over a long-term fiscal year 2011 spending bill. In the meantime, I will not be supporting the CR when it comes up later today.

Mr. LEAHY. Mr. President, today the Senate will vote on the sixth continuing resolution of the fiscal year. While this is not a record for Congress, it is certainly a number far higher than is appropriate for responsibly funding the government. I want to take a minute to explain how we got to this point.

Last December the Senate Appropriations Committee prepared an omnibus spending bill to fund the government for fiscal year 2011. The omnibus was not a perfect bill, but it was based on hundreds of hours of hearings, committee meetings and bipartisan negotiations. Members of both parties had input into the process and content of the bill. So it was perplexing that in the waning hours of the 111th Congress our friends on the other side of the aisle walked away from this bill. Because any action in the Senate is now subject to the approval of a supermajority we were unable to pass the omnibus and instead passed a continuing resolution to fund the government through the beginning of March.

I fully understand concerns about using an omnibus as a method for budgeting; it is far from a perfect mechanism. But the alternative is to operate the way we have for the last 6 months, stringing along stop-gap measures that undermine Federal programs and agencies. The impact of uncertain budgeting is felt at the State and local levels as well. I hear on a daily basis from Vermonters about Head Start programs that are considering layoffs, college students concerned whether they will have to take out more loans if Pell grants are cut, and hundreds of others worried about the future of home heating, housing and basic safety net programs for many who are struggling mightily right now.

It is critical that rather than muddling along with more short-term continuing resolutions that we pass a responsible budget plan for the remainder of the year. The current 3-week CR under consideration is an example of how this process does not serve us well. Halfway through the fiscal year we are debating significant cuts to infrastructure funding like Save America's Treasures, the Public Television Facilities Program and to efforts that provide basic services such as rural housing assistance to Vermonters.

I am extremely disappointed with the elimination of the Save America's Treasures program. It has preserved hundreds of historic landmarks throughout the country, a number of which are iconic Vermont structures, valuable parts of my State's identity. Another cut that is disappointing is the elimination of funding in fiscal year 2011 for the International Fund for Ireland. It is an unfortunate twist that on St. Patrick's Day, Congress is poised to pull the plug on this program of assistance for the most economically depressed communities of Northern Ireland.

These are not abstract cuts. The elimination and reduction of this funding will have a measurable and negative impact on job creation and the daily lives of Americans. While I believe these cuts are misguided, I will reluctantly support the continuing resolution. I do not make this decision lightly or with any enthusiasm. Unfortunately this bill is the only option available to keep the government running and prevent a shutdown. A shutdown would cause severe hardship for countless people, and the President and Congress must use this time to find an acceptable compromise to fund the government through the remainder of the year.

Ms. MIKULSKI. Mr. President, I rise in reluctant support of another short-term CR because I am absolutely against a government shutdown.

But enough is enough. We are 6 months into the fiscal year and no closer to having a budget than the day we started. The American people want a budget that is frugal, on their side and brings stability to their lives. Both parties must come together and agree to sensible budget cuts for remainder of this year. But cuts are not a strategy to reduce the deficit. Cuts are a tool, not a strategy. We must also tackle the items that are responsible for adding to our deficit.

We cannot continue a cycle of cutting $2 billion every 2 weeks. That is no way to govern. Even though many of the cuts in the new CR are cuts that I agree with, short-term CRs are a government shutdown by proxy. I don't want a government shutdown. I am fighting to prevent it. But we cannot fund the government with two to three week payments. It is bad for Federal workers, contractors, families and the economy.

Senate Democrats have initiated cuts. First we cut $41 billion from the

President's budget request. Then we offered to cut another $10 billion for a total of $51 billion in cuts. But our offer was rejected. Republicans want to cut $100 billion. We met them halfway. But that wasn't good enough. Whether we cut $100 billion at once or several billion at a time in short term CRs, this is not a strategy to reduce the deficit and will hurt middle class families.

I am for cuts. The biggest cut I want to make is to the unemployment rate. Last week, I voted for Chairman INOUYE's package with $51 billion in cuts. And in my own CJS bill, I have agreed to cut agency overhead by 10 percent, and cut agency party funds by 25 percent.

I am for making cuts to programs that middle class families don't depend on for their survival. Let's end lavish subsidies for oil and gas companies to save $4 billion each year before we cut Head Start and Child Care by $1 billion. Let's stop the tax breaks for corporations that send jobs overseas to save $5 billion before we cut afterschool programs by $100 million. Let's stop subsidizing big agribusiness to save another $5 billion a year before we cut Pell grants for middle class kids by more than $600. And let's end the war and bring our troops home which costs $1.1 billion a week in Iraq and $2.5 billion a week in Afghanistan before we ask our military men and women and their families to sacrifice any more for our country.

The uncertainty of these short-term CRs is bad for workers and contractors. One-hundred thirty-thousand Federal employees and tens of thousands more contractors live and work in Maryland. These are some of the most dedicated, hardworking people in our Nation. They make sure the food we eat is safe, find cures for the most devastating diseases, and make sure seniors get their checks every month. At Goddard Space Flight Center in Prince George's County there are 9,100 employees 3,400 civil servants and 5,700 contractors leading the world in green science initiatives. Of these 9,100 workers, 65 percent are scientists, engineers and technicians taking us into the next century with research on the Earth and its climate and leading missions to learn about the Sun, Moon, Mercury and Saturn.

Maryland's Federal employees win Nobel Prizes. Dr. Bill Phillips of the National Institute of Standards and Technology in Gaithersburg shared the 1997 Physics Nobel Prize for development of methods to cool and trap atoms with laser light, making it possible for us to study atoms with unprecedented precision. Secretary of Energy Steven Chu was one of his co-winners. Dr. Martin Rodbell of NIH shared the 1994 Nobel Prize in Medicine for his discovery of G-proteins and the principles of signal transduction in cellular communication. Dr. John C. Mather of NASA Goddard shared the 2006 Nobel in Physics for a discovery that has enabled precise measurements of the first moments of the universe. Whether they have won a Nobel Prize or provide the petri dishes or support services for this important work, these are hard working federal employees and contractors who are duty and mission driven.

In Prince George's County, I heard from a small business owner who does contract business with the government. Over the years she has grown her business with help from the Small Business Administration. Her company graduated from the SBA's 8(a) business development program, which was created to help small and disadvantaged companies compete. By taking advantage of the resources offered like mentoring, business counseling, training, financial assistance and technical assistance she grew to a $43 million business based in Maryland with divisions in other states. She's a success story. She asked me, ''What should we do if the government shuts down?'' She's afraid that the gains she's made could all be lost in a shutdown. At a time when we are seeing signs of economic recovery Congress should be nurturing this trend with predictable, stable funding for small business owners, not destroying it.

I support Federal employees and contractors. I support the mission of our government agencies and I support providing the money needed to carry out their mandates. But I don't support a government shutdown.

I support cuts. But cuts are not a strategy to reduce the deficit. Cuts are a tool, but they are not the only tool. We need a more thoughtful approach. We need a real strategy.

I will vote for today's CR but we cannot continue to pass short-term spending bills. Both sides must come to agree on a long-term budget for remainder of fiscal year.

Mr. KERRY. Mr. President, today I will vote in favor of the continuing resolution to keep our government and all its essential services open and operating for the next 3 weeks. I am supporting another short-term extension for the last time. I am only supporting this legislation today because I have been guaranteed by the leadership on both sides of the aisle that this will be the last time we will be forced into adopting a short-term fix to our budget problems and because the only other option would be to shut down the operations of the government.

I believe a government shutdown is in no ones interests but I remain deeply disappointed in the political process that has put us in this untenable position. A 3-week extension that merely defers tough decisions on funding for the fiscal year that started almost 6 months ago is hardly progress. The American people deserve better than a stalled process which delays important decisions of how we can reduce our Federal budget deficit while maintaining our important investments in infrastructure, research, education, technology, and clean energy which will result in new jobs and will bolster our long-term competitiveness.

The American people deserve a serious dialogue within the Congress about our fiscal situation, discretionary spending, entitlements, and revenues. We need to work towards a long-term solution to reduce both our current budget deficit and our staggering debt. We will need to reduce federal spending and make appropriate changes to our entitlement programs to meet the fiscal challenges facing our country. To do this appropriately, everything—revenue, tax reform, spending and entitlements—needs to be on the table.

The question now is what are the tough decisions we are going to make today? What are the issues we are going to wrestle with together at a moment of enormous challenge? This process cannot be done in 3 weeks, but it should have already begun—and it needs to begin today. The American people deserve no less.

IMPACTS OF CUTS TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Mr. INOUYE. Mr. President, at my request, the National Oceanic and Atmospheric Administration has provided information on the potential impact of a fiscal year 2011 continuing resolution on the agency's long-term ability to effectively carry out its mission. In particular, they highlight potential impacts to their ability to provide accurate and timely weather and hazard forecasts and what the economic impacts may be on a State-by-State basis. I ask unanimous consent that their response be printed in the RECORD so that we may have a more informed debate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF COMMERCE,
Washington, DC.

Hon. DANIEL K. INOUYE,
Chairman, Senate Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN INOUYE: Thank you for meeting with me on Monday, March 7, 2011, and for your letter regarding the level of funding for National Oceanic and Atmospheric Administration included in the proposed FY 2011 Continuing Resolutions. Enclosed are answers to your questions on the Joint Polar Satellite System (JPSS) and state-by-state data on NOAA funding.

I appreciate your interest in our polar satellite system, which is of vital importance to the Nation. NOAA provided the best information possible in the rapid time frame that the current debate demands. If we may be of further assistance to focus on more specific information or examples, please do not hesitate to contact me.

Sincerely,

JANE LUBCHENCO. PH.D.,
Under Secretary of Commerce for Oceans and Atmosphere.

What impacts would the CR have on NOAA's ability to continue development of the Joint Polar Satellite System (JPSS), and if it is not adequately funded this year, how would that affect funding needs in future years?

The FY 2011 President's Budget Request included $1.06 billion to maintain continuity of

earth observations with the next generation of polar satellite, NOAA's JPSS. To ensure data continuity, the Administration had submitted an anomaly request for $528 million.

Because of insufficient funding, and the uncertainty caused by the temporary continuing resolutions this year, the launch date for JPSS–1 has already slipped to March 2016, a delay of at least 14 months and the costs of the program have risen. Continued inadequate funding will cause further delays—on an approximate day-for-day slip—and further cost growth. Thus, if JPSS funding were kept at the CR level for the entire FY 2011, the launch date for JPSS–1 will slip to no earlier than September 2016.

An analysis done by the Aerospace Corporation demonstrates that even small slips to the launch schedule for JPSS–1 in 2016 yields large increases in the likelihood that a gap in satellite coverage will occur. This is because NASA's NPOESS Preparatory Project (NPP) that will launch later this year as a temporary replacement will have reached its end-of-life and the probability it will survive another day or month decreases dramatically. Thus, additional funding in FY 2011 of $528 million will allow for a launch in the March 2016 timeframe vice September 2016 timeframe and decrease the probability of a gap in coverage from 90 percent to 35 percent. Additionally, in order to maintain a March 2016 launch date, full funding of JPSS will be required in FY 2012 of $1.07 billion.

At the CR level, NOAA can only support about half the JPSS workforce planned. Funding uncertainty also precluded hiring the approximately 700 additional contractors, nationwide, required for the program. As a result, NOAA has focused its development efforts on the delivery of those program elements that will support the launch of the NPP satellite this fall, which will provide data for NOAA operational weather forecasts after the failure of NOAA's current operational polar-orbiting satellite. The inability to support the necessary workforce requires us to focus the resources we have on the NPP mission and forces us to delay work on the JPSS spacecraft and instruments resulting in a delay of at least 14 months to the date JPSS needs to be available to launch. The planned launch has now slipped from 2015 to 2016. Given this schedule slip and the amount of time needed to calibrate a new satellite before it can generate useful data for weather and climate needs, it is highly likely that JPSS will not be operational in time to ensure data continuity with NPP. We estimate a 90% likelihood of a ''data gap'' in 2017, which would result in a degradation of forecast accuracy that is further discussed in the next response. A lack of funding in FY 2011 will also increase the total life-cycle cost of the system as development efforts are stretched, opportunities to capture purchasing and production efficiencies are lost, contract management expenses increase, and the compounding impact of inflation as the program is delayed. Experience suggests that without additional funding in FY 2011 the total life-cycle cost of the program could grow by approximately $1.6 to $2.6 billion.

What kind of impacts do you foresee for weather forecasting capability if JPSS is not adequately funded, and what would be the effects on the safety of U.S. citizens?

What economic impacts would you expect if the U.S. were to lose the observations expected from the JPSS program?

During the gap period, NOAA will have to rely on international partners for non-optimal data to support our weather prediction models, resulting in a degradation of forecast accuracy by 1 to 2 days. Higher confidence forecasts would only extend out 5 days instead of 7 days as they do currently. This degradation would cause the National Weather Service to suffer a loss of decades' worth of continual improvements in forecast ability. The economic and security consequences to the Nation would be severe:

$100 to $200 million per year to the aviation industry from reduced volcanic ash monitoring.

$6—$8 billion lost annually due to reduced accuracy of drought forecasts impacting the agriculture, transportation, recreation and tourism, forestry, and energy sectors.

Alaska, due to its high northern latitude and remoteness is only serviced by our polar satellites. During a gap the State would lose almost all of its weather forecasting for aviation as well as for the economically vital maritime, oil and gas industries. The estimated average expected annual losses to container shipping (lost containers and damage to vessels) in the absence of good information about extratropical storm conditions is on the order of $250 million/year in the North Pacific.

Less accurate long range forecasts of severe weather will adversely impact emergency response and evacuation planning for major storms and events. Every excess mile unnecessarily evacuated during a coastal storm or hurricane costs an estimated $1 million and disrupts thousands of lives.

The degradation of 2–10 day long-term forecasts, which are imperative for troop deployments and planning operations. Within the military, these data and products allow military planners and tactical users to focus on anticipating and exploiting atmospheric and space environmental conditions. For example, Air Force Weather Agency requires accurate wind and temperature forecasts for any decision to launch an aircraft that will need midflight refueling or for weapons deployment.

In 2010, 295 lives in the U.S. alone were saved thanks to the satellites picking up rescue beacons. NOAA's polar satellites carry the search and rescue antennas that receive these signals. During a gap in coverage the emergency response times would increase or rescue signals may be missed, significantly increasing the jeopardy of those in distress.

Recognizing the troubled history of the National Polar-orbiting Operational Environmental Satellite System (NPOESS), do NOAA and NASA now have the right acquisition and management mechanisms in place for the program to succeed?

The NPOESS Program attempted to reduce duplication of efforts and reduce costs by combining common requirements of the civil and defense satellite programs. However, after a decade of continued program cost growth and schedule delays, an Independent Review Team found that the tri-agency management structure was ineffective and there were divergent program priorities for civil and defense needs. In February 2010 the White House announced a restructuring of the program. The current JPSS program replicates the successful NOAA-NASA partnership with NOAA as the responsible agency for operating this critical national resource to support weather warnings and forecasts and monitor climate and NASA acting as NOAA' s satellite acquisition agent. Over the last four decades, this partnership has successfully developed, built, launched and operated over 60 weather satellites.

Do you believe that NOAA's Earth Science mission can be completed by other Government agencies, like NASA? Is there duplication in the U.S. Government's Earth Science missions?

For over forty years, NOAA and NASA Earth observation missions have operated to complement and not duplicate each other's efforts. NASA and NOAA have fundamentally different missions, meeting the needs of different user communities. NASA focuses on new science and discovery; NOAA focuses on reliable and stable long-term monitoring of the environment to protect life, property and commerce. Ensuring the continuity of weather data from our satellites is fundamental to NOAA's mission; it has historically not been fundamental to NASA's mission. The structure of the U.S. civil space programs results in complementary programs, located within the agencies that have clear authority, accountability, and responsibility for budgetary, policy, and user requirement decisions.

Time and again, Congress and Presidents (including the 2010 National Space Policy, *http://www.whitehouse.gov/sites/default/files/national___space___policy___6–28–10.pdf*) reaffirm the need to maintain funding of the civilian meteorological satellite program in a manner that extracts the core capabilities from NASA and NOAA to execute continued US advancement of space-based Earth observations that protect life, property and economic competitiveness. In a 2009 report, after an in-depth analysis of NASA's Earth Science projects related to climate and weather research, the Government Accountability Office (GAO) confirmed that there was no duplication of effort with other federal agencies.

Can you provide information on NOAA's economic impact on a state-by-state basis?

I have attached a breakdown of the amount of money NOAA provided to each state through grants and contracts in FY 2010 for your review.

I appreciate your interest in this issue of vital importance to the nation, and provided the best information we can in the rapid time frame that the current debate demands. If we may be of further assistance to focus on more specific information or examples, please do not hesitate to contact me.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the continuing resolution start at 2:45. The time will run as if it started at 3 o'clock. There are some problems with a few Senators, so I ask consent that the vote start at 2:45.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I further ask that the time until 2:45 be divided equally between the Democrats and Republicans.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. INHOFE. Madam President, I suggest we proceed to the vote on the joint resolution.

The joint resolution (S.J. Res. 48) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. INHOFE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The result was announced—yeas 87, nays 13, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—87

Akaka	Enzi	Menendez
Alexander	Feinstein	Merkley
Ayotte	Franken	Mikulski
Barrasso	Gillibrand	Moran
Baucus	Graham	Murkowski
Begich	Grassley	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Schumer
Brown (OH)	Johnson (SD)	Sessions
Burr	Johnson (WI)	Shaheen
Cantwell	Kerry	Shelby
Cardin	Kirk	Snowe
Carper	Klobuchar	Stabenow
Casey	Kohl	Tester
Chambliss	Kyl	Thune
Coats	Landrieu	Toomey
Coburn	Lautenberg	Udall (CO)
Cochran	Leahy	Udall (NM)
Collins	Lieberman	Vitter
Conrad	Lugar	Warner
Coons	Manchin	Webb
Corker	McCain	Whitehouse
Cornyn	McCaskill	Wicker
Durbin	McConnell	Wyden

NAYS—13

Crapo	Lee	Rockefeller
DeMint	Levin	Rubio
Ensign	Murray	Sanders
Hatch	Paul	
Inhofe	Risch	

The joint resolution (H.J. Res. 48) was passed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid upon the table.

EXECUTIVE SESSION

NOMINATION OF AMY BERMAN JACKSON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of Amy Berman Jackson, of the District of Columbia, to be United States District Judge for the District of Columbia.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, we yield back all time on this matter.

Mr. LEAHY. Will the leader withhold?

Mr. REID. The chairman is here.

Mr. LEAHY. Madam President, I thank the majority leader for scheduling this confirmation vote today. I have been talking about this nomination since last year. Amy Jackson is one of four nominees to the vacancies that have plagued the District Court for the District of Columbia, this Nation's Capital, for some time. This is another of the nominations that could—and in my view should—have been considered and confirmed last year. Instead, it was one of two nominations to that court unnecessarily returned to the President without final Senate action, despite the nominee's qualifications and the needs of the American people to have judges available to hear cases in the Federal courts. The President has had to renominate Ms. Jackson, the Senate Judiciary Committee has had to reconsider her and now, finally, the Senate is being allowed to consider her.

I have spoken about the vacancies in the District of Columbia on numerous occasions, including during the last 2 weeks. I have noted the criticism from Chief Judge Lamberth of the U.S. District Court for the District of Columbia. Chief Judge Lamberth wrote to Senate leaders last November urging action by the Senate to fill the vacancies that exist on the District Court for the District of Columbia. We could and should have acted before adjourning last year in response to his request. All four nominations were reported unanimously by the Judiciary Committee last year. They were needlessly delayed.

When the Senate was allowed to consider and confirm Judge Boasberg on Monday, I, again, raised the question of the refusal on the other side of the aisle to proceed to consider the Jackson nomination. Ms. Jackson's nomination was reported without opposition by the Judiciary Committee last year and, again, earlier this year. Ms. Jackson is a former assistant U.S. attorney with outstanding credentials and experience who the Standing Committee on the Federal Judiciary of the American Bar Association gave its highest peer review rating of ''well qualified.'' Representative NORTON has called her one of the top practitioners in one of the District's top law firms and given her a strong endorsement. I expect this will be another of the nominations that has been needlessly delayed and then confirmed unanimously or nearly so.

In addition to the Jackson nomination, there remain 10 additional judicial nominees awaiting final Senate consideration after having been reviewed by the Judiciary Committee. Also reported from the Judiciary Committee and before the Senate are nominees to fill two judicial emergency vacancies in New York, a judicial emergency vacancy on the Second Circuit, two judicial emergency vacancies in California and vacancies on the Federal and D.C. Circuit, in Oregon, and two vacancies in Virginia.

Federal judicial vacancies around the country still number too many and they have persisted for too long. That is why Chief Justice Roberts, Attorney General Holder, White House Counsel Bob Bauer and many others—including the President of the United States—have spoken out and urged the Senate to act.

Nearly one out of every nine Federal judgeships remains vacant. This puts at serious risk the ability of all Americans to have a fair hearing in court. The real price being paid for these unnecessary delays is that the judges that remain are overburdened and the American people who depend on them are being denied hearings and justice in a timely fashion.

When Chief Judge Lamberth wrote to Senator REID and Senator MCCONNELL last November, he noted that Senate action to fill the vacancies in DC was needed so that ''the citizens of the District of Columbia and the Federal Government and other litigants'' who rely on the Court could receive ''the high quality of justice they deserve.'' The Chief Judge wrote about the ''severe impact'' these judicial vacancies were having and observed that the ''challenging caseload'' of the Court ''includes many involving national security issues, as well as other issues of national significance.'' I ask unanimous consent that a copy of the Chief Judge's letter be printed in the RECORD at the end of my statement.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. LEAHY. Regrettably, the progress we made during the first 2 years of the Bush administration has not been duplicated, and the progress we made over the 8 years from 2001 to 2009 to reduce judicial vacancies from 110 to a low of 34 was reversed. The vacancy rate we reduced from 10 percent at the end of President Clinton's term to less than four percent in 2008 has now risen back to over 10 percent. In contrast to the sharp reduction in vacancies we made during President Bush's first 2 years when the Democratically controlled Senate confirmed 100 of his judicial nominations, only 60 of President Obama's judicial nominations were allowed to be considered and confirmed during his first 2 years. We have not kept up with the rate of attrition, let alone brought the vacancies down significantly.

By now, judicial vacancies should have been cut in half, but they have not been. Unlike in the first 2 years of President Bush's first term when with a Democratic majority the Senate reduced vacancies from 110 to 60, judicial vacancies topped 90 in August 2009 and have remained above that level ever since. After tonight's confirmation, they will still number 95, putting at risk the ability of Americans to have a fair hearing in Court.

The Senate must do better. The Nation cannot afford further delays by the Senate in taking action on the nominations pending before it. Judicial vacancies on courts throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. They create a backlog of cases that prevents people from having their day in court. This is unacceptable.

We can consider and confirm this President's nominations to the Federal

bench in a timely manner. President Obama has worked with Democratic and Republican home state Senators to identify superbly qualified, consensus nominations. The nominations on the Executive Calendar should not be controversial. They all have the support of their home State Senators, Republicans and Democrats. All have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution.

During President Bush's first term, his first four tumultuous years in office, we proceeded to confirm 205 of his judicial nominations. We confirmed 100 of those during the 17 months I was chairman during President Bush's first 2 years in office and by this date in President Bush's third year had confirmed 110. So far in President Obama's third year in office, the Senate has only been allowed to consider 73 of his Federal circuit and district court nominees. We remain well short of the benchmark we set during the Bush administration. When we approach it we can reduce vacancies from the historically high levels at which they have remained throughout these first three years of the Obama administration to the historically low level we reached toward the end of the Bush administration.

I have thanked the ranking Republican on the Judiciary Committee, Senator GRASSLEY, for his cooperation this year. I was pleased to see him taking credit for what he called ''our rapid pace.'' I was encouraged by his commitment to ''continue to move consensus nominees through the confirmation process.'' My friend from Iowa is fond of pointing to the vacancies for which there are not nominees. Of course, some of that is attributable to a lack of cooperation by certain home state Senators with the White House. Nonetheless, I agree with the Senator from Iowa that we can do little about confirming nominations we do not have before us. What we can do is proceed expeditiously with the qualified nominations the President has sent to the Senate.

In that regard, I would temper my friend's extolling our achievements this year by observing that every judge confirmed so far this year could and should have been confirmed last year. Every one of them was unanimously reported last year and would have been confirmed had Republicans not objected and created a new rule of obstruction after midterm elections. We have long had the ''Thurmond rule'' to describe how Senator Thurmond shut down the confirmation process in advance of the 1980 presidential election. Last year's shutdown was something new. I cannot remember a time when so many consensus nominees were left without Senate action at the midterm point of a Presidency. That new level of obstruction has contributed to our being so far behind and judicial vacancies having been perpetuated at so high a level for too long.

I thank Chief Judge Lamberth for his efforts on behalf of his Court, on behalf of the people of the District of Columbia, and on behalf of our justice system. The American justice system is not some discretionary luxury. It serves an essential function in our democracy. I thank all the women and men who work every day in our courts to guarantee justice for the American people.

I am glad that Amy Jackson's wait is finally over and congratulate her and her family on her confirmation.

EXHIBIT 1

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA,
Washington, DC, November 4, 2010.

Re Judicial Vacancies—United States District Court for the District of Columbia.

Hon. HARRY REID,
Majority Leader, U.S. Senate, The Capitol, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, The Capitol, Washington, DC.

DEAR SENATOR REID AND SENATOR MCCONNELL: On behalf of the judges of the United States District Court for the District of Columbia, I request that the Senate act soon to fill the vacancies that exist at our Court.

Of our 15 authorized judgeships, we currently have four vacancies. One has been vacant since January 2007. With the additional vacancy that will result from Judge Ricardo M. Urbina's assumption of senior status, effective January 31, 2011, this Court faces the prospect of having only 10 of its 15 authorized judgeships filled. The severe impact of this situation already is being felt and will only increase over time. The challenging caseload that our Court regularly handles includes many involving national security issues, as well as other issues of national significance. A large number of these complex, high-profile cases demand significant time and attention from each of our judges.

Without a complement of new judges, it is difficult to foresee how our remaining active judges will be able to keep up with the heavy volume of cases that faces us. A 33 percent vacancy ratio is quite extraordinary.

Two nominees (Beryl Howell and Robert Wilkins) have been reported out of the Senate Judiciary Committee and await floor votes; two nominees (James Boasberg and Amy Jackson) have had their hearings and hopefully will soon be reported out of Committee.

We hope the Senate will act quickly to fill this Court's vacancies so the citizens of the District of Columbia and the Federal Government and other litigants who appear before us continue to enjoy the high quality of justice they deserve.

Sincerely,

ROYCE C. LAMBERTH,
Chief Judge.

Mr. GRASSLEY. Madam President; toady we vote on our 13th judicial nominee in just 29 legislative days. In this session of the Senate, we have confirmed more judicial nominees than in the same time period for any of the previous four Presidents.

I like to keep my colleagues up-to-date with our cooperation and progress on judicial nominees. We continue to process nominees at a fast pace in committee. We held our fourth nominations hearing yesterday and have heard from 17 judicial nominees this year. The Judiciary Committee met this morning and reported an additional district court nominee. We have now reported 23 nominees, nearly 40 percent of the 58 judicial nominations made by President Obama this year. The committee has taken some step forward on 55 percent of the judicial nominees. We have delivered on our promise to move consensus nominees.

Even with our fast pace, the current vacancy rate remains high. But with 94 vacancies in the Federal courts, the President has only put forward 44 nominees for those vacancies. That is 50 vacancies without a nominee. For seats designated judicial emergencies, 57 percent of those vacancies have no nominee.

As I have said in the past, the burden is on the President to nominate consensus individuals for current vacancies. Yet, for the second time, President Obama has sent up a nomination to a seat which is not vacant. I think we can all agree the Senate's time and resources are valuable. My priority continues to be carefully reviewing nominations for vacancies which require our immediate attention.

Today we vote on Amy Berman Jackson, nominated to be a U.S. district judge for the District of Columbia. Ms. Jackson is not the first nominee to be considered for this vacancy. Michael O'Neill, who served as chief counsel and staff director to then-Chairman Specter, was nominated by President Bush to fill this seat in June of 2008. He waited for more than 18 months for a hearing and a vote—neither of which he received. His nomination was returned to the President in January 2009. I am disappointed the Senate did not give Mr. O'Neill the courtesy Ms. Jackson is receiving today.

Ms. Jackson received her A.B., cum laude, from Harvard College and her J.D. from Harvard Law School, cum laude. Upon graduation from law school, she served as a law clerk to the Honorable Harrison L. Winter of the U.S. Court of Appeals for the Fourth Circuit.

Ms. Jackson served as an assistant U.S. attorney before moving into private practice. She has focused on white-collar crime, plaintiffs' work involving multidistrict litigation and civil matters. The ABA Standing Committee on the Federal Judiciary has unanimously rated her as ''well qualified.''

I congratulate the nominee and wish her well in her public service as a U.S. district judge.

Mr. LEAHY. I yield back any time I have remaining.

The PRESIDING OFFICER. All time is yielded back.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Amy Berman Jackson, of the District

of Columbia, to be U.S. District Judge for the District of Columbia?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. UDALL) is necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico (Mr. UDALL) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Nevada (Mr. ENSIGN).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 45 Ex.]

YEAS—97

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murray
Barrasso	Grassley	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Hatch	Portman
Bingaman	Hoeven	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inouye	Reid
Boozman	Isakson	Risch
Boxer	Johanns	Roberts
Brown (MA)	Johnson (SD)	Rockefeller
Brown (OH)	Johnson (WI)	Rubio
Burr	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Lautenberg	Stabenow
Coburn	Leahy	Tester
Cochran	Lee	Thune
Collins	Levin	Toomey
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Vitter
Corker	Manchin	Warner
Cornyn	McCain	Webb
Crapo	McCaskill	Whitehouse
DeMint	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Mikulski	

NOT VOTING—3

Ensign	Inhofe	Udall (NM)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Massachusetts.

MORNING BUSINESS

Mr. BROWN of Massachusetts. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SBIR/STTR

Mr. BROWN of Massachusetts. Mr. President, I rise in support, strong support of the SBIR bill. As many of you know, the SBIR bill and the STTR Programs provide vital resources to small businesses, not only in Massachusetts but throughout the country. This reauthorization is incredibly important to not only businesses in my State but businesses in everybody's State.

This compromise bill has been under development and negotiation long before I got here. I applaud Senators LANDRIEU and SNOWE, our chair and ranking member on the Small Business Committee, for their persistence in pushing this bill through. As a matter of fact, I have two amendments that are in the bill that is before us now. I will be offering, not today but in the near future, an amendment which I am about to talk about.

As a small business owner myself for many years, and a longstanding member of many Chambers of Commerce, I believe the Massachusetts small businesses and businesses throughout this country are the economic engine that will help get us out of this economic slowdown we are in. They have the potential to grow, to expand and hire, unlike many businesses throughout the country. Massachusetts is widely regarded as the center for innovation in biotechnology. We are a small State but we have received the most SBIR awards, only after California. That goes to show how important our State is when it comes to creating small businesses. The success of the SBIR Program serves as a reminder that government can play a role in the business community. But it also needs to know when to step out of the way and allow businesses to grow and actually create jobs.

I want to speak about an amendment I filed, amendment No. 212. It is based on S. 164, the Withholding Tax Relief Act of 2011, which enjoys bipartisan support and is critically needed now. The ranking member of the Small Business Committee, Senator SNOWE, is a cosponsor. I am looking forward to getting many other cosponsors and working very closely with the chair on this timely piece of legislation.

We need once and for all to repeal an onerous and costly unfunded mandate that directly affects businesses, not only in my State but throughout the country. This is a jobs amendment, plain and simple. It would repeal part of our Tax Code that absolutely promises to kill jobs, jobs that these young people up here could someday have. If we do not act soon, section 3042(t) would require, beginning January 12, Federal, State, and local governments to withhold 3 percent of nearly all contract payments made to private companies as well as Medicare payments, farm payments, and certain grants. It is an arbitrary tax and it is nearly impossible to actually implement it. It is one of the things we have done that makes absolutely no sense. It has been delayed many times.

The Government Withholding Relief Coalition, a coalition of more than 100 members encompassing a cross section of America, has estimated the combined total 5-year cost to the State and Federal Government of implementing this legislation could be as high as $75 billion.

That makes a lot of sense? That $75 billion is coming out of those coffers at a time we can least afford it, and it is estimated only to bring in about $7 billion over that same time period. It makes absolutely no sense. It is absurd. Any tax that costs more to implement than it actually brings in makes no sense at all. I hope with your leadership and many other Senators' leadership on this issue we can attack these bad laws that are about to click in. It should be repealed immediately. As a matter of fact, last week I received a letter from Massachusetts State Secretary of Finance Jay Gonzalez, warning Congress of the inevitable threat to small businesses' ability to survive in this tough economic climate if we allow the continuation of what I consider a stealth tax. We cannot discuss the health of small businesses on the floor without acknowledging that these very same small businesses we aim to help with the SBIR Program, the bill before us now, will be suffocated by this 3-percent withholding tax. For some businesses it may be the entire net profit of what they make per year.

I ask unanimous consent to have the letter from Secretary Gonzales printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE,

Boston, MA, March 11, 2011.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

HON. ORRIN G. HATCH,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

Hon. SANDER LEVIN,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

CHAIRMAN BAUCUS, RANKING MEMBER HATCH, CHAIRMAN CAMP, AND RANKING MEMBER LEVIN: As Secretary for the Executive Office of Administration and Finance for the Commonwealth of Massachusetts, I am writing to express my strong support for legislation to repeal Section 511 of the Tax Increase Prevention and Reconciliation Act (TIPRA) of 2006. Section 511 amends the Internal Revenue Code by adding a provision mandating that government entities with greater than $100 million in annual spending withhold three percent on payments made for most goods and services, including Medicare payments and certain grants. That three percent is allocated toward the vendor's tax liability. S. 89 and S. 164, currently pending in the Senate, and H.R. 674, currently pending in the House, would eliminate Section 511.

As a state finance official, I strongly support enhanced transparency and tax compliance; however, I am very concerned about the impact of Section 511 on the Commonwealth of Massachusetts' accounting and

procurement systems. Specifically, compliance with Section 511 will require that the Commonwealth devote personnel and other resources to overseeing collection and remittance of the fees, thus causing administrative and financial burdens. The Commonwealth and its municipalities likely will face increased costs to purchase affected goods and services, as vendors can be expected to raise prices to recoup their own added costs or simply refrain from doing business with government purchasers. The negative impact of Section 511 may be particularly acute for women and minority owned businesses as well as small businesses, since it will affect cash flow, their ability to raise capital and to pay subcontractors.

I strongly encourage you to support repeal of Section 511 and to visit the Government Withholding Relief Coalition's website at *www.withholdingrelief.com* to see the number of government associations and businesses that support abolishing this mandate.

Sincerely,

JAY GONZALEZ,
Secretary.

Mr. BROWN of Massachusetts. The Department of Defense alone has estimated this provision will cost about $17 billion to comply with over the first 5 years. Unfortunately, there are many other provisions and reasons why this provision should be repealed as soon as possible. At a time when State and local governments are under extreme fiscal and financial stress, why? I don't get it. Why would we actually start to put in and enforce another unfunded, costly mandate on them to recover minimal funds for the Federal Treasury? This is a question of the Federal Government seeking more funds to pay its bills. Only in Washington—and I have been here a little over a year, very similar to what the Presiding Officer has—only in Washington can they try to convey that something like this is good when they actually spend $10 of everybody's money, nearly, to recoup a dollar. It makes absolutely no sense to me at all.

Many businesses that contract with the government will simply pass this provision on, as we know, back to the government in the form of higher bids on contracts. So having a bid on a contract here, when this particular tax is implemented—it is going to be here and is ultimately going to cost every single one of us more money to do the same thing.

I listen to the administration, I listen to all the political pundits, I listen to everybody talk about the fact that we need to get our fiscal and financial house in order. We are in trouble fiscally. This country, if we do not do something quickly, is going to be in deep trouble. Here we are. We have an unfunded mandate, something that is going to add to the cost of doing business, and here we are. Are we going to take it up and vote on it? I hope we do. I am looking forward to the bipartisan leadership from the Presiding Officer and others on this very important issue.

Many businesses that contract with the government, as I said, will merely pass this on. It will crush them and restrict a critical cashflow and discourage them from participating in government contracts. They will go other places.

Members of the construction industry are also worried that the provision will tax away all of their anticipated profit on government contracts, hence diminishing competition and actually raising costs to the government at a time we cannot afford it.

This provision passed in 2005, long before we got here—but we, as the new breed of Senators, recognize we need to get our house in order. There is a reason the implementation of this has been delayed over and over. Everyone knows it can never go into effect. We will be back on the floor later this session, because we need to repeal this tax. We can do it in the next weeks. I appreciate the effort of the majority leader to now include us in the amendment process so we can actually be part of the process and come up with new ideas, from new people, to look at things in a different way and actually solve problems. That is what this amendment offers. I plan to offer it. I welcome everybody's support.

Before I conclude, I want to wish everybody a happy St. Patrick's Day and I appreciate your listening.

I yield the floor.

Mr. REID. Mr. President, 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. JOHANNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AGRICULTURE WEEK

Mr. JOHANNS. Mr. President, I rise today to recognize an industry that has helped shape our country since the days of our Founding Fathers.

This industry is part of the very fabric of my home State of Nebraska and of many States. It drives our economy, fosters ingenuity, and preserves the value of a handshake in our society. I am speaking about agriculture, an industry near and dear to this farm boy's heart.

What better time to celebrate the remarkable advances in agriculture than National Ag Week.

It is not because of my roots on a farm, nor my time as Secretary of Agriculture that I am inspired to speak today. It is because of the remarkable men and women who rise before the sun each morning to feed the world. They provide safe, abundant, and affordable food, fiber, and fuel. They are stewards of our natural resources and drivers of innovation.

More than 2 million farmers and ranchers contribute more than $300 billion to the U.S. economy each year. In Nebraska alone, agriculture contributes over $15 billion to the State's economy. Our leading commodities include: cattle, corn, soybeans, hogs, wheat, dairy products, and the list goes on and on.

It is estimated that each American farmer feeds more than 144 people, a dramatic increase from just 25 people per farmer in the 1960s. And, as our population and the global population continue to grow, demand for our food, fiber, and fuel products is growing, not just at home but around the globe. In fact, USDA projects that agriculture exports will set a new record, exceeding $135 billion this year.

It is estimated that every dollar in agriculture exports generates $1.36 in additional economic activities, including transportation, warehousing, and financing.

Nebraska's $4.8 billion in agricultural exports last year generates an additional $6.5 billion in economic activity. Now that is a big deal, particularly during these struggling economic times.

However, the demands facing our Nation's farmers and ranchers are daunting.

We should ensure the government is not adding unnecessary regulatory and paperwork burdens to their load.

Instead, we must empower our Nation's farmers and ranchers to continue to be among the most competitive, productive, and efficient in the world.

We should be actively promoting U.S. agriculture by enhancing renewable fuels; ensuring regulations are transparent and science-based; and creating international opportunities through enhanced trade agreements.

This last one should be easy, but this administration has made it difficult.

Congress has been waiting on the President to submit three free trade agreements, Colombia, Panama, and Korea for more than 2 years now.

It is estimated that this cumulative delay has cost almost $2.5 billion in lost agriculture exports per year.

And while we have been hobbled on the sidelines, our competitors, including, Canada, Brazil, Argentina, and the EU, have been full speed ahead on trade agreements that put U.S. agriculture at a disadvantage.

Instead of a maintaining market share and a preference for Nebraska grown wheat, corn, and beef, consumers in Colombia, Panama, and Korea could turn to our competitors.

That is because their trade agreements have lowered tariffs while ours collect dust on a White House shelf.

And once market share is lost by the United States, it is difficult to regain.

I have talked to colleagues on both sides of the aisle who understand this reality.

In fact, the chairman of the committee that oversees trade could not have been more clear in recent comments. Senator Max Baucus said:

''The Time Is Here. The Time Is Now. We're Losing Market Share Hand Over Fist.''

I could not agree more.

Yet, more than 2 years into their term, the administration still has failed to send us these pending trade agreements for approval.

Our Nation's farmers, ranchers and many American workers are asking for them.

They know that new orders will be placed and business will flow from the agreements.

New jobs will be created.

Instead of spending hundreds of millions of dollars to try to create jobs, how about we sign agreements that will do it for us?

Approving trade agreements increases spending: zero. Not one penny. Congress simply says, ''aye.''

Perhaps that simply makes too much sense for Washington.

The bottom line is that increased trade is one of many opportunities that will help to ensure a bright future for American agriculture.

There are many reasons to be optimistic.

One need only consider the breathtaking advances in productivity.

I have long said that our farmers and ranchers can compete with anyone in the world on a level playing field.

It is nothing short of phenomenal that average corn yields are now 160 bushels per each acre of land compared to only 53 bushels just 50 years ago.

Frankly, it is difficult to keep pace with the new technologies transforming agriculture.

Consider this. Thanks to biotechnology and improved farming practices, last year, American farmers nearly doubled their soybean production from 1980 levels, with just a 10 percent increase in total acres planted.

And did you know, some farmers now use satellite and GPS technology to apply water and fertilizer where and when it has the greatest benefit to crops.

American agriculture truly is a remarkable success story.

It is true that we have big challenges ahead for agriculture. I say bring them on.

Our producers have faced down every challenge set before them and I am confident nothing will stand in the way.

That is, assuming the Federal Government does not wrap so much redtape around them as to suffocate their ingenuity.

There simply is no more resilient bunch than farmers and ranchers.

How many Americans would be willing to work hard often 7 days a week, only to leave any profit in the hands of Mother Nature?

Only those who recognize that living close to the land comes with its own rewards, and feeding the world is a higher calling.

I would suggest that agriculture is the very foundation of our country's rich heritage. Our Founders clearly understood and appreciated the importance of agriculture.

George Washington once said he knew of ''no pursuit in which more real and important services can be rendered to any country than by improving its agriculture. . . . ''

Thomas Jefferson noted that ''Agriculture . . . is our wisest pursuit, because it will in the end contribute most to real wealth, good morals and happiness.''

National Ag Week is a good time to reflect on the rich agricultural history of this great Nation. It is a time to celebrate the exciting scientific advances and new opportunities.

One thing all my colleagues should be able to agree on: We owe our Nation's farmers and ranchers a sincere thank-you. Every time we go to the grocery store, we are reminded how little of our disposable income we spend in this great Nation because of the good work of our farmers and ranchers. We compare better in our country than just about any country in the world.

So we are grateful today for their good work. We say thank you to them for the food, fiber, and fuel that keeps our Nation strong.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I would like to speak for about 10 minutes. I know Senator BINGAMAN is on the floor, and maybe other Members are coming to the floor to talk on other subjects.

REAUTHORIZATION OF THE SBIR AND STTR PROGRAMS

Ms. LANDRIEU. Mr. President, I guess we are technically still talking about our reauthorization of the SBIR and STTR Programs. Senator SNOWE and I have been working through the week to manage this bill on the floor, and I wish to again say how pleased I am with the progress we made this week. I know we have had about three or four votes on amendments, and there are others that are pending, but we have made progress. I truly appreciate the cooperation of all the Members.

This is a very important program. We have struggled, as I have said, for 6 years to get this program reauthorized. While everybody is running around fussing about programs that do not work, it is important for us to focus on those programs that do work, particularly those programs that work to create private sector jobs.

It is important for us to stay focused on reducing and, hopefully, eliminating our Federal debt and reducing annual deficits. That is going to be done when we do a couple of things all at one time. It is not going to be done by standing on the sidelines, slashing and burning discretionary domestic spending only, particularly some of the best programs in America. It is going to be done by thoughtful cuts and eliminations of some programs that don't work, some thoughtful eliminations and cuts to the Defense budget. It is going to be done by raising revenues where appropriate to close some of the gaps and taking back some of the excessive grants to high-end taxpayers, particularly those making over $1 million a year, in the view of this Senator. It is going to take some investments that can actually save taxpayer money in the long run, and cutting some mandatory programs.

We know—and I think it is becoming very clear to the American people—as this debate over the House CR and the debate over deficits and debt goes on, people are understanding this better and better. So one of the reasons I am personally happy to be on the floor this week is because I know the bill I am supporting and offering here to the Senate—hopefully getting to the House and then eventually to the President's desk—will create private sector jobs and close this deficit gap and begin to chip away, in a substantial way, at the debt. We need to grow our economy.

I have a chart I will put up in just a minute, but before I do that, I wish to show again a specific example of a program I am talking about so people will be very clear. Projects such as this were won by iRobot. This is just one example of the hundreds and thousands of small businesses that received either a contract or an award through this very important program.

DOD has the largest—over $1 billion—portion of their research and development budget. Prior to this program, almost 100 percent of that money went to big businesses or to universities and big businesses. Small businesses were summarily overlooked. Regardless of whether they had good technology, they really weren't let in the front door. This program we are talking about reauthorizing for 8 years creates that door and opens it for the small businesses in Louisiana, in Colorado, in New Mexico, in New York, and that is why we are going to fight hard for this program, to get it reauthorized and to the President's desk.

Let me give one example. The DOD needed more reliable, cost-effective robotic devices for going into caves, checking and diffusing IEDs.

I don't think I have to explain to anyone listening or any Member of this Senate the challenges our soldiers face in Afghanistan. I have been to Afghanistan. I have not been in caves in Afghanistan, but I have visited our troops there. I have heard their stories. I have seen pictures and read enough books to know the frightening thousands of miles of caves and crevices our soldiers are having to go into to hunt down Osama bin Laden, who still has not been found and captured, and to protect our forces overseas.

We have been in some ways as a nation kind of caught off guard about the

terrorist attacks and military strategies using explosive devices. I guess we knew this could be a tactic, but, honestly, we did not have what we needed to protect our troops to win the battles.

So this program steps up and says: OK, this is what we need. Let's go out and see who has the best technology. Instead of spending billions and billions and millions and millions of dollars giving a contract to a big company and getting them to go through all the rigmarole to develop it—it is kind of an off-the-shelf technology almost, except that we develop the idea and give a small business the opportunity.

Unlike large businesses, these small firms approach the project unencumbered by past research and approaches. They start with a clean slate. They often have innovative approaches that would be challenged by conventional large businesses. They often attract researchers fresh out of a university, such as iRobot, which started with two MIT students and their professors. Ideas that started just off the MIT campus have turned into a company with a market cap of now $400 million, with strong military and private sector sales.

My colleagues have probably heard of the private sector spinoff of the military robot, the Roomba, a product that vacuums while one is at work and has now sold over 5 million units in the United States. This is a different product than the IED robot I will speak about in a minute, but it is an example of one of these programs.

When our forces needed to go into caves and find IEDs, there was some technology that was developed in order to do that. The Navy has many examples. The Army has many examples. I am encouraged to see these outstanding opportunities.

This was in Bedford, MA. This is the iRobot I mentioned. I will get the chart for the IED explosive in just a moment. This is an example of some of the projects that have been funded. This is not just good for our soldiers, but obviously this company then became a company that went on to sell other products in the conventional market and created jobs along the way.

I know Senator BINGAMAN wants to speak on energy, and I am going to yield the floor and then come back later and put a few more things into the RECORD before this week ends so that when we come back in a couple of weeks, we will have built the strongest record possible for a vote as soon as possible on a program that works, that is cost-effective, that really creates some new technologies that help our soldiers overseas and help us vacuum our floors here at home and create American jobs in the process and help us to close this deficit and debt gap.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

BUDGET PROCESS

Mr. TOOMEY. Mr. President, I wish to share a couple of thoughts on the budget process that is underway and where we are with the continuing resolution we voted on this afternoon.

First, with respect to the CR, that was a tough vote for me. It was a tough vote because this is no way to run the government. We are here now dealing with business that should have been done last year. Unfortunately, last year the Senate didn't get its work done, didn't even do a budget, didn't go through the normal appropriations process. They started kicking the spending can down the road last year, and we are still in the midst of that. I am not sure how many continuing resolutions we have had at this point—three, four, five, six; I am losing track—but this last one for this next 3 weeks, frankly, is the last one I will vote for. This one I could support because it does sustain the lower level of spending as passed by the House. There are some tough cuts in that bill, but it is very necessary that we get serious about getting our spending under control. This is a small step in that direction.

I really want to urge my colleagues to bring an end to these 2-week, 3-week, short-term CRs. It is just kicking the can down the road. Let's resolve this. Let's get a funding measure in place that will fund the government for the remainder of this fiscal year and be done with it. We have serious work to do. We have a budget resolution we need to govern the spending that will occur for next year. We have process reform that we badly need. There is an awful lot that needs to be addressed, and this really just needs to get done. So I hope we will do that soon.

As we discuss the level of spending we are going to have in this CR that will continue from when the current one ends—hopefully, there will be just one more that will take us through the remainder of this fiscal year—it is very important that we get that level of spending down to at least the level that was passed in the House, and I want to talk about why.

I have looked at some of the individual cuts, and they are tough. They are going to make things difficult in many cases. But it is very necessary that we do this for the sake of beginning to restore some sense of fiscal sanity to get us on a sustainable trajectory.

One of the arguments I have heard from some of my friends on the other side of the aisle who have real concerns and objections in some cases to adopting a spending measure that does reduce spending—I would argue modestly over all—is that this will cost jobs; that if the government doesn't spend more than what is contemplated in the House-passed continuing resolution, we will lose jobs; that if we cut government spending, we will have lower employment. I am here to suggest that is exactly backward. That is precisely wrong. In fact, it is the exact opposite.

At the point we are now, the more the government spends, the fewer jobs we will have. And the sooner and the more quickly we bring this government into some sense of fiscal stability, the more employment we are going to have and the more job creation we are going to have. I think for many people that is common sense, but it is not universally accepted here. I understand that. But consider this: If all we needed to do was have the government spend more money to create jobs, then recessions would always be a trivial matter because we would just crank up some government spending and everybody would be back to work and we would be fine. But we know that doesn't work. It has never worked. If that is what worked, frankly, the economy would be booming right now.

We have been spending on a scale we have never even contemplated before. As a percentage of GDP, deficit spending, total spending, by any measure—the spending is at a record high, and yet unemployment is persistently much, much higher than we had hoped it would be, much higher than it typically is at this stage in what should be an economic recovery.

It isn't just this experience we can look at. We can look around the world. Countries that have lived beyond their means and where the government occupies a big segment of the economy and spends a great deal, those are not the more successful economies. In fact, those are the least successful economies. They have persistently high unemployment, low economic growth, low job creation, and a low standard of living. I think this is all widely recognized but not entirely so here in Washington.

Of course, it is true that the government can always create a job. The government can have a program that instructs someone to go out and hire someone, give that person a wage and, bingo, they have created a job. Government can always do that. Of course, the problem is that in the process, the government destroys jobs in the private sector. That is because the money that is necessary to create that government job has to come from somewhere, and it always comes from the private sector unnecessarily.

When the money comes from out of the private sector and goes to the government for the government to create a job, that does several things. First of all, the government tends to allocate resources much less efficiently than free men and women do in the voluntary exchanges of the marketplace, so you get politically motivated allocation of resources rather than market-oriented allocation, and this is widely acknowledged to lead to lower investment returns, less efficient investment, and therefore less job creation.

This isn't just theory. There is plenty of empirical data on this issue. I wish to observe for my colleagues and talk

about one particular chart that I think is a very helpful illustration because this kind of goes to the heart of my point. My point is that the job creation we desperately need right now is only going to come from the private sector. The sustainable jobs that lead to solid economic growth, permanent jobs, wealth creation, and real opportunity are going to come from the private sector, and that is driven by private investment. The more government spends, the more it crowds out private investment and precludes the very engine of economic growth and job creation we need.

The chart behind me is a great illustration of this. It is provided by John Taylor, a very well regarded economist whose work is highly respected and widely circulated. In this chart, Mr. Taylor illustrates that the unemployment rate is inversely related to private investment.

So when the private sector is making investments—and this can be investments in new business or in capital, but when private money is being put to work by business, as the percentage of the economy, the amount of this investment declines as a percentage of our economy, we see the unemployment rate go up.

When we see private investment growing, as it did for a sustained period from the early 1990s until the early part of this decade, we see the steady upward trend, and it was driving down the unemployment rate. It is clear that as this line goes down—the private investment line—the unemployment rate goes up. When it turns around and private investment as a percentage of our economy grows, the unemployment rate declines—not just for this period—and you can see the trend continues.

Again, we have another period after about 2000 of declining private investments as a percentage of GDP and a rising unemployment rate. Now that we have seen in recent years a long, pretty precipitous decline in private investment as a percentage of our economy, we see this huge increase in the unemployment rate.

These lines—at a quick glance, you can see it—are almost a mirror image of each other. This is a great illustration of a simple and well-known fact: It is private investment that drives job growth.

When the government gets too big, as ours is today, and when it spends too much money, as this one does, and when the deficit gets too big, it crowds out and precludes the private investment that drives job growth. That is why it is so important that we get spending under control. That is why it is so important that we pass a continuing resolution that will fund the government for the rest of the year, at the lowest possible level we can reach an agreement on, because lower spending is going to drive job growth.

There are several other aspects to this fact that lower spending will lead to greater job growth. Everybody knows that higher government spending eventually leads to higher taxes. We are at this point now where we have this huge shortfall in the revenue relative to the amount of money that is being spent. So any potential investor wonders, how much are taxes going to go up? When will they go up? Are they going to go up on me, or on my investment, or on my labor?

These are the uncertainties we in Washington have introduced into the economy. But everybody who is contemplating an investment has to wrestle with this question. Uncertainty is the enemy of private investment and job growth.

The other possibility is that instead of a tax increase, maybe there will be a debt crisis. We are borrowing money on such a huge scale, it is not at all clear that we can continue that. I guarantee we cannot continue this indefinitely. I don't know how much longer it can continue. That is a very dangerous thing to flirt with—ever higher levels of debt and the expectation that lenders will lend us money when there are such large percentages of our economy.

There is another variable in the mix, and that is the danger that the central bank, the monetary authority, will decide maybe the easiest way out of this mess is to print money.

This is a road that has been gone down many times before in many parts of the world. It always leads to a disaster. Monetizing the debt is the way many governments have chosen to deal with excessive spending. I am very worried now about the policy of the Fed, and QE2 is the policy by which they are currently monetizing more than half of the deficit we are running this year. That is a dangerous policy. Combine that with the beginnings of this fiscal imbalance and imprudent policy, together with this very accommodative monetary policy, and this is a very dangerous mix.

What we can do in the short run, and what we ought to be doing right now, is addressing the spending problem that is at the heart of all of it. It is driving this. In my view, that starts with the continuing resolution that will fund the government for the remainder of this year. We passed one that will fund the government for the next 3 weeks, but I wish it had been for the remainder of the year. We have no time to waste; we have to get this resolved and we have to move on to a budget that brings our spending and revenue into balance, without raising taxes and ruining economic growth.

This should be the big priority for this body. I hope when we get back from this recess, this is what we will be working on—the spending measure to close out this fiscal year, a budget that will put us back on a sustainable path, and progrowth policies that will lead to the job creation we need.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from New Mexico is recognized.

Mr. BINGAMAN. Madam President, I ask unanimous consent to speak for 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL AND GASOLINE PRICES

Mr. BINGAMAN. I want to take a few minutes to discuss high oil and gasoline prices. I think when we get home to our respective States this next week, we are going to find that many of the people we represent are understandably concerned about the rising price of gasoline at the pump. They have good reason to be concerned.

Senator MURKOWSKI and I hosted a Senate-wide briefing on Tuesday afternoon with three top oil industry analysts. We had Dr. Richard Newell, the head of the Energy Information Administration; Mr. Bob McNally, who was part of the Bush administration's White House team on energy markets; Mr. Frank Verastro, who is the head of the Energy and National Security Program at the Center for Strategic and International Studies. They gave us their insights and explanations as to what is causing the rise in the price of gasoline at the pump.

Let me go through four charts to try to summarize what they told us at that briefing. I think it is very useful information for my colleagues, and anybody else who is interested in the subject.

This first chart is labeled ''Gasoline Prices Reflect the Cost of Crude Oil.'' A fundamental truth, which they all subscribe to, is that the primary driver of the price of gasoline at the pump is in fact the price of crude oil on world markets. This chart demonstrates that. It shows the price trends since 2005 for gasoline; that is the yellow line on the chart. It shows the price of crude oil; that is the green line. While some past gasoline price spikes can be attributed to phasing out the additive MTBE, for the last 3 years gasoline price movements have tracked global crude oil prices. So the idea that our gasoline prices are high today because of some particular action the Obama administration has taken is not supported by the facts.

The reasons for the current crude oil price increase are equally straightforward. In listening to each of the analysts highlight the factors he thought were important in explaining why crude oil prices are at the levels we have not seen since 2008, I was struck by two explanations advanced in many of the political speeches in Washington and around the country about oil and gas prices. Frankly, the conclusions, or the allegations, or the arguments made in those political speeches did not comport with what the analysts told us.

First, none of the experts who talked to us highlighted the administration's permitting process in the Gulf of Mexico as being a significant factor in determining world oil markets. I asked Dr. Newell whether the current pace of permitting had any implication for the

Energy Information Administration's short-term forecast. His answer was refreshingly direct; he said, ''No.'' I will point out that neither of his co-panelists disagreed with that conclusion.

Second, any anticipated Environmental Protection Agency regulation of greenhouse gas emissions at refineries was not included in any of the presentations as a driver behind the current increase in prices. In fact, more broadly, neither the EPA nor any kind of U.S. regulations were discussed as important to understanding world oil prices. I know some of my colleagues remain concerned that we have not built a new refinery in the United States since the 1970s. I assure them that the data suggests that their concerns are not well-founded at this particular point. Demand for refined products is believed to have peaked in the United States. At the moment, 17 percent of our existing refining capacity in this country stands idle, and that is not because of environmental regulations; it is because demand for refined products has come down. In my opinion, it doesn't make a lot of sense to be debating whether we need new refineries, when we are not using the capacity we already have in existing refineries.

Having explored those factors that are not influencing oil price movements, let me discuss factors that are contributing to increased oil and gasoline prices.

The bulk of the discussion at this briefing we had on Tuesday about high oil prices was about what is going on in the Middle East and North Africa. This chart depicts what happened to the price of oil. This says ''U.S. Oil Prices, January through March 2011.'' From the beginning of this year, until the current time, I think it is obvious that the major force driving oil prices is the instability we have seen in the Middle East and North Africa.

When the world's key oil-producing and exporting region—which is the Middle East and North Africa—is unstable, world oil markets are also unstable.

When political unrest threatens major chokepoints in the world oil transit routes, world oil markets react as they have.

When a member of OPEC, the Organization of Petroleum Exporting Countries, stops exporting oil, which has virtually occurred in the case of Libya, world oil markets react.

Also, when there are fears that a nearby neighbor, and a close ally of Saudi Arabia, home of the world's largest oil production capacity, begins to have political upheavals, that raises tensions in world oil markets as well.

So as you can see from this chart, oil prices are very sensitive to these kinds of developments. Oil prices went up as regime change was realized in Egypt, amid concerns about access to the Suez Canal. Prices quickly came down again as it looked increasingly unlikely that traffic through the canal would be disrupted.

Then Libya became the first major oil-exporting country to be affected by the wave of popular uprisings spreading throughout the Middle East and North Africa, and oil prices reacted immediately, indicating market concerns that the situation might get worse before it got better. It, indeed, has worsened. We have virtually all Libyan oil exports terminated or stopped or suspended. Sanctions against Qadhafi's government, combined with chaos on the ground in Libya, have driven Libya's exports to near zero. There is little hope for improvement, so far, in the near future.

We are just beginning to face a potential further escalation of tensions in the region. On Monday, of course, Saudi Arabia sent troops across the causeway onto the island neighbor Bahrain. This adds to world tension.

World oil markets have reacted to this tension with expectations—and I am avoiding using the more politically loaded term ''speculation,'' although I do believe that word is appropriate—that the situation is at risk of getting worse before it gets better.

Into this uncertain environment, we now have a new source of even greater uncertainty. The earthquake that has plagued the island nation of Japan, the ensuing tsunami, and the nuclear disaster that struck Japan—all of that has introduced the possibility that the world's third largest economy might be consuming less oil in the near future than was earlier assumed.

Worldwide markets have again reacted, this time by falling to under $100 per barrel as we try to better understand the size and the scope of the disaster our Japanese friends and allies are facing.

What can Congress do to help ease the burden of high prices for U.S. consumers when oil prices are determined mostly outside our borders, as I think they clearly have been?

A realistic, responsible answer has to be focused on becoming less vulnerable to oil price changes over the medium and the long term. By doing so, we become less vulnerable by using less oil.

I believe increased oil production can play a significant role in world oil markets. The United States has fairly modest resources compared to much of the world. Our base of proven reserves is small. Many people have observed that the United States has less than 2 percent of the world's proven reserves.

Despite what economists and analysts agree is a relatively modest resource oil base, the oil and gas industry in the United States has led the world in developing state-of-the-art technology for exploration and production. Our companies are continuing to get more oil out of the ground and into world oil markets than any of us could have believed was possible. To use a boxing metaphor, we are punching above our weight in oil and gas production thanks to the technology lead our companies have developed.

According to the Energy Information Administration, oil production in North Dakota has risen by 150 percent since 2005. That is all from the Bakken shale formation. This is due to the advent and application of new drilling technology. It is a success story that we all can celebrate.

Let me talk about this third chart. Oil production is up strongly across the United States in the last few years. This chart demonstrates that current increases in oil production are a significant change from what we have seen in the last several decades. We have not had to repeal any environmental laws to achieve this or change the protections that apply on public lands.

Let's not forget that even with U.S. production strongly increasing oil prices have also been increasing. While domestic oil production plays an important role in ensuring the energy security of the country, its contribution to the world oil balance is just not sufficient to bring global oil prices down. It is, therefore, not a complete answer to the high oil and gas prices that tax our consumers and threaten our country's economic health.

This leads me to conclude that the key to reducing our vulnerability to world oil prices and volatility is for us to find ways to use less oil. We need to diversify our sources of transportation fuel. We need to set ourselves on the right path, as we did when we passed the Energy Independence and Security Act of 2007. That law required us to make our vehicles more efficient and to shift toward relying more on renewable fuel.

This final chart shows the Energy Information Administration's long-term forecasts for U.S. dependence on imported oil as predicted prior to the passage of that 2007 bill, and what they now predict it is after the passage and implementation of that bill.

There are two main features of this graph that I think are noteworthy. First, prior to the enactment of this bill in 2007, the Energy Information Administration had been predicting that U.S. reliance on imported oil would continue to increase. In large part, because of the biofuels and the fuel efficiency policies that we included in that act, the latest forecast shows our reliance on imported oil probably peaked, in fact, in 2005, and is now going down and is expected to continue going down for the rest of this forecast period, which is out to year 2035.

Second, the amount of oil we now will not need to import from today to 2035—that is, the oil that we will be able to save because of the Energy Independence and Security Act we passed in 2007—amounts to about 26 billion barrels. That compares to the previous forecast.

What I am saying is, the difference between the blue line, which is the earlier projection, and the red line, when we take that out to 2035, the total oil involved there is 26 billion barrels. This amount is greater than the total U.S. proven oil reserves, which are estimated at 23 billion barrels. I hope we

can all agree this has been a significant success.

How do we continue on this path toward reducing our oil dependence? I will conclude by highlighting three areas, three key goals I hope we can focus on in the Senate in the coming weeks.

First, we need to enable further expansion of our renewable fuel industry, which is currently facing infrastructure and financing constraints.

Second, we need to move forward the timeline for market penetration by electric vehicles.

Finally, third, we need to make sure we use natural gas vehicles in as many applications as makes sense based on that technology.

Every barrel of oil we displace from the transportation sector and we, therefore, do not need to consume in the United States makes our economy stronger—not to mention our personal pocketbooks—and less vulnerable to the volatility of the current marketplace.

We need to keep drilling. We are good at that. It is helpful to have more supplies on the world market. I am not arguing against that. But at the same time, we need to recognize that the long-term solution to this challenge is to move away from such great dependence on oil. This is a strategic vision President George W. Bush, who previously had worked in the oil industry, clearly articulated in his 2006 State of the Union Address. We subsequently proved in Congress, in 2007, the year after that State of the Union Address, that we have the ability to make significant changes in our energy consumption and that it is possible to mobilize a bipartisan consensus to do so.

The bipartisan path we laid out in the Energy Independence and Security Act in 2007 is the right approach. As part of whatever bipartisan approach we take to energy in the weeks and months ahead, we need to continue moving in this same direction.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PUBLIC EMPLOYEE PENSION CRISIS

Mr. HATCH. Mr. President, I rise to speak on a matter of great importance to the economic health of State and local governments. I am talking about dangerously underfunded employee pensions.

We hear about this problem every day in States such as Illinois, California, New Jersey, and many others. It is a multitrillion-dollar problem. Let me repeat that. The underfunding of these pensions runs into the trillions of dollars. Not billions, trillions.

How did this happen? There are two primary causes. First, governments have promised too much money in lifetime pensions; and, second, governments have not set aside enough money to pay for those pensions. The shortfall between the money that has been promised and the money set aside is called underfunding, but that is just a sterile accounting term that means we don't have enough money to pay the bills. Where I come from, that is called being broke. It is bad enough when you go broke because you have been irresponsible with your own money. Yet it is a tragedy when governments go broke being irresponsible with taxpayer money.

That is what I fear we are watching as this public pension crisis unfolds. There have been many studies in recent years of our public pension crisis. There is no question about whether this crisis exists. The only question is the magnitude of the crisis.

One prominent study by scholars at the Kellogg School of Business at Northwestern University estimates that public pension plans are underfunded by over $3 trillion. That is a lot of money. An analyst at the Brookings Institute says public pensions are $2.5 trillion in the red. A study published last month found that all by itself, California has a $240 billion pension shortfall. You heard that right. California alone has a pension debt of $¼ trillion. Some have estimated that Illinois is in even worse financial shape.

If the States and localities do not act aggressively to address these shortfalls, then the question will not be whether the States will become insolvent but when? Regardless of whose numbers and which study gets the closest to the mark, there is no denying that public employee pensions face a multitrillion-dollar shortfall in the aggregate.

Though none will deny this shortfall. Some will seek to shift the blame and shirk responsibility for this crisis. I want to nip in the bud one of the arguments of those interests who would prefer to ignore this crisis. They will argue this is not a problem of too many pension promises and the underfunding of those promises. They will try to divert attention from the fact that public employee pensions have too often not been funded on a sound basis. Instead, they will say the pension funding problem is owing to the 2008 economic crisis and the big businesses that, they say, caused it. This is way off the mark. But don't trust me, trust the numbers. This pension shortfall existed before the recession, and an attempt to lay blame at the feet of Wall Street or big business or some other group is just plain blame shifting.

One aspect of the problem is that governments have been slow—and public employees have been resistant—to transitioning to the types of retirement plans that private sector workers have been living with for years. The rest of the world has moved toward 401(k)-style plans, called defined contribution plans. In these plans, costs are lower and more predictable. They fit well with an increasingly mobile and dynamic workforce. Yet governments have remained wedded to expensive, traditional pension plans for far too long.

These old-style traditional pension plans—defined benefit plans—owe a monthly payment for life to each employee regardless of how much money the government has set aside, regardless of how well the pension assets have been invested, and regardless of whether the ratio of active workers to retirees has remained stable. For most private companies these plans proved simply unsustainable, and over time they moved toward more flexible retirement plans for employees. Yet as usual, government is slow. It is slow to innovate and slow to adapt.

So even though these defined benefit plans had the potential to cause enormous financial problems for governments, governments stuck with them. Private companies learned long ago that traditional pension plans are too expensive for most businesses.

In 1985, 80 percent of medium and large private companies had a traditional pension plan. Today, just 30 percent have a traditional plan. By contrast, 84 percent of State and local government workers are covered by high-cost traditional pension plans. And government is not just any employer. Governments only exist because of taxpayers.

Ultimately, taxpayers are the employers of government employees. Yet these governments are living in the past, playing irresponsibly with taxpayer money, and leaving taxpayers to foot the bill for too many lifetime pension promises.

So why do these lifetime pension guarantees continue? There are many reasons, but at the top of the list is the unique character of government as an employer. Private employers moved away from traditional pensions to more affordable 401(k)-style plans because they can't stay in business if they ignore economic reality. Yet governments have kept their unaffordable traditional plans, often because public employee unions use taxpayer-funded union dues to elect State and local politicians and then ask the same politicians they just elected for costly pension deals at taxpayer expense.

When a union bargains with a private employer, employer and employee have an interest in the business continuing as a viable enterprise. If the benefits are costly and uncontrollable, the business goes under and everyone is out of a job.

But where are the interests in a negotiation between a public employee union and the person they just helped to elect to office? Where are those interests? Union bosses are sitting across the table from the Governor of the

State—the Governor they just helped to elect with millions in campaign contributions—and they ask him for a costly, guaranteed lifetime retirement package, often with little or no cost-sharing by the public employee. What is a politician going to say? Sorry, but I can't help you? I doubt it.

I want to read something from the Wall Street Journal. On October 22, 2010, just prior to the last election, the Journal carried a story about the role the American Federation of State, County and Municipal Employees, or AFSCME, was playing in that election. According to the journal:

> The American Federation of State, County and Municipal Employees is now the biggest outside spender of the 2010 elections. The 1.6 million-member AFSCME is spending a total of $87.5 million on the elections after tapping into a $16 million emergency account to help fortify the Democrats' hold on Congress. Last week, AFSCME dug deeper, taking out a $2 million loan to fund its push. The group is spending money on television advertisements, phone calls, campaign mailings and other political efforts. ''We're the big dog,'' said Larry Scanlon, the head of AFSCME's political operations. ''But we don't like to brag.''

''We are the big dog.'' That about sums it up. And when the big dog barks, it expects the people it helped elect to jump. Why do you think they are spending all this money? Because public employee unions care about global warming?

Richard Trumka, the head of the AFL–CIO, a man I respect, has said he talks with the White House every day and visits a couple times a week. Why do people think he is doing that? Playing pick-up basketball with the President? He is talking about how to benefit his unions, and lately that means public employee unions.

There were some recent reports suggesting that Organizing for America—a Democratic National Committee project designed to reelect President Obama—was helping to foment the protests in Wisconsin. These unions are spending big-time money to elect politicians because they know the politicians will deliver big-time benefits. But the chickens are coming home to roost. As we are seeing in State after State, the markets have something to say about these collusive relationships and the benefits they secure. The credit-rating agencies have announced they will begin factoring unfunded pension obligations into the calculations they use to rate the creditworthiness of States. This is significant because the total value of State bond debt is estimated to be around $1 billion, while pension debt is at least two or three times that amount.

State credit ratings reveal another aspect of the State budget crisis. The five States that prohibit collective bargaining of retirement benefits have Moody's highest credit rating. California and Illinois, which allow collective bargaining of retirement benefits for public employees, have the lowest credit rating among the 50 States. The next four lowest States also allow collective bargaining.

Illinois is in the worst shape of all, with less than 40 percent of the funds needed to pay its public employee pensions. The Illinois situation is so dire that for the last 2 years the State has had to borrow money just to make its pension contribution. This year Illinois had to pay a 2-percent higher interest rate just to borrow money to contribute to its pension program. Now, this is madness, and it cannot go on forever.

Thirty years ago the Federal Government moved away from an expensive traditional pension plan and set up a basic pension plan in combination with a 401(k)-style defined contribution plan. The system has worked well so far, although at some point we might need to reform Federal pensions too. Some forward-looking States have begun moving to 401(k)-style plans.

In my own home State of Utah the traditional pension plan is being replaced. New employees are being given a choice between a 401(k)-style plan and a hybrid plan with a combination of traditional and 401(k)-style features.

Last year Governor Chris Christie in New Jersey added a 401(k) plan for a portion of the New Jersey workforce. In Kansas, Governor Sam Brownback and the Kansas Legislature are studying the possibility of converting their pension system into a 401(k)-style plan. In Wisconsin, Governor Scott Walker has asked that the State study the feasibility of establishing a 401(k)-style plan.

There are many potential solutions to the public pension crisis, and all of them should receive consideration. We should be encouraging these courageous Governors on rather than demonizing them and demagoguing this issue. I, for one, would like to congratulate the Governor of Wisconsin for his bold stand on the issue of public employee benefits. The victory he secured last week is significant. He stood responsibly for the long-term interests of his State rather than doing the easy thing and caving under the pressure of union-organized protests and the childish and disrespectful resistance of Democratic lawmakers who chose to flee the States rather than engage in this debate.

Governor Walker understands our greatest enemy is delay. The director of the Pew Center on the States has said that while these problems are significant, they can be solved if we act now. If we wait, the crisis will become unmanageable.

Mr. President, it is my intention as ranking member of the Finance Committee to find a way to address the public pension crises if State and local governments don't step up to the plate. I am under no illusions this will be an easy task. The problem is both large and complex. There are many potential solutions that must be studied, and some will not be pleasant.

Some of my colleagues in the Senate have a proposal to address the problem, and I will be working with them as well. I do not have all of the answers yet, and I have not settled on what I believe are the best solutions. But we are working hard and talking to the experts about the best way to proceed.

I am sure of one thing, however, and I want to be 100 percent clear about this. There will be no Federal bailout of any State or local government. Let me just repeat that. No Federal bailout.

Just last month, after Illinois sold its high-interest bonds, the Governor indicated that he plans to ask for a Federal guarantee. Well, Governor, you can save your breath. The answer is, no.

We cannot ask taxpayers and the rest of the country to pay for underfunded pensions in Illinois, California, or any other State that made promises it clearly cannot keep. To do so would be more than unfair; it would be immoral. A Federal bailout cannot happen, and it will not happen.

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. KIRK. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN'S HUMAN RIGHTS ABUSERS

Mr. KIRK. Mr. President, I rise today to speak about the deteriorating human rights situation in Iran.

We understand that Esfandiar Rahim Mashaei—Iranian President Mahmoud Ahmadinejad's Chief of Staff will be arriving in the United States as early as tomorrow.

Mr. Mashaei is a close friend and trusted adviser of President Ahmadinejad. Their kinship began in 1982 when President Ahmadinejad was governor of Khoy in West Azerbaijan and the Intelligence Ministry appointed Mr. Mashaei to the security team in the Kurdistan region next door. Since then, Mr. Mashaei has been a member of Ahmadinejad's inner circle.

The world knows of President Ahmadinejad's public incitement against Jews and Israel—most infamously with his pledge to wipe Israel off the map. But the world may not know the virulent anti-Israel and anti-Semitic views of his trusted adviser.

In 2008, Mr. Mashaei told Sudanese President Omar Hassan Ahmad al-Bashir:

> The corrupt and criminal Zionist regime is harming not only the Arab and Islamic world, but humanity in its entirety . . . in order to save humanity from its different crises, there is no other way other than the limiting of Zionist influence on human society, because the root and origin of most of the world's current crises are related to Zionism.

Shortly after the discredited Iranian Presidential election in June 2009, Mr.

Mashaei was appointed Presidential Chief of Staff—after a very brief and unsuccessful attempt to serve as the first Vice President of Iran.

Since then, the persecution and repression in Iran has steadily increased. Thousands of peaceful protesters, dissidents and activists have been detained.

Let there be no doubt, Mr. Mashei, like his President, is directly responsible for human rights abuses in Iran. He should not be granted a visa to enter the United States and he, like his President, should be designated under U.S. law as a human rights abuser in Iran.

Mr. Mashaei's visit will come just 4 days after the United Nations Secretary-General released an interim report on the human rights in Iran.

The report states:

The human rights situation in Iran has been marked by an intensified crackdown on human rights defenders, woman's rights activists, journalists and government opponents.

Concerns about torture, arbitrary detentions and unfair trials continue to be raised by UN human rights mechanisms.

Additionally:

Discrimination persisted against minority groups, in some cases amounting to persecution.

A worrying trend is the increased number of cases in which political prisoners are accused of Mohareb—or enmity against God—offences which carry the death penalty.

At least 22 people charged with Mohareb have been executed since January 2010.

Journalists, bloggers, human rights defenders and lawyers continue to be arrested or subjected to travel bans. Blogs and Web sites are restricted and now more than 10 national dailies have been shut down for refusing to toe the official line.

Concern remains over a lack of due process rights and the failure to respect the rights of detainees.

Particularly, ''concerns were expressed at routine practice for incommunicado detention, use of torture and ill-treatment in detention, use of solitary confinement and of individuals without charges.''

Finally, ''concerns were expressed in public about people sentenced to death often do not have access to legal representation and their families and lawyers are not even informed of the execution.''

The report continues to detail the Iranian persecution of religious minorities, especially the Baha'i. The report notes concern for six members of the Baha'i community arrested by officials from the Intelligence Ministry in the months of June and July 2010—and the seven Baha'i community leaders recently sentenced to 10 years in prison.

Regarding Iran's persecution of its Kurdish minority, the report notes:

Members of the Kurdish community have continued to be executed on various national security-related charges including Mohareb. At least nine Kurdish political prisoners, including Jafar Kazemi, Mohammad Ali Haj Aghaei, and Ali Saremi were executed since January 2010, and several others remain at risk of execution.

And regarding Iran's persecution of Christians, we read:

Reports also continued to be received about Christians, in particular converts, being subjected to arbitrary arrest and harassment.

The Secretary-General's report follows others by our own State Department and human rights groups like Amnesty International and Human Rights Watch.

While we expect the State Department to release its 2010 country human rights reports on March 25, these are a few highlights from the 2009 report on Iran.

Security forces were implicated in custodial deaths and the killings of election protesters and committed other acts of politically motivated violence, including torture, beatings, and rape.

* * *

The government administered severe officially sanctioned punishments, including death by stoning, amputation, and flogging.

* * *

Authorities responded to all the demonstrations with raids on opposition activists' offices.

* * *

Some prison facilities, including Evin Prison in Tehran, were notorious for cruel and prolonged torture of political opponents of the government. Authorities also maintained ''unofficial'' secret prisons and detention centers outside the national prison system where abuse reportedly occurred. The government reportedly used white torture—prolonged solitary confinement with extreme sensory deprivation—especially on political prisoners, often in detention centers outside the control of prison authorities, including Section 209 of Evin Prison.

* * *

The government threatened, harassed, and arrested individuals who posted comments critical of the government on the Internet; in some cases it reportedly confiscated their passports or arrested their family members.

Amnesty's 2010 report on human rights in Iran starts with the following summary:

An intensified clampdown on political protest preceded and, particularly, followed the presidential election in June, whose outcome was widely disputed, deepening the long-standing patterns of repression. The security forces, notably the paramilitary Basij, used excessive force against demonstrators; dozens of people were killed or fatally injured. The authorities suppressed freedom of expression to an unprecedented level, blocking mobile and terrestrial phone networks and Internet communications. Well over 5,000 people had been detained by the end of the year. Many were tortured, including some who were alleged to have been raped in detention, or otherwise ill-treated. Some died from their injuries. Dozens were then prosecuted in grossly unfair mass 'show trials.' Most were sentenced to prison terms but at least six were sentenced to death.

* * *

The election-related violations occurred against a background of severe repression, which persisted throughout 2009 and whose victims included members of ethnic and religious minorities, students, human rights defenders and advocates of political reform. Women continued to face severe discrimination under the law and in practice, and women's rights campaigners were harassed, arrested and imprisoned. Torture and other ill-treatment of detainees remained rife and at least 12 people died in custody. Detainees were systematically denied access to lawyers, medical care and their families, and many faced unfair trials.

In its 2011 World Report chapter on Iran, Human Rights Watch writes:

Iran's human rights crisis deepened as the government sought to consolidate its power following 2009's disputed presidential election. Public demonstrations waned after security forces used live ammunition to suppress protesters in late 2009, resulting in the death of at least seven protesters and, I would add, we all remember Neda, who was killed online. Authorities announced that security forces had arrested more than 6,000 individuals after June 2009. Hundreds—including lawyers, rights defenders, journalists, civil society activists, and opposition leaders—remain in detention without charge. Since the election crackdown last year, well over a thousand people have fled Iran to seek asylum in neighboring countries. Interrogators used torture to extract confessions, on which the judiciary relied on to sentence people to long prison terms and even death. Restrictions on freedom of expression and association, as well as religious and gender-based discrimination, continued unabated.

The report continued:

Authorities systematically used torture to coerce confessions. Student activist Abdullah Momeni wrote to Supreme Leader Ayatollah Seyed Ali Khamenei in September describing the torture he suffered at the hands of jailers. At this writing no high-level official has been prosecuted for the torture, ill-treatment, and deaths of three detainees held at Kahrizak detention center after June 2009.

We cannot allow these violations to go unnoticed. Nor can we continue to turn a blind eye to the countless prisoners of conscience fighting for basic human dignity in this brutal dictatorship.

It is time we take a stand for people like Nasrin Sotoudeh, detained for her work as a human rights lawyer, women's rights activist, and defender of children who face capital charges; Hossein Ronaghi-Maleki, detained for his work as a blogger and human rights activist. He has been refused medical treatment for kidney failure; and Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saied Rezaie, Behrouz Tavakkoli, Vahid Tizfahm, Mahvash Sabet—all detained for their leadership in the Baha'i community.

As of today, the precise whereabouts of opposition leaders Mehdi Karroubi and Mir Hossein Mousavi, and their respective wives Fatemeh Karroubi and Zahra Rahnavard, remain unknown following their arrest and detention in February. Meanwhile, according to international human rights organizations, the whereabouts of hundreds of Iranians, including journalists and political activists, arrested just before the February 14 opposition protests remain unknown.

To each of them, I echo President Reagan's words: ''I came here to give you strength, but it is you who have strengthened me.''

As we approach the Iranian New Year celebration of Nowruz, it is time for

the President to demonstrate this administration's commitment to the Iranian people's struggle for human rights.

We know that Iranian President Mahmoud Ahmadinejad, Iranian Presidential Chief of Staff Esfandiar Rahim Mashaei and other senior Iranian government officials are directly responsible for and complicit in ordering, controlling, or otherwise directing the commission of serious human rights abuses against the people of Iran on or after June 12, 2009.

Pursuant to Executive Order 13553 and the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the President should designate these individuals as human rights abusers and reaffirm our core American values: freedom, democracy and human rights.

I would just end by quoting from section 105 of the Comprehensive Iran Sanctions Accountability and Divestment Act of 2010, signed by the President into law last year. It requires that the executive branch produce a list of persons who are responsible or complicit in certain rights abuses. It says:

> Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of persons who are officials of the Government of Iran or persons acting on behalf of that Government (including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz'afin), that the President determines, based on credible evidence, are responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009, regardless of whether such abuses occurred in Iran.

Clearly this official about to arrive in the United States meets the standard under section 105 of CISADA, and the U.S. administration should designate him as an abuser of human rights. He should not be admitted entry into the United States.

We should call it the way we see it, which is, this is one of the most dangerous human rights-abusing officials that we know of. Comprehensive data now exists from Human Rights Watch, from Amnesty International, even from the United Nations on what this man has directed. He should not be given a visa, and he should be so listed under U.S. law.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN SANCTIONS ACT

Mr. BLUNT. Mr. President, I rise to speak on an issue I feel I have spent a lot of time talking about in recent years but without much effect on either of the last two administrations. This is the issue of the Iran Sanctions Act. Congress has worked in a bipartisan way to strengthen and expand the Iran Sanctions Act, but in spite of our repeated efforts, the administration has not been willing to use the tools the Congress has given them.

In my mind—and I am sure in the minds of a great many of my colleagues—nothing would be more destabilizing to the Mideast region and to Middle Eastern regional security or global security than Iran's development of a nuclear weapon. I will not spend a lot of time talking about why that is because I doubt there is any Member of this body who is not aware of how dangerous this situation is or could be, which is why it is even more frustrating that we have not been able to get the administration to push a more robust set of sanctions using the sanctions policy and the sanctions tools we have given them.

During the 15 years between the time the Iran and Libya Sanctions Act was passed, in 1996, and last year, no meaningful application of these sanctions was ever adopted. From 1996 until last year, no meaningful application has ever been adopted.

In 2006, I worked closely with the Bush administration to pass a bill known as the Iran Freedom Support Act, to improve the menu in the choices of sanctions available to that administration and future administrations. Under that bill, Congress codified some of the executive actions President Clinton and President Bush appropriately took and ensured that these tools became more permanent.

Last year, alarmed again at the administration's disinterest in using the sanctions available to it, Congress again acted to tighten our sanctions policy. The Congress sunsetted the State Department's period of investigatory review to ensure that once an investigation is launched, it has to be concluded. It is now up to the Obama administration to pursue a vigorous sanctions policy that sends the message to Iran that: You are isolated in the world and the world will not tolerate this nuclear program.

On March 26, 2009, I sent a letter to Secretary Clinton asking for clarification on why the administration had not fully implemented sanctions against Iran. I had sent a similar letter to Secretary Rice in 2007, suggesting—in fact, stating—that the Bush administration was similarly delinquent in its enforcement efforts. We have given them the tools, but, simply, these administrations, in both cases, have not used those tools.

Fortunately, we now see the first indications that we are beginning to head in the right direction. Last fall, the State Department announced sanctions against Naftiran, a Swiss subsidiary of the National Iranian Oil Company. In an appearance before the Senate I was at with Secretary Clinton a few days ago, I was positive about my sense that this was a big step in the right direction but really only one step. Since the Iran Sanctions Act, this is the first time ever the act has been used. I am pleased it has been used, but, remember, it is the first time ever it has been used.

This action—to make it even more important that it is being used and frustrating that it hasn't been used—by the State Department had an immediate effect, as I and many others have been suggesting it would since the passage of these tools to the administration. Within days of the State Department's actions against Naftiran, and according to news reports at the time, European firms such as Royal Dutch Shell, Total, Statoil, and Italy ENI announced they would pull operations out of Iran's energy sector—exactly the kind of impact the Congress had hoped this would have.

On September 29, 2010, Deputy Secretary Steinberg announced the State Department's initiation of investigations into international firms that had not yet committed to exit Iran's petroleum sector. While the full list of these firms remains classified, publicly available reports suggest that list includes at least a dozen firms, many of which are Chinese, including the Chinese National Offshore Oil Company, Chinese National Petroleum Company, and Unipec. Other firms come from Germany, from Turkey, and from Venezuela. The list also includes the Industrial Bank of China, the China Construction Bank, the Agricultural Bank of China, and the Bank of China, which are reportedly providing financial services to Iranian interests in violation of the Comprehensive Iran Sanctions Act.

Under the law that now governs our sanctions policy, the State Department has 6 months to complete these investigations before announcing whether these entities will face sanctions. These notifications are due by March 29 of this year. I am very hopeful the State Department report sends the right message on March 29. It has been a long time for those of us who have advocated that this kind of action would produce the right kind of results.

U.S. sanctions policy should complement the international sanctions effort underway at the U.N. and other international venues. There is no reason we can't pursue a strategic sanctions policy that ensures companies operating in the United States or affiliated with U.S. entities don't invest in Iran's energy sector. It is time we demonstrated that we are serious about this before it is too late.

We have now taken the first step in the right direction. It has produced exactly the results we had hoped those steps would take. I and others anxiously await the report that will come out between now and March 29 to see what the next steps are, and then we will be looking carefully to see what

the reaction to those actions is. I hope we continue to show we are serious, that sanctions will only work if the nations involved—and particularly the United States—follow their own policies and use their own tools.

I note the absence of a quorum.

The PRESIDING OFFICER (Mrs. SHAHEEN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATURAL RESOURCE POTENTIAL

Ms. MURKOWSKI. Madam President, I have come to the floor this evening to discuss America's tremendous natural resource potential and to again highlight the fact that if we choose to, we can absolutely produce more of our energy to meet more of our Nation's needs. I also wish to address an argument that is often made in opposition to new domestic production, because I believe each and every Member of this Chamber needs to know the facts and the consequences of our current approach.

Without a doubt, understanding how much energy we have is at the very foundation of an energy policy. The Presiding Officer sits on the Energy Committee with me and we talk about our Nation's energy policy. When we talk about an all-of-the above, balanced energy portfolio, it is important to understand what it is we have. For resources such as wind and solar, it is pretty easy. They are renewable, so theoretically we should never run out. But for conventional resources, which make up about 83 percent of the energy America consumes, it is a different story. Oil and natural gas and coal aren't located on the surface of the Earth, so we don't exactly know what it is we have and where we have it. We have to look around for it.

Finding and quantifying our resources is a tough enough task. Adding to the complexity is litany of technical terms used to describe them. There are proved reserves, probable reserves, possible reserves, unproved reserves, and our demonstrated reserve base. Then we move into the resources which are different from the reserves, and that list includes eight more categories, and every one of them means something different. I would imagine most people don't have a great understanding of these terms, and by and large I suppose that is fine, unless you happen to be a Member of the Senate, because we are tasked with helping to formulate our Nation's energy policy. We need to know the details and the distinctions.

Before we make critical decisions that affect the price and the source of our energy supply, it is our responsibility to know what our experts think we actually have in this country. To help gain a better understanding of our Nation's energy base, Senator INHOFE of Oklahoma and I requested a report from the Congressional Research Service. The report was first released back in October of 2009, and then in November the CRS experts updated that report. It is entitled ''U.S. Fossil Fuel Resources: Terminology Reporting and Summary.'' Fascinating, I am sure. It actually is fascinating, and it should be required reading for each and every Member of the Senate.

Education is not the only reason we released this report, though. We also hope it will help to set the record straight. Too many of the facts presented here, particularly about energy, are based upon foregone conclusions. In some people's minds, we are supposedly running out of oil—well, because we have always been running out of oil. So at our request, CRS also surveyed existing government estimates to determine exactly how much conventional energy we think we might have.

I think most would find the results surprising. The truth is, our experts don't believe we are on the verge of running out of oil, out of natural gas, or of coal. Far from it.

According to the government's own estimates, the United States actually has the largest fossil fuel endowment in the world. To repeat, we have the largest fossil fuel endowment in the world—larger than Russia, far larger than countries such as Saudi Arabia and China. Within our own endowment is an incredible source of oil—an estimated 163 billion barrels of technically recoverable resources—again, going back to that terminology. There are 163 billion barrels of technically recoverable resources, which would be enough to maintain current production for more than 60 years.

We have huge volumes of natural gas, potentially more than 2,000 trillion cubic feet, which would last 90 years at today's rate of consumption. Our coal resources are truly unrivaled, and at 264 billion short tons, our supply will last more than 200 years.

I will put up a chart here and speak to what we are looking at in terms of proven reserves and recoverable resources, when we are talking about oil.

Back to the CRS report. They found that we have a tremendous range of subeconomic resources that are not yet commercialized, including an estimated 100 billion barrels of heavy oil, more than 800 billion barrels of oil shale, and up to 320,000 trillion cubic feet of methane hydrates. For oil shale, that is over 100 years' worth of conventional oil. For methane hydrates, that would be an amazing 14,000 years' worth of natural gas, if we endeavor to find ways to produce it.

Looking at the chart—I am throwing out a lot of numbers and years. It is kind of tough to get your arms around all of this. But if you look to the share of proven reserves only, within our country—that 28 billion barrels of oil, 17 percent—it leaves out the rest of America's recoverable oil, or 135 billion barrels. 83 percent of what is estimated that we have within this country are resources and are, for all intents and purposes, off limits to us. So the share of proven reserves that we are talking about—the 17 percent—versus the 83 percent of recoverable oil which is off limits to us.

The numbers in the CRS report are our best experts' best estimates on how much we have out there—how much oil, natural gas, coal, and unconventional fossil fuels lie within the United States. These numbers can be obtained by anybody who works in Congress, anybody who is capable of navigating to my Web site, or you can go to Senator INHOFE's Web site. I do hope Members in the Chamber will make good use of it.

Not only does this report provide objective figures for the Senate to use, it also casts serious doubt on many of the false arguments made against new domestic production. So I think it is important to recognize again what it is that we have. This is not any classified secret.

I want to give a couple specifics here, if I might. When you hear about some of the language or the statements that are made and are accepted as fact, there is a claim heard regularly on the Senate floor—and I heard it used by the President last week—that the United States has just 2 percent of the world's oil reserves but consumes 25 percent of the world's oil. Well, that line is designed to make the audience think that the United States is both running out of oil and also using it at an unsustainable rate. The truth is that government officials have claimed that in the United States we have been running out of oil since about 1919, but we are still the world's third largest producer, behind Russia and Saudi Arabia. But we are well ahead of everybody else.

If you think back to the categories I named earlier—and I am talking about the different categories of reserves and resources—you can see why simply referring to proven reserves is misleading because those account for only a very small sliver of our total oil. So to classify a barrel of oil as a reserve, you literally have to drill and prove that it is there. By definition, that excludes all the lands that have never been explored, so that is the big chunk of the pie on the chart here. It excludes a huge range of places where we believe there is oil, and in the end, it dramatically underestimates our Nation's oil resources.

Consider this: The proven oil reserves of the United States—the share of proven reserves, the 17 percent—have never exceeded 40 billion barrels. But over the past 110 years that the United States has been producing, we have managed to produce nearly 200 billion barrels of oil. On the books, we say there is only 40 billion barrels, but we have been producing nearly 200 billion barrels of oil over the pass century. That alone should cast doubt on the words of so many.

Arguing that we have just 2 percent of the world's oil is like arguing that only your checking account, but not your much larger savings account, counts toward your net worth. I will only count what is in my checking account, not what is in my savings account. But in reality, I have all of this; I have the whole combination. The reality is that if you have money in both accounts, neither provides a complete picture by itself. Oil is much the same way.

Between 2008 and 2009, our reserves actually rose by more than 8 percent, even as we produced about 2 billion barrels of oil, and that was made possible by our substantial resource base. So why claim that America is running out of oil when that is not the case?

The easiest explanation is that it is an attempt to turn perception into reality. If Americans can be convinced that we have no oil, we will stop demanding that our government allow access to it. Instead of running out of oil, we will simply stop producing it. In some people's minds, regardless of the economic consequences, the end result will be the same.

The reason I am so encouraged by the CRS resource report and I am encouraging other Members to review it, and the reason I am so disappointed by continued claims that America has nearly exhausted its resources, is that an understanding of our true energy potential helps point the way to a viable national policy. Instead of locking up our lands, we need to open them up and streamline access, streamline permitting, and bring more of our own resources to market. Doing so will not only allow us to increase domestic production but also decrease domestic consumption. These steps are not mutually exclusive. Given our energy and our fiscal challenges, they are actually dependent upon one another. Let me put it into context a different way.

For years, Alaska's congressional delegation has sought to allow 2,000 acres of the nonwilderness portion of ANWR to be opened to development. Usually, when we talk about ANWR, we talk about how much new oil production could result, probably somewhere between 800,000 and 1 million barrels a day—truly, that would help us out at this time. But left out of that conversation are the tremendous revenues that would accrue to the Federal Government. According to CRS, those revenues would reach more than $150 billion. I will repeat the number because we are looking for dollars. It would reach $150 billion at today's oil prices. If we use those revenues wisely, we could make great and serious progress on deficit reduction and investment in new technology.

Now, there is a bill from the Michigan delegation that would increase incentives for electric vehicles by an estimated $19 billion. It is a great idea, but the reason the bill will not go anywhere is that there is no way to pay for it right now.

Think about what would happen if we brought ANWR into the conversation. We could fully fund incentives to put not just a couple million but upward of 20 million electric vehicles on the road. We could help create an entire industry even as we fully protect our most valuable resource, which is the American taxpayer.

At the end of the day, our decision to produce more of our own oil would be matched by a tremendous reduction in our oil consumption, thanks to the advanced vehicles we deploy from the revenues from oil production. But by holding back production, we hold back progress.

For far too long, I believe the antiproduction arguments have prevented Congress from developing a coherent energy policy. We see them again today. They say, ''oh, it's the speculators'' or ''oh, the producers aren't using the lands they have already leased, that's all.'' But today, we are also seeing the consequences of those arguments: higher gasoline prices, a weaker economy, and a loss of international standing.

The longer our Nation waits to develop its resources, the longer we wait to create new jobs, to improve our energy security, to pay down the debt, and to invest in next-generation technologies. The longer we decide it is acceptable to import oil instead of producing our own, the longer we will continue to export our wealth, export our jobs, and give the benefits of production to other nations.

I think CRS's new report on America's true energy potential should be an eye-opener to us. I intend to circulate a copy to every Senate office. I ask my colleagues to look through this report and understand what it means for our energy policy and then join me to make sure this Congress takes advantage of the opportunity it presents.

CONGRATULATING JOHN BAKER

Ms. MURKOWSKI. Madam President, I have a short statement recognizing the phenomenal historical win of the Iditarod race. John Baker is an Inupiaq Alaska Native and is the first Alaskan Native to win the Iditarod in 35 years, and it has been around for 39 years. He made it to Nome on the thousand mile-plus Iditarod Trail in record time: 8 days, 19 hours, 46 minutes, and 39 seconds on the trail, which is the fastest time in the Iditarod history. We are exceptionally proud of John Baker.

I had an opportunity to be with John Baker and his phenomenal dog team as they were preparing to leave from Anchorage 2 weeks ago, and John said, ''It's my time, LISA.'' He has been in the top 10 for 11 tries now, and we are exceptionally proud of him, but not only proud of John Baker and his approach to the care of his dogs and his team, but we are proud of the canine athletes. He has a couple lead dogs, Velvet and Snicker, that are pretty incredible.

Mr. REID. If my friend will yield, I got a call from one of the secretaries, so why don't you give your statement.

Ms. MURKOWSKI. I thank the leader. I will share it with you, and I appreciate the indulgence.

Again, I speak on behalf of not only John Baker as a great athlete but his canine athletes. When the mushers leave out of the start in Willow, they leave with about 16 dogs on the team. These are remarkable animals that love nothing more than to be on the trail and to be mushing. His team demonstrated a resolve and a commitment and a dedication to not only their musher, Mr. Baker, but to what the whole sport of dog mushing is all about. For those who follow the Iditarod Trail, you know this is not for the weak. This is over exceptionally rugged terrain, oftentimes in exceptionally rugged circumstances where you have Arctic winds howling down off the coast, blizzards that provide for whiteouts, going down passes that cause encounters that flip you over and break sleds and break bones. It is not for the timid.

But Alaska brings out some exceptional individuals. There were 62 teams that mushed from Willow to Nome this year. They are still out there on the trail as we speak. We wish those who are still coming in well along the way. We had some accidents, but there is never an Iditarod when we do not seem to have Mother Nature intervening in one way or another. The good news for us is that those who have had a happenstance, whether it was a broken collarbone or a happenstance with a knife, those men are doing fine and the dogs, again, are coming in and doing fine.

Again, Madam President, I am thrilled to congratulate Alaskan dog musher John Baker and his exceptional team of dogs, who carried him across the Iditarod finish line for a first place finish in Nome, AK, at 9:46 a.m. Tuesday morning. The Iditarod is not for the faint of heart—the trail is made up of some of the harshest terrain in North America spanning over 1,000 miles of rugged mountains, frozen tundra, and dense forests. Baker and his team made history yesterday beating every Iditarod record after racing eight days, 19 hours, 46 minutes, and 39 seconds on the trail—the fastest time in Iditarod 39-year history by 3 hours.

John Baker is a hometown hero in Kotzebue, a small northwest Alaskan community that rests roughly 33 miles north of the Arctic Circle on the Chukchi Sea. Yup'ik drumbeats and seal calls welcomed John, an Inupiaq Alaska Native and the first Alaska Native Iditarod champion in 35 years, as he and his team raced into Nome yesterday.

The Iditarod is the world's longest dog sled race. It requires mushers to have tenacity and a sort of fearless courage, but even those qualities will not make a winning team. Extraordinary leadership is just as essential of the lead dogs who must guide their

team through the toughest of conditions for days on end. Together, man and dog are pitted against nature and the raw elements of the Last Frontier. John Baker's team of canines is truly the cream of the crop.

I have had the pleasure of meeting his lead dogs Snicker and Velvet. Together, Snicker and Velvet guided the Baker team across frozen lakes and tundra, through freezing temperatures, winds, and snow. Although yesterday was the first time Snicker and Velvet have been draped in flowers and adoration at the finish line in Nome—this is not their first run at the Iditarod. Baker has run the Iditarod 15 times before and amazingly garnered 11 top 10 Iditarod finishes. This was their year—and Alaskans are celebrating with them across the State. John and his team have trained for this, they have fought for this, and they have made history.

I am proud to congratulate the Baker team on this extraordinary victory and I send my best wishes to John and his family today as they celebrate this well-deserved victory in Alaska's great race.

Mr. REID. Will my friend yield for a question?

Ms. MURKOWSKI. Yes.

Mr. REID. They had a great piece on public radio before the race started—it was very good—as to why the race takes place. I want to find out if what I understood from that radio piece is valid.

Wherever the race winds up, there was a place badly in need of some kind of serum because there was an illness there, diphtheria. I do not really remember. They had no way of getting the medicine there. Some person decided what they could not do with machines they could do with dogs. They took the medicine and saved all these lives. Is that valid?

Ms. MURKOWSKI. The majority leader watched that report well—

Mr. REID. I listened to it. It was on the radio.

Ms. MURKOWSKI. The Senator listened to it well. He heard it right. It was an outbreak of diphtheria in Nome. There was no way to get the diphtheria serum to the residents of Nome. It was a true and honest scare in the middle of the winter. The concern was that if they were to take it through a regular route during the winter months, it would not get there in time to save the residents of Nome.

The airfields were not sufficient. They could not travel by air because we did not have the airfields back in the twenties. It was a team of dogs that did a relay across the State. They delivered the serum in time and saved the town.

This race has been resurrected, if you will, to commemorate the Great Serum Race to Nome, as it is called, to commemorate the delivery of the serum, an act that would save that community. It is quite a remarkable story in our State's history.

Mr. REID. Madam President, I hesitate saying this because I will probably get in trouble, but this is a good reason why the House vote was bad today to disband public radio.

It was such a wonderful piece. I did not know that.

Ms. MURKOWSKI. I, too, will take an opportunity to plug public radio because the majority leader heard the piece on NPR, but in my home State and in many of the villages we are talking about where these teams will go through on their way to Nome, it truly is the public broadcast system that is their means of communication.

Mr. REID. I heard Ted Stevens talk about this in the past.

Ms. MURKOWSKI. Mukluk Telegraph is what he would call it. It was a way to convey birthday greetings to people in the next village. It was a way to say: I made it back from hunting camp safely. It is a way of communication. People do not often recognize that in many parts of our State, and certainly along parts of where these teams are traveling right now, we do not have a level of communication that we see in Washington, DC, or in most parts of the country.

That is our plug for public radio. I appreciate that bit.

Mr. REID. The only radio station I can get in the daytime in Searchlight is public radio.

Ms. MURKOWSKI. There you have it.

Madam President, I appreciate the indulgence of the majority leader. Again I send my warmest well wishes to John Baker and his team. I will be greeting the mushers in Nome on Sunday at the mushers banquet, and I can't wait.

I thank you for the time you have given me. I yield the floor.

TRADE AGENDA

Mr. BROWN of Ohio. Madam President, we were considering, earlier this morning, when I was presiding—and through much of the morning—the Small Business Innovative Research bill. Senator LANDRIEU and Senator SNOWE are leading very well on that issue.

I would like to speak for a moment about another important issue for small businesses and workers everywhere; that is, our Nation's trade and globalization agenda.

As my colleagues are aware, the Generalized System of Preferences, the so-called GSP, the Andean Trade Preferences for Colombia and Ecuador, and the 2009 reforms to the Trade Adjustment Assistance Program all expired in mid-February.

I do not think too many people are happy about that. I am certainly not. I have offered amendments with Senator CASEY and requested unanimous consent to pass both the Andean Trade Preferences and the Trade Adjustment Assistance, but my Republican colleagues objected.

Others, such as Senator MCCAIN, requested a unanimous consent on only the Andean Trade Preferences, and I have objected. I have objected because we cannot turn our back on American workers who lose their jobs through no fault of their own, only to, then, help workers in other countries.

Since Congress made reforms to the Trade Adjustment Assistance Program in 2009—trade adjustment assistance has been with us since the Kennedy administration. It clearly works. When workers lose their job through no fault of their own, they get some assistance from the government to go back to school to get retrained so they can be productive workers again. Again, they lost their jobs through no doing of their own.

But since Congress made the reforms in 2009, 170,000 additional trade-impacted workers became eligible for training under the TAA for Workers Program. So if somebody loses their job because of a trade agreement we pass in this institution—trade agreements that I think were wrongheaded: NAFTA, CAFTA, PNTR with China, other kinds of trade agreements with Australia and Jordan and Panama and Peru—when workers lose their job because of these agreements, we at least owe it to them to help them with trade adjustment assistance.

But since this program expired last month, we have shut out service workers, we have shut out manufacturing workers who lost their jobs to countries we do not have a free-trade agreement with. So we do not actually have a free-trade agreement with China or India. We did something called PNTR with China.

So if a worker in Dayton or Toledo or Findlay or Zanesville loses their job because of a trade agreement to China or India, they are out of luck. They do not get TAA. How awful is that? They worked at a plant, where that plant moved because of trade being moved to China, but they do not get any kind of assistance. It was not their fault.

It should not work that way.

In addition, improvements to the Health Coverage Tax Credit Program also expired. HCTC helps trade-affected workers purchase private health coverage to replace the employer-sponsored coverage they lost. Again, they lost their job because of a trade agreement. They cannot afford health insurance because they do not have much money and they get some tax credit from the government to help them be able to afford this health care. It has helped thousands of workers manage hospital costs, medication, and necessary doctor visits. Without it, not only do Americans lose their jobs, but they are at risk of losing their health insurance. They generally cannot afford their health insurance, which also may lead them more likely to lose their home and suffer from foreclosure.

TAA—trade adjustment assistance—and HCTC—health coverage tax credit—have both expired. They must be renewed regardless of whether this Congress considers or passes any new trade agreement.

Ambassador Kirk, the U.S. Trade Representative, will soon be submitting the U.S.-Korea Free Trade Agreement to Congress. I have expressed my concerns about this agreement. I am concerned it will be a step backward for American manufacturing, especially in the auto industry. I am concerned that low-wage Asian nations will use Korea as a platform to export auto parts and steel—duty free—to the United States. They will come in from some country to Korea—maybe China, maybe India, maybe somewhere else—through Korea and then get access to U.S. markets duty free.

These are serious concerns. This is not theory. This is based on what has happened since passing other free-trade agreements. Every time we pass a free-trade agreement, the supporters of it say there are going to be more American jobs and we are going to close the trade deficit. It never does. It is always false manufacturing jobs. In northern West Virginia and in much of my State, we have seen that inflicted on families day after day after day, and it means a larger trade deficit.

At least we will have the time to debate and consider the Korean trade agreement. Unfortunately, several of my colleagues across the aisle don't even want to consider the Korean trade agreement unless it is packaged with the Colombia and Panama trade agreements. So on top of not extending trade adjustments, on top of not extending the health care tax credit, our Republican colleagues want to move on all three leftover Bush trade agreements: Korea and Colombia and Panama. These trade deals will not be winners for American workers. We know our exports increase with free-trade agreements. We also know our imports increase to a larger degree.

The first President Bush said that when we have a trade surplus or deficit of $1 billion, it translates into 13,000 jobs. So a $1 billion trade deficit is 13,000 lost jobs. A $1 billion trade surplus is 13,000 increased jobs. That is President Bush's numbers. We can just do the math.

We have trade deficits of hundreds of billions of dollars in this country, and when production jobs move offshore, innovation is not far behind. All of us, including the Presiding Officer, have gone through manufacturing plants, and what we see there are workers and engineers trying to figure out how to innovate and how to increase productivity, how to make production more efficient and less expensive.

If we innovate in this country and invent in this country and then we send those jobs overseas for production, we begin to lose the innovative edge because over there, whether it is Mexico or China or India or Japan or anywhere else, when the production is done, then the innovation is also done on the shop floor. So while we brag about being the most inventive, innovative people on Earth—which we are—the future doesn't necessarily work that way as we outsource so many of these jobs.

We have seen how these free-trade agreements give incentives to move production overseas, and instead of taking away those incentives, instead of giving incentives to American companies to manufacture over here, we do the opposite by passing the Korean Free Trade Agreement or Peru or NAFTA or CAFTA or any of those.

Peru's President Garcia spoke to the U.S. Chamber of Congress before signing the Peru Free Trade Agreement. He said: ''Come and open your factories in my country so we can sell your own products back to the United States.'' Come sell your own products back to the United States. How is that good for American workers? How is that good for innovation? How is that good for American manufacturing? How is that good for American middle-class communities? It has become a business plan for far too many companies in this country. Think about, in the broad sweep of history, how often this has happened, where the business plan for a U.S. company is, they invent something here, then produce it in China, thousands and thousands of miles away, and then it is shipped back to the United States, back to the home country. That is the business model for far too many companies. If they were to set up in China and sell into China and east Asia, that would be one thing. But company after company after American company has gone abroad, done the production there, sold it back into the United States, so it is not providing the work for American workers that it should.

Again, my colleagues are holding people who need retraining and adjustment hostage to another trade agreement. So they are saying: If you don't pass Colombia and Panama and Korea, then we are not going to extend trade adjustment assistance, we are not going to extend the health coverage tax credit.

Free trade's biggest supporters put so much stock into these free-trade agreements and they do so ignoring the elephant in the room, and I am talking about our relationship with China. Congress approved China PNTR more than 10 years ago. We know what has happened. We have had literally $½ billion a day in trade deficits with China. That means we buy $500 million a day more in products from China than we sell to China. That is what a trade deficit of $½ billion a day means—that we actually are buying $500 million every single day more from China than we are selling to China. That is not a long-term sign of prosperity. That is not a long-term indicator of the strengthening of the middle class.

Until we figure out where we are going on trade and put a halt to these trade agreements and look at what we need to do instead, we are going to continue to see the shrinking of the middle class.

Last week, an appeals court of the World Trade Organization made a horrendous decision in favor of China against our trade remedy laws. The WTO has again overreached beyond WTO laws and rules against our anti-dumping and countervailing duty laws. These laws have been the only way to protect ourselves and protect our economy and protect our communities and protect our workers and protect our small businesses. One of the last tools we have to defend against unfair trade law are these trade remedy laws, and the WTO, with a bunch of bureaucratic trade lawyers, is taking them away. The WTO risks its own legitimacy with a ruling like this one.

I urge the Obama administration to respond aggressively to this decision. I urge my colleagues to step back from this stalled trade agenda—step back from Korea, Panama, and Colombia. I urge my colleagues to examine instead what is in the best interests of American workers and businesses. We can find a balanced trade agenda that makes sense for our businesses, makes sense for our workers, and makes sense for our communities.

TRIBUTE TO RICHARD JAY CORMAN

Mr. MCCONNELL. Madam President, I rise to recognize a good friend of mine, a very special Kentuckian who I and many others can look up to, Mr. Richard Jay Corman of Nicholasville, KY. Mr. Corman is a successful businessman, a self-made man who started what is today a multimillion-dollar company. He is also living with cancer—and I do mean living, as for several years now he has continued to make the most of each day despite this disease, and he has become an inspiration for many.

Richard grew up on a farm that did not get indoor plumbing until he was in the fourth grade. Now he is the head of the R.J. Corman Railroad Group, a construction and railroad operation company he founded when he was 18 years old. When Hurricane Katrina struck in 2005, the Corman Railroad Group was there, repairing the railways that had been damaged in dangerous conditions, and Richard was the one leading the operation. He is known for his intensity, his determination, and his indefatigable energy.

Richard has so much energy he has barely slowed down even after being diagnosed with multiple myeloma nearly 10 years ago. Without treatment, he was told he may have only a year to live. He survives thanks to a fantastic medical team, and Richard himself is funding medical research that is not only keeping him alive but will benefit untold others. And Richard is still working and running marathons.

I am proud to call Richard Jay Corman a friend and I think his life story holds lessons and inspiration for others. I read an article in Fortune magazine recently that was a fascinating look at Richard's life and work. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Fortune, Mar. 7, 2011]

THE BALLAD OF RICHARD JAY CORMAN

(By Carol Loomis, senior editor-at-large)

Richard Jay Corman is hardly a household name. But this entrepreneur, a son of Kentucky, has made himself a force in the railroad industry, where in up-from-nothing fashion he has created a thriving, highly respected company. Called R.J. Corman Railroad Group, it's a construction and operating enterprise that takes in around $300 million a year. Rick Corman, 55, is its sole owner. Earnings? He will say only that it's ''incredibly profitable.'' But we'll make an informed estimate: This business, after taxes, has in more than one recent year earned $50 million in profits.

A Kentucky friend of mine, impressed by Corman and aware also that he was facing some complex estate-planning problems, suggested he'd make a good story. You couldn't say the idea was a natural for us: Corman's financial feats, while first-class, don't exactly put him in the Fortune 500 league. Still, Corman seemed worth a trip, so last fall I went to see him in his home state. And well before we finished talking, I realized that he just might be—apologies here to the Reader's Digest, which popularized this title—the Most Unforgettable Character I've Ever Met in my more than a half-century at Fortune. That may seem surprising given that I've come to know more than a few standout CEOs over the years. But the emphasis here is on the word ''character.'' In the way he operates—and faces the world—Rick Corman is truly larger than life.

And that's not just in business. Corman has also led a kind of soap opera existence, whose chapters he began describing to me in his twangy Southern drawl, and with a startling lack of inhibition, within minutes of our starting to talk. We were at his headquarters in the Lexington, Ky., suburb of Nicholasville, in a small conference room adjoining a cafeteria. He made sure I sat where I could look through a glass wall down to a hangar in which there were parked two private jets and a helicopter, all of them bright red (more on that later). At that moment, I was too obtuse to grasp how unusual those aircraft were. I mean, really, how many red planes have you seen?

Asking a journalist's throwaway kind of question, I said that driving to Nicholasville I had noticed a sign that said REELECT KEVIN CORMAN FOR SHERIFF, and was he related? ''No,'' said Rick, ''but if I get into trouble, he will be.'' And those were the first of many laughs that I got from the very funny and quick Rick Corman, who laughs along at high decibels and loves it.

Hours later, Corman ended our talk with a plan for getting me back on the road. Standing in his red baseball cap and red-and-white corporate jacket outside his red-trimmed glass offices, he told me to drive behind him as he led me to a locked back gate and a shortcut to Lexington. The ride unrolled a pristine scene of success. Ignoring a profusion of red 25-mph signs he himself had ordered installed, Corman raced at twice that speed for more than three miles through 2,000 acres of manicured rolling fields, past red sheds and red work-barns and red bridges and small, shapely roadside maples cooperatively turned, of course, red. In the left sky, a pilot in still another red Corman helicopter was practicing powerless emergency landings on a road. There were two snapshots in white: the three farmhouse rooms that Corman grew up in (and that got indoor plumbing when he was in the fourth grade) and the large frame house, featuring half-octagon windows at the end of recently built wings, that he lives in now.

And as the back gate opened and I started to wave thanks, Corman unfolded his gangly 6-foot-3 frame from his Lincoln Navigator SUV, came to my right window, and said, ''I just had to add one more thing: I would not be alive today if it weren't for Kathy Martin.''

So, yes, there is a dark side to this tale. Kathleen Martin, a gastroenterologist, is Corman's Lexington doctor. He has an incurable form of cancer: multiple myeloma, which attacks the plasma cells in bone marrow and destroys bones. The disease killed Wal-Mart (WMT) founder Sam Walton, quickly, in 1992. But Corman was diagnosed nearly 10 years ago, when he was only 45. With the aid of two bone marrow transplants, the determined ministrations of both Dr. Martin and Harvard's Dana-Farber Cancer Institute, and the strong will that allowed him to build a major business from scratch, Corman has survived.

You can read about it on his company's website, where Dr. Martin conveys the latest medical news about Corman. Last July, following a period of remission for him, she posted a new report saying that unfortunately a small amount of recurrent cancer had been detected in his bone and that he would therefore undergo new doses of radiation and intensified chemotherapy.

Then, in October, the doctor triumphantly posted ''good news.'' A PET scan had found Corman's myeloma to have again gone into remission. ''We remain hopeful,'' Dr. Martin added, ''that new therapies will become available to treat any future relapses.''

Since R.J. Corman, the company, has no shareholders to ponder this information, Martin's reports inform and reassure the company's employees and customers—and even a board of directors—who know Rick Corman to be the soul of the company. True, he ostensibly retired about 14 years ago when he suffered his third divorce and took over shared custody of his three youngest children, then 6, 8, and 10. His description of life as an idled, single father is that every day he took the kids to the playground and sat there and cried. And that was before he knew he had cancer.

Reports of his ''retirement'' are, in any case, highly exaggerated. When his storm-team unit won a large and hugely difficult Hurricane Katrina railway-repair job in 2005, he was on site, leading the work, which produced revenues of more than $100 million. ''He knows everything that's going on,'' says W.W. ''Half'' Halfhill, a close friend. And Corman circulates within the company's offices, and even its cafeteria, like a boss—''Tell the cook not to fix so much catfish at a time, because it gets cold,'' he ordered as our interview turned into lunch. Says a veteran Corman employee, Dickie Dillon: ''He's the motivator.''

Now, deeply aware of the doomsday clock, Rick Corman has the untimely job of planning his company's future. Private equity firms circle, some no doubt figuring they might sell off pieces of the company. But out of loyalty to his 900 employees, Corman refuses to sell.

Instead, he considers alternatives, a subject that inevitably leads to the soap opera part of his life. His two oldest children, a daughter and son who bear his name but were born to a woman he never married, do not seem slated to run the business. The three others—the ones he once took to the playground—are still young, only in their twenties. On the other hand, he has a highly competent staff, headed by a talented president with whom Corman communicates with ease: She's 49-year-old Tammie Taylor, dark-haired and attractive—and Corman has lived with her for nine years.

Corman has a Kentucky expression for almost every situation, including his death. That would be no big deal for the company, he says: ''One monkey don't stop no show.'' But in reality, for the Corman empire, that's as flawed in logic as in grammar.

Corman came from a farm family, which included a grandfather who did odd jobs hauling goods and took Rick in as a 25% partner when he was only 11. A few years later, high school utterly bored him. He got married in September of his senior year and, when she didn't turn out to be pregnant after all, they got divorced. Totally impatient with schooling, Corman missed 105 days out of a scheduled 175 during the 1973 school year but managed to graduate.

Having devoted his days playing hooky to learning the excavation trade from an uncle, Rick rented a backhoe and a dump truck and set out to do whatever jobs he could pick up. The dump truck was red, and that became his color. ''You can't be good if you don't look good,'' he says.

He edged into railroad work, rebuilding crossings and driving grueling distances to wherever the job was, sometimes sleeping in his truck and regularly braving terrible weather. ''Railroads don't care—well, they really can't care—what the weather's like when something needs fixing,'' he says. Workers who couldn't take the punishment left. Corman kept making himself the model for doing things right. A ''go-getter'' by the description of many, including even himself, he steadily picked up construction jobs and gained a reputation for fast, expert service. It also helped that most people simply liked him, sensing his innate intelligence, quickly learning that he was totally honest, enjoying his openness and humor and boisterous, cackling laugh.

In business, Corman was opportunistic. A Columbus company to which the rail industry outsourced some of its derailment business quit the city, and Corman was asked by railroad friends to step into the void. He did, accepting the need to acquire heavy, expensive equipment—machines that will lift a derailed car, for example, so that the rails beneath it can be repaired or replaced. That naturally led to ''crisis'' work. ''He's kind of like an oilfield firefighter,'' says Matt Rose, CEO of Burlington Northern Santa Fe, of his friend Corman. ''He's the Red Adair of the railroad industry.'' But Corman also has a hand in more prosaic businesses, such as selling rails and ties to railroads. In effect, he takes on inventory costs they'd just as soon not bear.

By 1984, when Corman was paying 24% interest to finance new trucks, he sought help from Luther Deaton, a lending officer at Lexington's Central Bank & Trust. Deaton, now president of the bank, recalls that ''a very self-confident and happy-go-lucky'' Corman, then just short of 30, arrived for their first meeting wearing boots, khaki pants, and a big belt buckle flashing his initials, and with no financial statements in hand. ''I just couldn't get comfortable with him,'' Deaton remembers.

Deaton stayed skeptical until Corman got him to visit a couple of work sites—''to see what we do.'' On his first visit, to a sprawling Baltimore & Ohio wreck, Deaton saw shiny red trucks and bulldozers and watched Rick work atop a railroad car, rigging cables to start pulling derailed cars out of a tunnel. Next, on a deathly hot August day, Deaton drove to see a stretch of railroad being rebuilt. Deaton found Rick pulling up spikes so that track could be re-laid, while sweat poured out of the top of his work boots. Explaining to Deaton that he couldn't right then talk to him, Corman said that if he got

the job finished by midnight, he would get a bonus and in turn be able to pay bonuses to his workers—those remaining, because several had quit during the day owing to the harsh conditions.

Deaton went home, comfortable, and says he told the president of the bank, ''Look, we've got to help this guy. He knows how to get it done. He's free to go be a great success,'' and the boss said, ''Do it.'' The next day, a Saturday, Deaton found Corman sitting in the engine he used for an office, with blisters on his feet visibly oozing. Deaton cut his interest costs on the trucks to 14% and offered him a $500,000 credit line. ''We've never looked back since then,'' says Deaton. ''He's a banker's dream.'' Translation, according to Deaton: Corman is a brilliant businessman who borrows frequently, but is conservative and always good for his debt.

Corman's improved financial position helped set him up for his biggest opportunity, which materialized when the passage of the deregulating Staggers Rail Act of 1980 caused the industry to gradually reshape itself. Many railroads sold off their ''short lines,'' usually meaning rail lines of 100 miles or less. These were like baubles to the trunk lines, but they were nice baubles, being monopolies (as is the case with almost all railroads), except for competition from trucks.

Corman got in this game when a Seaboard System executive who took to Rick said, ''I'm going to sell you a railroad.'' And that's how it happened that Corman, in 1987, paid $300,000 for a 20-mile line in Kentucky, the first of eight short lines, covering about 620 miles, he picked up. Naturally, the engines on these lines are red. On the profit side, though, the short lines began to deliver very black profits, becoming Rick's biggest moneymakers.

Then came the cancer. It revealed itself in the spring of 2001 in Amsterdam, where Corman, generous to others all his life, had taken a group of friends and relatives to see the blooming of the tulips. He was running in a park one day, when another runner passed him doing 5½-minute miles. Corman immediately tried to match the pace. Within minutes he was brought to his knees by excruciating pain in his back.

Managing to get home to Kentucky, he got two doctors on the case. One, his family internist, Terrance Furlow, ordered a blood test and a bone biopsy that strongly indicated multiple myeloma. The other doctor was Kathleen Martin, a tall, striking blond whom Corman had dated until they had recently broken up in a friendly way. Corman knew the woman he calls ''Kathy-leen'' to be a dedicated patient advocate. ''There's no dam big enough if she's the beaver,'' he says, speaking Kentucky. He wanted her at his side as he dealt with his illness, and that's where she has been for nearly 10 years.

Dr. Furlow sent the two of them to the Mayo Clinic for a bone marrow biopsy and a confirming diagnosis. There, Dr. Stephen Ansell, a hematologist, told Rick soberly, ''It is myeloma. It's not curable, but it's treatable.''

Rick said: ''Well, there are worse cancers than this, right?'' Neither Ansell nor Martin spoke. ''It seemed like a year passed,'' Corman recalls, ''until finally both came up with pancreatic cancer.'' He said at least it was good to know there was a worse one. But by that time he was breaking up with laughter at their halting answer—and so were the doctors. ''It's a gift of Rick's,'' says Martin. ''He gets people to laughing no matter what.''

Dr. Ansell said that without treatment Rick might have a year to live. Rick instantly became a fan of treatment. Dr. Ansell allowed that a bone marrow transplant, which he suggested be done at Mayo, would reset the clock and possibly give Rick three years. The doctor added that Rick should focus on spending his money and enjoying life. ''The message,'' says Rick, ''was that my life was going to be short.''

After that meeting, Corman and Martin, in effect, shopped for time, hoping to find a specialist who might visualize a better outcome. At the University of Arkansas for Medical Sciences, a center of myeloma research, doctors said the right treatment could give Corman seven years. And then he and Martin went to Boston's Dana-Farber, whose myeloma chief, Dr. Kenneth Anderson, looked down at Corman's file and said: ''I see you're 45, Rick. I'm surprised that you'd be satisfied dying at age 52. If you come here, we will do everything possible to see that you grow old gracefully and die of something other than multiple myeloma.''

And thus was struck a memorable bargain, for both sides. Against terrible odds, Corman has survived; Dana-Farber has received millions for the R.J. Corman Multiple Myeloma Research Fund, most of the money contributed by Rick, some by friends of his. He told Dr. Anderson at the outset: ''Every year you keep me alive, Santa Claus will visit you.'' Corman proceeded to deliver Dana-Farber at least $250,000 each December, usually in packs of $100 bills (though he has stopped the cash deliveries because of security concerns) that he ostentatiously plunks down before his doctor, Paul Richardson, and other staff members. And Rick would say, ''Don't forget that this won't be coming if I die.''

Dr. Richardson, 48 and internationally known for his work on multiple myeloma, has done his part by cycling new and improved drugs (some developed at Dana-Farber) into the oral and intravenous ''cocktail'' that Corman takes. Dr. Richardson says he and Dr. Anderson have ''kind of taken this disease by the scruff of the neck and given it a damn good shake.''

Richardson's affection for his patient has in the interim grown so deep that he never runs out of praise for him. He watched Rick give $12,000 to a cancer patient he didn't know for a transplant that might otherwise have not been performed. Every week Rick funds a group luncheon for Dana-Farber's doctors, picking up the check because the institute's rules won't let it pay. ''Rick is a profoundly good man,'' says Richardson, finding him a remarkable mixture of ''humbleness and—I don't say this lightly—greatness.''

Richardson does not talk, meanwhile, of a cure because there isn't one. Richardson says, ''I hope—well, actually I pray—that he can have another five to 10 years.'' Rick, not much into religion, says simply of his prospects, ''If you make it to tomorrow, you've done good.''

All of Corman's doctors agree that he has come this far by keeping himself remarkably fit. In 2002, five months after his first bone marrow transplant, Corman ran the Boston Marathon to aid a cancer fundraiser. He still runs five kilometers almost every day, but his illness has caused his pace to slow, from maybe 19 minutes for the distance to 27. The drugs he takes also have intermittently caused him intense, neuropathic leg pain, which he sometimes can ease only by elevating his legs above his heart. He often does that in deep La-Z-Boy recliners at home, in a space once called the living room and now christened the ''cancer room.''

The discovery of his illness brought about large changes in both Rick's business and personal life. Dr. Richardson asked to see Rick frequently in Boston, which raised the threat of commercial flights exposing him to germs. No problem: Rick (a pilot himself) constructed a city-airport-size 5,600-foot runway on his property. For transportation, he bought two planes for $12 million, a Challenger and a Learjet, naturally decking them out in his color. That move was automatic, even though a dark paint like red increases operating costs—absorbing heat, for example, and making the plane more difficult to cool. That's a reason, folks, you do not see many red planes.

Though turning his grounds into an airfield kept Rick busy, he wasn't spared periods of great sadness and despair about his illness. On one 2001 Friday night several months after it flared, with his young kids away at their mother's, he phoned Tammie Taylor, then the chief of one of his company's divisions. Finding her at the office, he asked her to come the short distance to his house. ''Why?'' she asked. ''Is anything wrong?'' ''Please just come,'' he answered. When she got there, he says, he was ''sitting there bawling.'' To her anxious question, he said simply, ''I'm scared.'' Things moved on after that in quite a remarkable way: Taylor stayed that night, and she's been there ever since.

As a manager, Taylor wins Rick's ultimate accolade: ''She's a go-getter'' (a description that, were it in a thesaurus, would be in the vicinity of ''industrious''). But she is the first to say that the secret of R.J. Corman's success is, simply, Rick. She spends her days, in fact, trying to hire people who will bring his kind of ''passion and pride'' to their work.

And what is to happen when Rick—this inspirer and motivator—is not there to keep that culture going? The legal answer is that a trust will take over ownership of the company. It will exist for a near-unimaginable 200 years and is likely to have Dana-Farber as its ultimate beneficiary. A handful of trustees will run it—people that Rick knows well and indeed trusts—and they will be paid handsomely, probably dividing one-fifth of the company's pretax profits. That would be big money. But Rick expects the trustees (who could include some of his children) to devote all their might to preserving and building the company. And if they do that, the price will seem cheap to him. All the while, Rick says, Tammie Taylor and her staff will run the company and can be expected to do it very well.

He does not rule out the possibility that eventually one or more of his children will move into management, though at the moment the three oldest have careers that are not headed in that direction. Amy, 33, is a marketing analyst at a Lexington uniform company, Galls; Richard Jay, 30, is an associate dean at Lenoir Community College in North Carolina; Jay Richard, 24, drives a tractor-trailer for R.J. Corman. The other two children are Ashley, 22 (called by her first name, Shawna, by everybody but Rick), and April, 21. Both, Rick thinks, might have the ''capacity'' for running a business. Each, though, has entertained the thought of becoming a doctor. Ashley is currently a clinical research coordinator at Dana-Farber and a student of her father's disease. April is a junior at Transylvania University in Lexington.

Dale Hawk, formerly a CSX (CSX) executive and today an R.J. Corman director, says Rick's kids will undoubtedly have to earn their way into management if that's where they'd like to be. Right now, he says, the company is well established and will endure if Rick dies. But he also acknowledges that it will miss Rick's flair and the personal relationships that he has in the railroad industry. ''The company will go on,'' he says, ''but it will never be the same without Rick.''

After my long Nicholasville interview with Rick, I saw him three times more. In November, I traveled with him and Dr. Martin to

Dana-Farber. As we waited in a corridor, every doctor who passed greeted the two warmly. One doctor, a Kentuckian himself, joked with Rick about the next bone marrow transplant he might need, saying it would undoubtedly be easy to find a donor of cells ''because we know that all Kentuckians are related.'' (''Oooh, be careful,'' said Rick. ''Mrs. Loomis, here—she's from the press.'')

I next saw Corman twice in New York City. On a Monday he unexpectedly dropped by my office to introduce me to the University of Kentucky's famous basketball coach, John Calipari. The two men had flown to New York for the day to shop at Brioni, the upscale tailoring establishment that makes Rick's flamboyant, double-vent red sports jackets. I thanked Calipari for a favor he'd done me. There had been a time, early on, when Rick thought he might not cooperate with this article. But friends had talked him into it, among them Calipari, who argued, ''Somebody reading it might be inspired.''

In my other New York visit with Rick, he came to breakfast at my office cafeteria in December so I could do a little wind-up reporting. Heads turned to marvel at his jacket as we stood waiting for our bacon and eggs. He was in Manhattan to take 130 people to the Radio City Christmas show and then to dinner at Del Frisco's, an expensive restaurant nearby.

On that Friday morning he had the look of invincibility that appears to have characterized him all his life, but that sometimes, as you've read, is stripped away by sadness. Even so, Rick Corman had made it to that December day and to the others that passed before this story closed some weeks later. He'd ''done good,'' by his way of reckoning. You can't help but feel that he will keep on beating the odds. And, when his luck runs out, the word will go up on the company website, and the world will have lost some of its style.

TIBET

Mrs. FEINSTEIN. Madam President, I rise today to express my continuing concern about the current situation in Tibet.

Before I do so, I would like to bring to the attention of my colleagues a recent statement made by His Holiness the Dalai Lama on his political future.

In his March 10 statement marking the 52nd anniversary of the Tibetan uprising, His Holiness announced his intention to propose amendments to the Charter for Tibetans in Exile, handing over his formal authority to an elected leader.

Let me read a portion of his message to the Fourteenth Assembly of the Tibetan People's Deputies:

> The essence of a democratic system is, in short, the assumption of political responsibility by elected leaders for the popular good. In order for our process of democratization to be complete, the time has come for me to devolve my formal authority to such an elected leadership.

I applaud His Holiness for this decision and I stand ready to do my part to help the Tibetan community in exile transition to a new political structure.

I take great comfort in the knowledge that His Holiness will continue his role as spiritual leader to the Tibetan people and will work tirelessly to preserve the Tibetan culture both inside and outside of Tibet.

I also support His Holiness' call for fact-finding delegations to Tibet, including representatives of international parliamentarians, to see for themselves the current situation on the ground.

As His Holiness pointed out, similar delegations visited Tibet in the late 1970s and early 1980s and I strongly encourage China to allow them again.

I believe such delegations could increase awareness about the challenges facing Tibetans and Tibetan culture and enhance dialogue and cooperation with China on finding mutually beneficial solutions.

Indeed, as a friend of His Holiness and as a friend of all Tibetan people, I remain deeply concerned about the situation in Tibet.

In 2008, a wave of violence swept across Tibet which was met with violence by the Chinese government.

Reports out of Tibet continue to paint a picture of the suppression the Tibetan culture and people are confronted with.

And despite nine rounds of talks between the United Front Work Department of the Communist Party of China and envoys of His Holiness the Dalai Lama, a comprehensive solution to the Tibetan issue remains out of reach.

As a friend of China and the Dalai Lama, I am saddened to see the situation in Tibet further deteriorate.

The Dalai Lama has been trying to engage the Chinese leadership for more than 50 years.

In the 1990s, I carried three letters to President Jiang Zemin from the Dalai Lama requesting a face-to-face meeting.

In my view, the Dalai Lama's concerns are driven by the fact that the Chinese Government continues to suppress the Tibetan way of life.

Yet he has made it clear that he does not support independence for Tibet, but rather meaningful cultural and religious autonomy for the Tibetan people within the People's Republic of China.

This can only come about through meaningful dialogue and negotiation, not actions that would undermine Tibetan culture.

As such, I urge the administration to support fact-finding delegations to Tibet and work with our friends and allies in the international community to call on the Chinese Government to begin a substantive dialogue with the Dalai Lama on national reconciliation, respect for the Tibetan culture, and meaningful autonomy for Tibet.

I have been blessed to call the Dalai Lama a friend for more than 30 years. I first met him during a trip to India and Nepal in the fall of 1978.

During that trip I invited His Holiness to visit San Francisco—where I was mayor at the time—and he accepted. In September 1979, I was delighted to welcome the Dalai Lama to San Francisco to receive his first public recognition in the United States.

During our many conversations, His Holiness often reiterates that, at its core, Buddhism espouses reaching out to help others, particularly the less fortunate. And it encourages us all to be more kind and compassionate.

His teachings truly cross all religions, cultures, and ethnic lines.

Over the decades, his principled beliefs have never wavered, yet his teachings have become more expansive. His message of peace and understanding has never been more relevant than it is today.

In the midst of war and bloodshed, the Dalai Lama has been a champion for peace and nonviolence. In his quiet but undeniably firm manner, he challenges all of us to look beyond conflict and harmful rhetoric to seek positive change by embracing dialogue, cooperation, and negotiated solutions.

In the face of hatred and intolerance, he has faith in love, compassion, and respect.

He reminds people from all corners of the globe to move beyond our ethnic, religious, and racial divisions and embrace our common humanity. He encourages us to believe in something bigger than ourselves and work together for a better future.

He sets a wonderful example for all of us, and I am proud to call him friend.

I urge my colleagues to join me in supporting the Dalai Lama in working toward a humanitarian solution to the problems plaguing Tibet and the Tibetan people.

IRISH-AMERICAN HERITAGE MONTH

Mr. CARDIN. Madam President, today I applaud the President in declaring March 2011 Irish-American Heritage Month, and I speak in celebration of the rich Irish history, culture, and customs still alive today in the hearts and minds of Irish Americans everywhere.

The association of our two nations began early in our country's history. Irish immigrants arrived in the early colonial days as indentured servants, which was often the only affordable method of passage to the ''New World.'' Close to a quarter of a million Irish immigrated during the colonial era, and many of them to Maryland. Upon their arrival, they set immediately upon the heady things of the time: independence, and the building of a nation. Irish immigrants took up their new national identity with fervor, especially in Maryland, and helped to found lasting institutions. Charles Carroll, his family descendants from the Ó Cearbhaill lords of Éile, was a member of the second Continental Congress and signed the Declaration of Independence. His cousin, John Carroll, born in Upper Marlboro, was elected the first bishop of Baltimore, and was elevated to the first Archbishop of the United States when Pope Pius VII made Baltimore the first American Catholic archdiocese. James Calhoun, of Irish descent, was the first mayor of Baltimore City, and held a commission with the Baltimore militia.

From these auspicious beginnings, those reporting Irish ancestry in Maryland have today grown to over 700,000, according to the 2006 American Community Survey. These sons and daughters of Eire did not grow without tribulation. As famine and hunger gripped the Emerald Isle, nearly 3.5 million Irish immigrants fled to America between 1820 and 1880, engendering discriminatory reactions that often strayed into violence. Signs of ''No Irish Need Apply'' appeared in business windows, and young Irishmen were often drummed into service on the quayside to fight for the Union Army. Indeed, in my own home town of Baltimore, the mayoral elections of 1856, 1857 and 1858 were marred by violence, political intimidation and well-founded accusations of ballot-box stuffing, fomented by nativist political organizations, such as the Know-Nothing Party.

Irish Americans pushed past these shortsighted prejudices, time and again, and put their shoulders to the wheel of industry in America. They helped settle and farm the breadbasket of America, they took up arms in the defense of freedom and liberty, and they helped build an ever strengthening bond with the island nation of Ireland. They built strong communities around the values of hard work, perseverance, faith, and a shared remembrance of an ancestral home across the sea. Irish Americans have ever understood that great joy is only earned with great hardship, and our 35th President, John Fitzgerald Kennedy, showed this ethic. In service to our country, he faced down the threat of worldwide nuclear annihilation, and pushed our Nation to do the impossible: to claim the Moon as the province of man. Irish Americans proudly continue this tradition of service, and serve at every level of public office, including in the Governor's Mansion in Annapolis, MD, where Maryland's favorite Irish-American son, Governor Martin O'Malley, resides.

The millions of Irish that immigrated to the United States, escaping hunger and religious persecution, chasing the elusive American dream, forever knitted Ireland and America together. It is right that we honor this bond, and take this occasion to reflect on the deeply inlaid threads of American history and tradition that sound, look, feel, and are distinctly Irish.

HOUSE HEARINGS ON MUSLIM AMERICANS

Ms. STABENOW. Madam President, I rise today about an issue of grave concern to me. All of us agree that America must be vigilant to stop violent extremists and terrorists who want to attack our Nation. We must do everything possible to fight terrorism and keep our country safe and free.

But as we have seen, the House of Representatives recently held a hearing on the ''Extent of Radicalization in the American Muslim Community and that Community's Response,'' targeting only Muslim Americans. This approach is the wrong way to fight terrorism.

History has shown us that terrorists can come from anywhere, from any country or from any faith. We sadly know this from the tragedy in Oklahoma City. Focusing only on one group is not only un-American, it also ignores real threats from homegrown terrorists. Unfortunately, there are extremists in every religion. We know that the terrorists who attacked us on September 11, 2001, had perverted the message of Islam just as people have perverted other faiths at times throughout history to justify violent acts.

America is home to millions of hard-working, patriotic Muslim Americans who stand with us in the fight against terrorism. Muslim Americans died in the attack on September 11, 2001, and Muslim-American firefighters and police officers, who rushed into the towers to save people while putting their own lives at risk, were rightly called heroes.

I am proud to represent the great State of Michigan where we benefit every day from the hard work and dedication of Muslim leaders in business, medicine, education, science and many other professions. America was founded on the premise that all of its citizens are free to practice their religion openly, without government interference. We are a country founded on the principles of equality and liberty.

I urge my colleagues to continue to forcefully fight terrorism while respecting the values that our country was built upon.

REMEMBERING LIEUTENANT JAY FREDERICK SIMPSON

Mr. TESTER. Madam President, I rise today in honor of a man who gave his life serving the United States of America in World War II.

LT Jay Frederick Simpson was a pilot with the ''Mighty Eighth'' Air Force of the U.S. Army Air Corps.

On January 9, 1944, Lieutenant Simpson's mission was to test fly a Thunderbolt P–47 over Moreton, England. But something went wrong. His plane caught fire and flipped over in the air. As the P–47 hurtled to the ground, witnesses say Lieutenant Simpson managed to guide it away from nearby homes, avoiding certain casualties. Instead that P–47 crashed in a nearby field, killing the 27-year-old pilot.

Today, LT Jay Simpson is still celebrated as a hero in England. In fact, you can find a memorial to him in that grassy field.

But for three generations following Lieutenant Simpson's death, his heroism was overlooked by his own country. Until a year and a half ago. That is when a young man in Billings, MT, started doing some research. With help from his father and his grandfather, 14-year-old James Simpson discovered that his great-grandfather Jay never received the recognition he earned as a fallen American hero.

Young Jim Simpson wrote me a letter, saying proper recognition of his great-grandfather's service and sacrifice would bring about much needed closure for his family.

Indeed, honoring our heroes brings about much needed closure for all Americans. On behalf of a grateful nation, it is my tremendous honor to present LT Jay Simpson's medals to his great-grandson.

To Jim and all the Simpson family: Let these medals be family treasures that remind you—and all of us—that this Nation will never forget Jay's heroism. And we will never forget all Americans—known or unknown, celebrated or overlooked—who paid the ultimate price in service to the United States.

It is said that Lieutenant Simpson was a member of the Greatest Generation. But thanks to people like young Jim Simpson, I am reminded that there is greatness in all generations.

Thank you, Jim, for your hard work in allowing us to honor your great-grandfather. God bless you and your family.

REMEMBERING FRANK BUCKLES

Mr. ROCKEFELLER. Madam President, I was honored to participate in the events at Arlington National Cemetery to pay tribute to Frank Woodruff Buckles, the last surviving American World War I veteran and the representative of the lost generation of our ''Doughboys.'' It was a moving afternoon standing with so many on the knoll and seeing Frank Buckles buried in section 34, in sight of General Pershing's grave and among many other World War I veterans. I also thought about the American flags at half mast in our embassies in the countries of our World War I allies.

Honestly though, the way I want to remember Frank Buckles is in his study, surrounded by books and telling amazing stories about the adventures of his life. Frank Buckles' rich and colorful life is now part of our national history, our national consciousness and our national effort to pay tribute to the men and women who died in the most significant wars of the last century.

Frank's effort to join the Army was a deliberate commitment to join military service and he was eager to get to Europe. He loved the Army and his service in World War I as an ambulance driver which exposed him to some of the worst horrors of that conflict.

After his military service, Frank Buckles continued his efforts to engage the world. His life, a long sweeping arc across the last century, included an exciting and varied life where he traveled the world, working abroad and experiencing things that most of us can only read about. As if he hadn't endured enough suffering in the First World

War, he would later spend 3 years as a civilian POW in World War II.

When his days of being an active participant in two World Wars ended, he eventually settled into a quiet existence in Charles Town where his tractor, his farm, as well as his friends and family were enough to sustain him.

As I got to know him, I learned that his deep appreciation for books and culture was an important part of who he was. He spoke multiple languages, enjoyed talking about culture more than he did war, and was thoughtful and interested to the end.

To most of us though, Frank in the end amounted to so much more than just a man who had lived a life that was as interesting as it was unpredictable.

Frank became a symbol for the entire war for the nearly 4.5 million U.S. soldiers, sailors, airmen and marines who defeated the Central Powers in the first Great War.

As the last living connection to the First World War, his importance in our collective psyche grew with each passing year. He seemed impossibly stubborn and tough and his long and wonderful life made him all the more special.

Towards the end of his life, more and more people understood just how privileged we all were to keep company with the last surviving Doughboy.

He was a link to a long ago war, not forgotten but so far in the past that the pictures that we think of when we conjure up images are all grainy and tattered.

It made it all the more amazing that Frank was the only man who could honestly look any of us in the eye and say ''this is what the war was like.''

More than 116,000 Americans died in World War I. Frank was an adamant proponent of remembering these heroes by establishing a National World War I Memorial on the National Mall.

I agree and support him on that effort which is why I am the proud sponsor of the bipartisan bill to truly honor our World War I veterans. The bill would create a commission to plan for the upcoming centennial, and it would rededicate the DC memorial as the DC and National World War I memorial. It would also dedicate the National World War I Museum and Memorial in Kansas City, MO. I agree with Frank Buckles on the importance of remembering our veterans and want to say again here today: I am more determined than ever to make this happen and will not give up until we get that bill passed.

Finally, I want to extend my sympathies again to Frank's daughter, Susannah Buckles Flanagan. She has lovingly looked after Frank and helped make sure his last years were lived with dignity and care.

Frank, you will be missed.

REMEMBERING CÉSAR ESTRADA CHÁVEZ

Mr. UDALL of Colorado. Madam President, I rise today to recognize the life and achievements of César Estrada Chávez, a man who led our nation in the struggle for civil rights and whose efforts helped create a better future for all Americans.

On March 31, 2011, we will celebrate César Chávez Day to remember his courageous fight for justice and the lessons he taught us about the power people have when they join together to face the challenges before them.

Colorado's Hispanic community heard that message loud and clear during the days of the civil rights movement. Our State was an important stage for engaging Mexican-Americans in that time. Not only did Chávez-led efforts bring better living and working conditions to farm workers of all backgrounds in Colorado, from the Eastern Plains to the San Luis Valley and the Western Slope, but this movement also ignited service veterans, students and community leaders in Colorado to champion a cause that promoted equality, justice and empowerment. Leaders like Colorado's own Rodolfo ''Corky'' Gonzales, who as a young student labored in the beet fields and later became a respected poet and leader in the civil rights movement, joined an effort to speak for those who felt they had no voice and empowered those who felt helpless. Gonzales found strength in youth empowerment, and he dedicated his life to helping Hispanic youth in Colorado and the Southwest realize their value in their communities. The legacy of these leaders can be seen today in the many organizations that grew from this movement and which continue to inspire youth and veterans of all backgrounds to develop their talents and skills for a brighter future.

Our Western heritage is richer for the hard fought contributions of Rodolfo Gonzalez, César Chávez and others. These figures drew on their determination and hard work to cultivate a more informed youth and sow the seeds of civil justice in the West. Chávez embodied an unparalleled commitment to millions who worked the land to provide for their families and for a growing country. With his father unable to work, Chávez himself labored in the fields to support his family and provide a better life for them. He worked under poor conditions and earned low wages, facing the same struggles as so many migrant workers. Chávez's story serves as a testament to a community searching for justice. It was his resolute leadership that brought national attention to the unacceptable working conditions and unfair pay faced by farm workers in the West and across America.

Through nonviolent protest, Chávez mobilized and improved the lives of millions, and he is a role model for Coloradans, and all Americans. This March, communities throughout Colorado will once again come together to honor his legacy and the continued fight for justice. Today, I am proud to rise on behalf of Coloradans, to honor those continuing his work and to acknowledge Chávez and the vision captured in his own uniting words, ''We have seen the future, and the future is ours.''

TRIBUTE TO STEVEN J. GOOLS

Ms. STABENOW. Madam President, I rise today on behalf of myself and Senator LEVIN to pay tribute to Stephen J. Gools, a tireless champion of causes important to senior citizens and an agent of positive social change throughout his long and distinguished career. Indeed, there are many across Michigan that have benefited greatly from his many efforts over the years.

Since March 2000, Steve has served as director of the AARP Michigan State Office in Lansing, leading a team of 11 staff and serving more than 1.4 million AARP members in the Great Lakes State. Under his leadership, AARP Michigan has been enormously successful in protecting consumers, championing the rights of those over the age of 50 in communities across our State and helping AARP members live their lives to the fullest. His innovative volunteer training and development conferences have served as the gold standard for State management within AARP.

Prior to joining AARP, Steve served as communications director for the Michigan Democratic Party and held senior management positions with Michigan candidates. Steve worked for me as my communications director and played an instrumental role in electing me to Congress. In addition, he worked for the bipartisan Northeast-Midwest Congressional Coalition and the U.S. House Budget Committee Task Force on Community and Natural Resources.

Throughout his professional career, Steve has been a role model and shining example of leadership, intellectual curiosity, courage and determination. He always met his responsibilities with warmth, humor, and infectious enthusiasm.

To honor his work and leadership, AARP has announced the establishment of the Stephen J. Gools Award for Social Change. The annual award will recognize a Michigan individual or organization that demonstrates outstanding achievement in improving the lives of the 50+ population in our State.

It is most fitting that the award will bear the name of a man who has championed the causes of justice, compassion, and equality throughout his life. The award will encourage and recognize those who seek to follow in his footsteps.

We are grateful to him, his wife Kimberly, and his family for the work he has done for the people of Michigan and our country. He has had a lasting impact on the lives of many, and we honor his dedicated service.

TRIBUTE TO JOHN RHYNO

Mr. BROWN of Massachusetts. Madam President, I rise today to recognize John Rhyno of North Attleboro,

MA. John is a community leader with an innate sense of right and wrong and the courage to put it into action.

Some people decide they should help those in need. Some people do it as part of a company or religious group's volunteer day. Then there are the quiet heroes and unsung patriots like John, for whom helping others is simply part of who they are.

I met John during my first campaign for Massachusetts State Senate in 2003. He is the son of a World War II veteran, John Sr., who returned from the war to work as a jeweler, when that industry still had a commanding presence in the Attleboros. In addition to working long hours herself, John's mother was devoted to caring for her husband and their only son. The values John learned at home were reinforced in his community through the YMCA, Boy Scouts, church, and school sports.

As a boy, John did yard work, shoveled snow, fixed cars and did other odd jobs, contributing much of the money he earned to his parents to help make ends meet. His wife Sherry tells the story of a Christmas when a young John Rhyno surprised his parents by purchasing a tank full of heating oil from W.H. Riley & Co., a practice he continued over the years. Even though it was for his own home, the experience planted the seed within John that those closest to those in need know best how to help them through tight times. I will talk more about this in a moment.

At a young age, John demonstrated that doing what is right often requires as much courage and toughness as it does compassion. He would regularly stand up to bullies, even when they were picking on kids he hardly knew. John was also a talented athlete and excelled on North Attleboro High School's football field and in other varsity sports. As an adult, John coached local Catholic Youth Organization basketball teams.

After graduating from NAHS, he took night classes at Wentworth Institute and Fisher College, earning college degrees in automotive technology and business while working full-time managing the repair garage, motor pool, and snow removal for a local manufacturing plant. A devoted employee, John quickly assumed a good deal of responsibility. After more than a decade on the job, new management took over. One day, his new boss called him into his office and told John that to save money, John would have to lay off a subordinate. He refused. Taken aback, his boss explained in not-so-subtle terms the finer points of insubordination and its consequences. John got the message and did the only thing that seemed right to him. He quit, saving his subordinates job.

Within a few weeks, John and a friend hung a shingle at 675 East Washington Street in North Attleboro. Thirty years later, ''John & Ed's Garage'' remains a successful local business.

John Rhyno saw local public office as an opportunity to advocate for his friends and neighbors. He won his first race for North Attleboro Selectman in 2000. John and Sherry use the term ''office'' very broadly. Open office hours take place at the couple's home, where they encourage constituents to share their concern and ideas for making their community a better place to live, learn, work and play.

During the unusually hot summer of 2005, many local seniors on fixed incomes expressed concern over how they would afford the rising energy costs. John recalled how he was able to help his own parents decades earlier with much needed home heating oil and together with Sherry, a professional artist who retired from UMass Boston after 30 years in senior management, founded Neighbors Helping Neighbors. In the 6 years since they started the 501(c)(3) community assistance fund, it has raised and donated over $100,000 by and for the people of North Attleboro to help pay for home heating or just make ends meet until they get their feet on the ground. One hundred percent of all donations go directly to those in need through a voucher system—no red tape, bureaucracy, delays, overhead or excuses. There's no better proof than Neighbors Helping Neighbors that those closest to a problem are often in the best position to devise solutions.

The Rhynos still open their home for office hours, though local residents also know they can always just drop by John & Ed's Garage when they have got a concern. About to begin his twelfth year on the town's Board of Selectmen, John is known as an accessible commonsense problem solver who always seeks citizen input, often taking out newspaper surveys to gauge local opinion.

Residents are so accustomed to his sincerity it seems only his closest friends can tell when he is joking. One Easter Sunday, John and Sherry drove to inspect a local family's historic stone wall that the town had slated for removal. With the homeowner at a town board meeting on the issue a few weeks later, John decided to have a little fun. Doing his best to keep a straight face, John passionately told colleagues and residents of how as a boy visiting the town's historic Woodcock Garrison House, he heard the story of how townspeople stood on a stone wall with buckets of water for Paul Revere's horse on his historic midnight ride. John expected that his obvious tall tale would bring a few much needed laughs to the otherwise dry meeting. Instead, the board bought it hook, line and sinker and gave unanimous consent to save the wall.

On March 21, 2011, John Rhyno will receive the North Attleboro/Plainville Rotary Club's top honors: the Distinguished Service Award for Outstanding Citizen for his lifetime of advocacy for his community. I join them in honoring John and extend my own heartfelt thanks for his friendship counsel and his selfless dedication to his community.

ADDITIONAL STATEMENTS

TRIBUTE TO TOM COURTNEY

• Mr. CRAPO. Madam President, today I join my colleague Senator JIM RISCH as well as our colleague from the U.S. House of Representatives, Congressman MIKE SIMPSON, to recognize and pay tribute to the exceptional leadership and dedication of a great Idaho public servant, Mr. Tom Courtney, city manager of Twin Falls, ID. Tom has served the citizens of Twin Falls with distinction for almost 34 years. Initially hired as assistant city manager in 1977, he was promoted to city manager in 1980 where he continues to serve until his upcoming retirement on March 31, 2011. During Tom's tenure, the city saw tremendous growth and expansion as it transited from a predominantly agriculture-based economy to a manufacturing-based economy. Foreseeing these changes, Tom was instrumental in restructuring city government roles and functions to better serve the individual and the greater good of the community. Originally from California, Tom received his master's and bachelor degree from Utah State University and briefly worked for the city of Tracey, CA, and Stockton, CA, before coming to Idaho.

Tom's management and leadership style closely reflects the motto of the city of Twin Falls: ''People serving People.'' Tom has proven his leadership through his philosophy and actions. As a 40-year member of the International City/County Managers Association he has mentored many young leaders. Tom embodies the philosophy of servant leadership: Truly effective leaders go one step further and focus on service to those in their own organization, ensuring they are prepared, confident and empowered to reach their goals. These leaders create caring communities characterized by collaboration, trust and teamwork. Through his leadership, the city of Twin Falls has been managed with fiscal responsibility and an unwavering sense of ethics and integrity.

Tom's commitment to the city should not be overshadowed by his love and dedication to his wife Mary and three children, Mike, Amy and Ryan, and six grandchildren, Mathew, Courtney, Hailey, Jack, Nathan and Quinn. While very much engaged in his family's lives and activities, Tom's retirement will give Mary and him more opportunities to be full-time grandparents.

It is hard to live in Idaho for so many years and not develop a passion for its beauty and outdoors. True to his commitment to enjoy life to its fullest extent, Tom is an avid backpacker and fisherman. We hope he is planning on many more days of hiking in the Sawtooth Mountains and fishing for steelhead in the Salmon River. Besides a dedicated outdoor enthusiast, Tom is a devoted runner who has completed numerous marathons in Idaho and

throughout the West. His dedication to running provided the opportunity to achieve a personal highlight, serving as a torch bearer for the 2002 Salt Lake City Olympic Winter Games.

It is with great pride and admiration that I, Senator RISCH, and Congressman SIMPSON thank Tom Courtney for his unselfish service and dedication to the city of Twin Falls and the great State of Idaho. We wish him a happy and productive retirement.●

TRIBUTE TO GENERAL STEVEN R. DOOHEN

● Mr. JOHNSON of South Dakota. Madam President, today I pay tribute to MG Steven R. Doohen, who will be retiring at the end of the month as adjutant general for the South Dakota National Guard.

General Doohen joined the South Dakota Air National Guard in January 1971, later receiving his commission from the Academy of Military Sciences at McGhee Tyson, TN. He graduated from the University of Sioux Falls in 1987 with a bachelor of arts in organizational behavior management. Over the course of his distinguished 40-year career, General Doohen has become highly decorated and amassed more than 4,500 hours of tactical flight time.

General Doohen was appointed adjutant general of the South Dakota National Guard on September 16, 2007, by then-Governor M. Michael Rounds. In this role, General Doohen oversees 4,400 Air and Army National Guard citizen soldiers and airmen, in addition to 950 Federal and State employees. General Doohen has also served in the Governor's cabinet as the Secretary of Military and Veteran Affairs.

South Dakota's Army National Guard ranks No. 2 in the Nation in recruiting and retention of soldiers, largely due to General Doohen's drive and eagerness to serve our State. The South Dakota Army and Air National Guard have always produced and provided highly skilled, professional, and dedicated citizen soldiers and airmen. Their skills and expertise have complemented our Nation's military efforts, both overseas and on the homefront, and assisted South Dakota's efforts when fighting natural disasters. Another result of producing such great soldiers and airmen has been the ongoing development of great leaders for both the Army and Air National Guard, and that has been reflected in the expert oversight and leadership of General Doohen.

Under General Doohen's leadership, the South Dakota Army National Guard has deployed over 3,000 soldiers in support of military operations in the Middle East. General Doohen and I share a commitment to the family members of our military and know how deployments impact the entire family. He ensures that mobilizations, as well as welcome-home ceremonies, are the best possible, bringing the Governor, congressional delegation, and community members together to honor our National Guard. General Doohen also makes sure all soldiers and airmen have access to the best chaplains and family readiness professionals. His leadership in these areas has meant a lot to the men and women of our National Guard and their families.

In addition to the contributions General Doohen has made to the State of South Dakota, his wife Gloria has also played a vital role in supporting our service men and women and their families. She has spearheaded efforts to send thousands of care packages to deployed South Dakotans over the past decade and led efforts to recognize and honor the greatest sacrifice of our South Dakota men and women through the Fallen Heroes Banner project. I thank her for her advocacy and work alongside General Doohen.

I commend General Doohen for the work and many years of service he has given the State of South Dakota and our Nation. General Doohen clearly cares deeply about each member of the South Dakota National Guard, and it shows in his every action. His dedicated service to our grateful Nation will not be forgotten.●

TRIBUTE TO MARY JO MAY

● Mr. JOHNSON of South Dakota. Madam President, today I wish to publicly commend Mary Jo May of Kyle, SD, on her impressive research and dedication to the preservation of Native American service members' history.

Mary Jo May, a student at Black Hills State University, was a proud participant in the prestigious Washington Internship for Native Students, WINS, program. While in Washington, DC, Mary Jo worked at the Department of Veterans Affairs to preserve the great history of Native American service members through detailed research and analysis. She conducted research at the Library of Congress, the National Archives, the Women's Memorial Archives, and many other museums.

Through her research, the VA produced an exhibit detailing the stories and groundbreaking actions of several Native American service women, including the challenges and hardships the women overcame to achieve greatness in their military careers. Mary Jo's exhibit was selected for display at the Women's Memorial at Arlington National Cemetery and soon will be displayed at the Smithsonian Institute's National Museum of the American Indian.

Mary Jo was awarded the Gates Millennium Scholarship for her academic achievement, community involvement, and leadership ability. Mary Jo's goal is to bring her exhibit and research to South Dakota and have it be displayed at the VA Black Hills Health Care System in Hot Springs and Sturgis. She hopes to someday share her passion for learning as a teacher.

It is with great honor that I share her impressive accomplishments with my colleagues. Mary Jo's commitment to her history embodies what is great about South Dakota. I am proud to recognize her, and I look forward to seeing what else this remarkable young woman accomplishes.●

TRIBUTE TO SARA ELTON

● Mr. JOHNSON of South Dakota. Madam President, today I recognize Sara Elton, director of the Black Hills National Cemetery at Sturgis, SD. Sara has served as director of the Black Hills facility for 3 years and has recently been named the chief of operations for Memorial Service Network III in Denver, CO, for the National Cemetery Administration.

Ms. Elton's Federal service career spans 12 years, and I have been most impressed with her work and leadership at the Black Hills National Cemetery. She has provided oversight for numerous changes at the facility, and she and her staff have provided great service to veterans and their families as well as South Dakota veterans organizations. She has initiated many opportunities to recognize veterans, including the traditional Memorial Day and Four Chaplains Services. She also oversaw the Unaccompanied Veterans Memorial Service, in which veterans with no surviving family members are honored in a special service.

Sara's greatest efforts have been overseeing the daily tasks of maintaining the grounds and gravesites of the thousands of veterans and family members interred at the Black Hills National Cemetery, as well as counseling family members in times of grief and working to facilitate the burials of veterans when issues arise with discharge and eligibility. She has approached her public service with a high degree of professionalism, dedication, and commitment to our Nation's veterans. I applaud her for her service and wish her well in her new endeavors.●

TRIBUTE TO INDIA ADERHOLD

● Mr. THUNE. Madam President, today I recognize India Aderhold, an intern in my Aberdeen, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

India is a native of Bath, SD. Currently, she is taking classes from Thomas Edison State College, where she is pursuing a major in English. She is a very hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to India for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 861. An act to rescind the third round of funding for the Neighborhood Stabilization Program and to terminate the program.

ENROLLED JOINT RESOLUTION SIGNED

At 4:12 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 48. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. INOUYE).

At 6:11 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1076. An act to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 861. An act to rescind the third round of funding for the Neighborhood Stabilization Program and to terminate the program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1076. An act to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content; to the Committee on Commerce, Science, and Transportation.

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–916. 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 ''Dichlormid; Pesticide Tolerances'' (FRL No. 8866–2) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–917. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Personal Transactions in Securities; Interim Rule'' (RIN1550–AC16) received in the Office of the President of the Senate on March 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–918. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Personal Transactions in Securities; Final Rule'' (RIN1550–AC16) received in the Office of the President of the Senate on March 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–919. A communication from the Attorney Adviser, Community Development Financial Institutions Fund, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Capital Magnet Fund'' (RIN1559–AA00) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–920. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Emergency Homeowners' Loan Program—Interim Rule'' (RIN2502–AI97) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–921. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to blocking the property of certain persons contributing to the conflict in Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–922. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Annual Update of Filing Fees'' (RIN1902–AE27) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Energy and Natural Resources.

EC–923. A communication from the Chair of the Medicaid and CHIP Payment Access Commission, transmitting the commission's ''Report to Congress on Medicaid and CHIP''; to the Committee on Finance.

EC–924. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Determining Medical Necessity and Appropriateness of Care for Medicare Long Term Care Hospitals''; to the Committee on Finance.

EC–925. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–50; Introduction'' (FAC 2005–50) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–926. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–50; Small Entity Compliance Guide'' (FAC 2005–50) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–927. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–50; Technical Amendments'' (FAC 2005–50) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–928. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Compensation for Personal Services'' ((RIN9000–AL54) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–929. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Trade Agreements Thresholds'' ((RIN9000–AL57) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–930. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Use of Commercial Services Item Authority'' ((RIN9000–AL44) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–931. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Socioeconomic Program Parity'' ((RIN9000–AL88) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–932. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Additional Requirements for Market Research'' ((RIN9000–AL50) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–933. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Justification and Approval of Sole-Source 8(a) Contracts'' ((RIN9000–AL55) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–934. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Requirements for Acquisitions Pursuant to Multiple-Award Contracts'' ((RIN9000–AL93)(FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–935. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Proper Use and Management of Cost-Reimbursement Contracts'' ((RIN9000–AL78) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–936. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Disclosure and Consistency of Cost Accounting Practices for Contracts Awarded to Foreign Concerns'' ((RIN9000–AL58) (FAC 2005–50)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–937. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Japan for the manufacture and support of the KD2R–5 Aerial Target System Program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–938. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services for the support of the AVDS–1790 Engine Improvement Program and depot level maintenance training for the HMPT 500 Transmissions currently installed in Ministry of Defense of Israel combat vehicles in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–939. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to proposed amendments to Parts 123 and 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC–940. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2011 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC–941. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report by the Office of the Global AIDS Coordinator relative to the Partnership Framework signed with the Government of Zambia; to the Committee on Foreign Relations.

EC–942. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report by the Office of the Global AIDS Coordinator relative to the Partnership Framework signed with the Government of Namibia; to the Committee on Foreign Relations.

EC–943. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report by the Office of the Global AIDS Coordinator relative to the Partnership Framework signed with the Government of Botswana; to the Committee on Foreign Relations.

EC–944. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report by the Office of the Global AIDS Coordinator relative to the Partnership Framework signed with the Government of the Republic of South Africa; to the Committee on Foreign Relations.

EC–945. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General of the Corporation for National and Community Service, received in the Office of the President of the Senate on March 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–946. 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 ''Secondary Direct Food Additives Permitted in Food for Human Consumption'' (Docket No. FDA–2010–F–0200) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–947. 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 ''Amendments to General Regulations of the Food and Drug Administration; Confirmation of Effective Date'' (RIN0910–AG55) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–948. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Clarification of Countries and Geographic Areas Eligible for Participation in the Guam-Commonwealth of the Northern Mariana Islands Visa Waiver Program'' (RIN1651–AA81) received in the Office of the President of the Senate on March 16, 2011; to the Committee on the Judiciary.

EC–949. 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; Ice Conditions for the Baltimore Captain of Port Zone'' ((RIN1625–AA00) (Docket No. USCG–2010–1136)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–950. 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; Allegheny River, Pittsburgh, PA'' ((RIN1625–AA00) (Docket No. USCG–2010–1082)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–951. 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; 23rd Annual North American International Auto Show, Detroit River, Detroit, MI'' ((RIN1625–AA87) (Docket No. USCG–2010–1133)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–952. 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; Columbia River, The Dalles Lock and Dam'' ((RIN1625–AA00) (Docket No. USCG–2010–1109)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–953. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; New Jersey Intracoastal Waterway, Manasquan River'' ((RIN1625–AA09) (Docket No. CGD05–05–079)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–954. 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; Atlantic Ocean Five Miles South of Boca Chica, FL'' ((RIN1625–AA87) (Docket No. COTP Key West 06–029)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–955. 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; Underwater Hazard, Gravesend Bay, Brooklyn, NY'' ((RIN1625–AA00) (Docket No. USCG–2010–1126)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–956. 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; 500 yards North and South, bank to bank, of position 29 48.77′N 091 33.02′W, Charenton Drainage and Navigation Canal, St. Mary Parish, LA'' ((RIN1625–AA00) (Docket No. USCG–2010–1120)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–957. 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; Beaufort River/Atlantic Intracoastal Waterway, Beaufort, SC'' ((RIN1625–AA00) (Docket No. USCG–2010–0995)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–958. 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; Lake Mead Intake Construction, Lake Mead, Boulder City, NV'' ((RIN1625–AA00) (Docket No. USCG–2010–1112)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–959. 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; San Diego Parade of Lights Fireworks, San Diego, CA'' ((RIN1625–AA00) (Docket No. USCG–2010–1011)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–960. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Mississippi River, Iowa and Illinois'' ((RIN1625–AA09) (Docket No. CGD08–06–001)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–961. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Large Passenger Vessel Crew Requirements'' ((RIN1625–AB16) (Docket No. USCG–2007–27761)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–962. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Notice of Arrival on the Outer Continental Shelf'' ((RIN1625–AB28) (Docket No. USCG–2008–1088)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–963. 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; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District; Stay'' ((RIN1625–AA11) (Docket No. USCG–2010–1115)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–964. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Traffic Separation Schemes: In the Approaches to Portland, ME; in the Approaches to Boston, MA; in the Approaches to Narragansett Bay, RI and Buzzards Bay, MA; in the Approaches to Chesapeake Bay, VA, and in the Approaches to the Cape Fear River, NC'' ((RIN1625–AB55) (Docket No. USCG–2010–0718)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–965. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure'' (RIN0648–XA245) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–966. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program'' (RIN0648–XA256) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–967. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XA237) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–968. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XA252) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–969. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XA257) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–970. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XA258) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–971. 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 Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Inseason Adjustments to Fishery Management Measures'' (RIN0648–BA57) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–972. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Hawaii Bottomfish and Seamount Groundfish Fisheries; Fishery Closure'' (RIN0648–XA174) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–973. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2011 and 2012 Harvest Specifications for Groundfish'' (RIN0648–XZ90) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–974. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2011 and 2012 Harvest Specifications for Groundfish'' (RIN0648–XZ89) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC–975. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (Appliance Labeling Rule)'' (RIN3084–AB15) received in the Office of the President of the Senate on March 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC–976. A communication from the Vice President, Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to Amtrak's Executive Level 1 salary for 2010; to the Committee on Commerce, Science, and Transportation.

EC–977. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report entitled ''2011 National Aeronautics and Space Administration (NASA) Strategic Plan''; to the Committee on Commerce, Science, and Transportation.

EC–978. A communication from the Director of Operational Test and Evaluation, Office of the Secretary of Defense, transmitting, pursuant to law, the Operational Test and Evaluation's fiscal year 2010 annual report; to the Committee on Armed Services.

EC–979. A communication from the Acting Assistant Secretary, Office of Fossil Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Fiscal Year 2009 Methane Hydrate Program Report to Congress''; to the Committee on Energy and Natural Resources.

EC–980. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Return Information in Connection with Written Contracts Among the IRS, Whistleblowers, and Legal Representatives of Whistleblowers'' (RIN1545-BG73) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Finance.

EC–981. 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 ''Temperature-Indicating Devices; Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers'' ((21 CFR Part 113)(Docket No. FDA–2007–N–0265)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–982. 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 ''New Animal Drugs for Minor Use and Minor Species; Confirmation of Effective Date'' ((21 CFR Part 516)(Docket No. FDA–2010–N–0534)) received in the Office of the President of the Senate on March 16, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–983. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the fourth quarter of fiscal year 2010 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC–984. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the Commonwealth of Australia for the manufacture, assembly, testing, qualification, maintenance and repair of military aiming lasers, infrared illuminators, and associated military electronics; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Special Report entitled ''Report of the Select Committee on Intelligence, United States Senate, Covering the Period January 3, 2009, to January 4, 2011'' (Rept. No. 112–3).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources:

Special Report entitled ''History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources during the 111th Congress.'' (Rept. No. 112–4).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 193. A bill to extend the sunset of certain provisions of the USA PATRIOT Act, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

Kathryn D. Sullivan, of Ohio, to be an Assistant Secretary of Commerce.

Frances M.D. Gulland, of California, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2012.

Ann D. Begeman, of Virginia, to be a Member of the Surface Transportation Board for a term expiring December 31, 2015.

Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2014.

Philip E. Coyle, III, of California, to be an Associate Director of the Office of Science and Technology Policy.

Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2015.

National Oceanic and Atmospheric Administration nominations beginning with Joshua J. Slater and ending with Patrick M. Sweeney III, which nominations were received by the Senate and appeared in the Congressional Record on February 2, 2011.

National Oceanic and Atmospheric Administration nominations beginning with Aaron D. Maggied and ending with Michael S. Silagi, which nominations were received by the Senate and appeared in the Congressional Record on February 2, 2011.

Coast Guard nomination of Rear Adm. Brian M. Salerno, to be Vice Admiral.

Coast Guard nomination of Vice Adm. John P. Currier, to be Vice Admiral.

Coast Guard nomination of Vice Adm. Robert C. Parker, to be Vice Admiral.

Coast Guard nomination of Vice Adm. Manson K. Brown, to be Vice Admiral.

Coast Guard nomination of Phillip F. Brooking, to be Captain.

Coast Guard nominations beginning with Ivan R. Meneses and ending with William A. Schulz, which nominations were received by the Senate and appeared in the Congressional Record on February 3, 2011.

National Oceanic and Atmospheric Administration nominations beginning with Brian J. Adornato and ending with Eric G. Younkin, which nominations were received by the Senate and appeared in the Congressional Record on March 2, 2011.

National Oceanic and Atmospheric Administration nomination of Zachary P. Cress, to be Lieutenant (junior grade).

By Mr. LEAHY for the Committee on the Judiciary.

Edward Milton Chen, of California, to be United States District Judge for the Northern District of California.

James Michael Cole, of the District of Columbia, to be Deputy Attorney General, to which position he was appointed during the last recess of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Mr. BARRASSO, Mr. BROWN of Ohio, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. BEGICH, and Mr. DURBIN):

S. 604. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. HATCH, Ms. KLOBUCHAR, Mr. MANCHIN, Mrs. HAGAN, and Mr. WHITEHOUSE):

S. 605. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. ISAKSON, and Mr. FRANKEN):

S. 606. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 607. A bill to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 608. A bill to provide limitations on maritime liens on fishing licenses and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE (for himself and Mr. JOHANNS):

S. 609. A bill to provide for the establishment of a committee to assess the effects of certain Federal regulatory mandates; to the Committee on Environment and Public Works.

By Mr. INHOFE:

S. 610. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself and Mr. WARNER):

S. 611. A bill to provide greater technical resources to FCC Commissioners; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Mr. MERKLEY):

S. 612. A bill to amend the Energy Policy and Confirmation Act to require the Secretary of Energy to develop and implement a strategic petroleum demand response plan to reduce the consumption of petroleum products by the Federal Government; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, and Mr. SANDERS):

S. 613. A bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 614. A bill to require the Attorney General to consult with appropriate officials within the executive branch prior to making the decision to try an unprivileged enemy belligerent in Federal Court; to the Committee on the Judiciary.

By Mr. VITTER:

S. 615. A bill to improve the accountability and transparency in infrastructure spending by requiring a life-cycle cost analysis of major infrastructure projects, providing the flexibility to use alternate infrastructure type bidding procedures to reduce project costs, and requiring the use of design standards to improve efficiency and save taxpayer dollars; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANDERS (for himself, Ms. MIKULSKI, Mr. BROWN of Ohio, Ms. CANTWELL, and Mr. COONS):

S. 616. A bill to amend the Elementary and Secondary Education Act of 1965 in order to support the community schools model; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself and Mr. ENSIGN):

S. 617. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and or other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. MCCAIN, and Mr. LIEBERMAN):

S. 618. A bill to promote the strengthening of the private sector in Egypt and Tunisia; to the Committee on Foreign Relations.

By Mr. UDALL of New Mexico:

S. 619. A bill to assist in the coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself and Mr. MENENDEZ):

S. 620. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 621. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENNET (for himself and Mr. ALEXANDER):

S. 622. A bill to establish the Commission on Effective Regulation and Assessment Systems for Public Schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL:

S. 623. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 624. A bill to authorize the Department of Housing and Urban Development to transform neighborhoods of extreme poverty into

sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, educational opportunities, public assets, public transportation, and improved access to jobs; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. ALEXANDER):

S. 625. A bill to amend title 23, United States Code, to incorporate regional transportation planning organizations into statewide transportation planning, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself, Mr. VITTER, Mr. CARPER, Mr. COCHRAN, Mr. INOUYE, Ms. LANDRIEU, and Mrs. MURRAY):

S. 626. A bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. CORNYN, Mr. WHITEHOUSE, and Mr. TESTER):

S. 627. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 628. A bill to authorize the Secretary of the Interior to convey a railroad right of way between North Pole, Alaska, and Delta Junction, Alaska, to the Alaska Railroad Corporation; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. BINGAMAN, Ms. CANTWELL, Mr. CRAPO, Mrs. MURRAY, Mr. RISCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 629. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 630. A bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 631. A bill to extend certain Federal benefits and income tax provisions to energy generated by hydropower resources; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mrs. HAGAN, and Mr. BURR):

S. 632. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized period for rebuilding of certain overfished fisheries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. BROWN of Massachusetts, Mr. MERKLEY, and Mr. ENZI):

S. 633. A bill to prevent fraud in small business contracting, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHUMER (for himself, Mr. LIEBERMAN, Mr. WYDEN, Mr. FRANKEN, Mr. NELSON of Florida, Mr. RUBIO, Mrs. GILLIBRAND, and Mr. LAUTENBERG):

S. 634. A bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mr. MCCAIN):

S. 635. A bill to direct the Secretary of the Interior to sell certain Federal lands in Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, and Wyoming, previously identified as suitable for disposal, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 636. A bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; to the Committee on Indian Affairs.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 637. A bill to establish a program to provide guarantees for debt issued by or on behalf of State catastrophe insurance programs to assist in the financial recovery from earthquakes, earthquake-induced landslides, volcanic eruptions, and tsunamis; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. MCCAIN, Mr. SCHUMER, Mrs. BOXER, and Mrs. HUTCHISON):

S. 638. A bill to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. MCCAIN, Mr. SCHUMER, Mrs. BOXER, and Mrs. HUTCHISON):

S. 639. A bill to authorize to be appropriated $950,000,000 for each of the fiscal years 2012 through 2015 to carry out the State Criminal Alien Assistance Program; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mr. CARPER):

S. 640. A bill to underscore the importance of international nuclear safety cooperation for operating power reactors, encouraging the efforts of the Convention on Nuclear Safety, supporting progress in improving nuclear safety, and enhancing the public availability of nuclear safety information; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. CORKER, Mr. REID, Mr. ROBERTS, Mr. CARDIN, Mr. ISAKSON, and Mr. LEAHY):

S. 641. A bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005; to the Committee on Foreign Relations.

By Mr. LEAHY:

S. 642. A bill to permanently reauthorize the EB–5 Regional Center Program; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. 643. A bill to amend title XIX of the Social Security Act to direct Medicaid EHR incentive payments to federally qualified health centers and rural health clinics; to the Committee on Finance.

By Mr. BURR (for himself, Mr. COBURN, Mr. CHAMBLISS, Mr. MCCAIN, Mr. JOHNSON of Wisconsin, Mr. CORNYN, Mr. THUNE, Mr. INHOFE, Mr. KYL, Mr. SESSIONS, Mr. ENSIGN, Mr. LEE, and Mr. TOOMEY):

S. 644. A bill to amend subchapter II of chapter 84 of title 5, United States Code, to prohibit coverage for annuity purposes for any individual hired as a Federal employee after 2012; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself, Mr. HATCH, Mr. ENSIGN, Mr. BROWN of Ohio, Mr. JOHANNS, Mr. WHITEHOUSE, and Mrs. GILLIBRAND):

S. 645. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 646. A bill to reauthorize Federal natural hazards reduction programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BAUCUS:

S. 647. A bill to authorize the conveyance of mineral rights by the Secretary of the Interior in the State of Montana, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 648. A bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 649. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma , and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENSIGN:

S. 650. A bill to require greater transparency concerning the criteria used to grant waivers to the job-killing health care law and to ensure that applications for such waivers are treated in a fair and consistent manner, irrespective of the applicant's political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or another organized labor group; to the Committee on Finance.

By Mrs. HAGAN (for herself and Mr. BURR):

S. 651. A bill to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KERRY (for himself, Mrs. HUTCHISON, Mr. WARNER, and Mr. GRAHAM):

S. 652. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of an American Infrastructure Financing Authority, to provide for an extension of the exemption from the alternative minimum tax treatment for certain tax-exempt bonds, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Ms. COLLINS, Mr. LEVIN, Mr. SANDERS, and Mr. MENENDEZ):

S. Res. 104. A resolution designating September 2011 as ''Campus Fire Safety Month''; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. MCCAIN, Mr. CARDIN, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KYL, Mr. BARRASSO, Mr. UDALL of Colorado, Mr. KIRK, and Mr. LAUTENBERG):

S. Res. 105. A resolution to condemn the December 19, 2010, elections in Belarus, and to call for the immediate release of all political prisoners and for new elections that meet international standards; considered and agreed to.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, and Mrs. MURRAY):

S. Res. 106. A resolution recognizing the 100th anniversary of the Triangle Shirtwaist Company fire in New York City on March 25, 1911, and designating the week of March 21, 2011, through March 25, 2011, as the ''100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week''; considered and agreed to.

By Mr. WICKER (for himself and Mr. PRYOR):

S. Res. 107. A resolution designating April 4, 2011, as ''National Association of Junior Auxiliaries Day''; considered and agreed to.

By Mr. LUGAR:

S. Res. 108. A resolution expressing the sense of the Senate on the importance of strengthening investment relations between the United States and Brazil; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 9

At the request of Mr. REID, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 9, a bill to reform America's political system and eliminate gridlock that blocks progress.

S. 28

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 28, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 211

At the request of Mr. ISAKSON, the names of the Senator from Nebraska (Mr. JOHANNS), the Senator from Utah (Mr. HATCH), the Senator from Ohio (Mr. PORTMAN), the Senator from North Carolina (Mr. BURR), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 260

At the request of Mr. NELSON of Florida, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 300

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 300, a bill to prevent abuse of Government charge cards.

S. 328

At the request of Mr. BROWN of Ohio, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 358

At the request of Mr. ROBERTS, the names of the Senator from Massachusetts (Mr. BROWN), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 358, a bill to codify and modify regulatory requirements of Federal agencies.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 369

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 369, a bill to award posthumously a Congressional Gold Medal to Giuseppe Garibaldi, and to Recognize the Republic of Italy on the 150th Anniversary of its Unification.

S. 382

At the request of Mr. UDALL of Colorado, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 392

At the request of Mr. UDALL of New Mexico, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 392, a bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education.

S. 393

At the request of Mr. REED, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 393, a bill to aid and support pediatric involvement in reading and education.

S. 394

At the request of Mr. KOHL, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 394, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 414

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) 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 Nevada (Mr. ENSIGN) 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. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of 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.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 466

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 466, a bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies.

S. 474

At the request of Ms. SNOWE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 474, a bill to reform the regulatory process to ensure that small businesses are free to compete and to create jobs, and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 491

At the request of Mr. PRYOR, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 504

At the request of Mr. DEMINT, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 509

At the request of Mr. UDALL of Colorado, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 509, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 520

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. KYL) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 534

At the request of Mr. KERRY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 570

At the request of Mr. TESTER, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 575

At the request of Mr. TESTER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 575, a bill to study the market and appropriate regulatory structure for electronic debit card transactions, and for other purposes.

S. 598

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 600

At the request of Mr. MENENDEZ, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 600, a bill to promote the diligent development of Federal oil and gas leases, and for other purposes.

S. 603

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 603, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor 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. RES. 20

At the request of Mr. JOHANNS, the name of the Senator from Florida (Mr. RUBIO) 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. 87

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. Res. 87, a resolution designating the year of 2012 as the ''International Year of Cooperatives''.

AMENDMENT NO. 231

At the request of Mr. PAUL, the names of the Senator from South Carolina (Mr. DEMINT) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of amendment No. 231 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 234

At the request of Ms. LANDRIEU, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 234 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 241

At the request of Mr. RISCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of amendment No. 241 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 242

At the request of Mr. UDALL of Colorado, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 242 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 243

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 243 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. BARRASSO, Mr. BROWN of Ohio, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. BEGICH, and Mr. DURBIN):

S. 604. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President. I am honored to join my colleague from Wyoming, Senator JOHN BARRASSO, in introducing a bill essential to enhancing the delivery of mental health services to our senior citizens, The Seniors Mental Health Access Improvement Act of 2011. We are pleased to be joined by Sens. SHERROD BROWN, INOUYE, TIM JOHNSON, BEGICH, and DURBIN in this effort.

Currently, there are limitations on the types of mental health practitioners who may be reimbursed for services in the Medicare program. Our legislation permits mental health counselors and marriage and family therapists to bill Medicare for their services, and it pays them at the rate of clinical social workers. With this legislation, seniors will have more opportunities as part of their Medicare benefit to access professional mental health counseling assistance.

Throughout the United States there are approximately 77 million older adults living in 3,000 so-called ''mental health profession shortage areas.'' Moreover, 50 percent of rural counties have no practicing psychiatrists or psychologists. Seniors living in these areas will be the primary beneficiaries of our efforts.

Mental health counselors and marriage and family therapists are often the only mental health providers in some communities, and yet presently they are not recognized within the Medicare program appropriately. These therapists have equivalent or greater training, education and practice rights as some existing provider groups that can bill for their services through Medicare.

Additionally, other government agencies, including The National Health Service Corp, the Veteran's Administration and TRICARE, already

recognize these mental health professionals and reimburse for their services. We need to utilize the skills of these providers and ensure that seniors have access to them. These professionals play a critical role in the delivery of our nation's mental health care.

In Oregon, the passage of this legislation will focus the talents of over 2,000 additional, qualified providers on the mental health issues of one of our most vulnerable populations. This represents a common sense approach to relieving a persistent and chronic healthcare workforce shortage.

I would also like to take a moment to recognize the contributions of one of our former colleagues in the Senate who led our efforts in the last Congress to pass similar legislation. Sen. Blanche Lincoln was a strong advocate for health policies that benefited seniors and those in rural areas. This bill is a testament to her decade long commitment to these issues and her unflagging support for those in need of mental health care in underserved areas.

Finally, I commend our mental health professionals nationwide, for their dedicated work and efforts, and I encourage passage of this legislation.

Mr. BARRASSO. Mr. President, I am honored to join my colleague from Oregon, Senator RON WYDEN, to introduce the Seniors Mental Health Access Improvement Act. For over a decade, Senator WYDEN has been a strong voice advocating for rural specific health care policies here in the United States Senate. I am proud to join him as we fight to ensure Medicare patients living in rural and frontier states have access to and choice of mental health professionals.

The Seniors Mental Health Access Improvement Act would permit Marriage and Family Therapists and Licensed Professional Counselors to bill Medicare directly for services. These providers would receive 75 percent of the psychiatrist and psychologist rate for the same services. I want my colleagues to know that this legislation does not expand covered Medicare services. It would simply give Medicare patients living in isolated, frontier States like Wyoming more mental health provider choices.

Today, approximately 75 percent of the over 3,000 nationally designated Mental Health Professional Shortage Areas are located in rural areas. Over half of all rural counties have no mental health services of any kind. Frontier counties have even more drastic numbers as 95 percent do not have a psychiatrist, 68 percent do not have a psychologist and 78 percent do not have a social worker.

Virtually all of Wyoming is designated a mental health professional shortage area. Wyoming has approximately 215 psychologists, 37 psychiatrists and 418 clinical social workers for a total of 670 Medicare eligible mental health providers. Enactment of the Seniors Mental Health Access Improvement Act would almost double the number of mental health providers available to treat seniors in my State—with the addition of 659 licensed professional counselors and 83 marriage and family therapists currently licensed to practice.

Medicare patients in Wyoming are often forced to travel long distances to see mental health providers currently recognized by the Medicare program. To make matters worse, rural and frontier communities have extreme difficulty recruiting and retaining providers, especially mental health providers. In many small towns, a Licensed Professional Counselor or a Marriage and Family Therapist is the only mental health care provider in the area. Medicare law—as it exists today—only compounds the situation because psychiatrists, clinical psychologists, clinical social workers, and clinical nurse specialists are the only providers able to bill Medicare for mental health services.

It is time the Medicare program recognized the qualifications of Licensed Professional Counselors and Marriage and Family Therapists. They play a critical role in the Nation's mental health care delivery system. These providers go through rigorous training, similar to the curriculum of a masters level social worker, and yet are excluded from the Medicare program.

I believe this bill is critically important to the health and well-being of our nation's seniors, and I strongly urge all my colleagues to become a cosponsor.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. HATCH, Ms. KLOBUCHAR, Mr. MANCHIN, Mrs. HAGAN, and Mr. WHITEHOUSE):

S. 605. A bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, all too often we learn of new and emerging drug threats to our communities that often have a huge negative impact on our youth. When these drug threats emerge it is crucial that we unite to halt the spread of the problem before it consumes families and communities.

Today we are confronted with new and very dangerous substances packaged as innocent products. Specifically, more and more kids are able to go online or to the nearest novelty store at the local shopping mall and purchase incense laced with compounds that seriously alter the mind. These products are commonly referred to as ''K2''or ''Spice'' among other names. Although these products contain a label that states that the product is not for human consumption, kids and drug users are smoking these products in order to obtain a ''legal high.''

It is believed that these products emerged on the scene beginning about 4 or 5 years ago and their use spread quickly throughout Europe. According to a study conducted by the European Centre for Drugs and Drug Addiction, most of the chemical compounds found in ''K2'' are not reported on the label. This study concluded that the compounds are not listed because there is a deliberate marketing strategy to represent this product as a natural substance.

However, these products are anything but natural. Most of the chemical compounds the Drug Enforcement Administration has identified within K2 products were invented by Dr. John W. Huffman of Clemson University in the 1990's for research purposes. These compounds were never intended to be used for any other purpose than research. Dr. Huffman developed these compounds to further understand endocannabinoid receptors in the body. They were only tested on mice and never tested on humans. No long term effects of their use are currently known.

As more and more people are experimenting with K2 it is becoming completely evident that their use is anything but safe. The American Association of Poison Control Centers reports significant increases in the amount of calls concerning these products. There were only 13 calls related to K2 use reported for 2009, but there were over 1,000 calls concerning K2 use in 2010. Common effects reported by emergency room doctors include: increased agitation, elevated heart rate and blood pressure, hallucinations, and seizures. Effects from the highs from these synthetic drugs are reported to last as few as several hours and as long as one week. Dr. Huffman stated that since so little research has been conducted on these compounds that using any one of them would be like, ''playing Russian roulette.''

In fact, Dr. Anthony Scalzo, a professor of emergency medicine at St. Louis University, reports that the compounds are significantly more potent than the active ingredients of marijuana. Dr. Scalzo states that what is troubling is the fact that the amount of compounds varies from product to product so no one can be sure exactly the amount of the drug they are putting in their body. Dr. Scalzo states that this can lead to significant problems such as altering of mind, addiction, injury, and even death.

According to various news articles across the nation, K2 can cause serious erratic and criminal behavior. In Mooresville, Indiana police arrested a group of teens after they were connected to a string of burglaries while high on K2. Another case in Honolulu, Hawaii shows police arrested a 23-year-old man after he tried to throw his girlfriend off an 11th floor balcony after smoking K2. A 14-year-old boy in Missouri nearly threw himself out of a 5th story window after smoking K2. Once the teen got over his high he denied having any suicidal intentions. Doctors believe he was hallucinating at the time of this incident.

K2 use is also causing serious health problems and increased visits to the

emergency room. A Louisiana teen said he became very ill after trying K2. The teen said he experienced numbness starting at his feet and traveling to his head. He was nauseous, light-headed and was having hallucinations. This teen stated that K2 is being passed around at school and that many people were trying it without fear, assuming it was safe because it was legal. A 21-year-old man, from Greenfield, Indiana repeatedly stabbed himself in the neck while hallucinating on K2.

Regrettably, K2 use also has deadly consequences. On June 6, 2010, David Rozga, a recent 18-year-old Indianola, Iowa high school graduate smoked a package of K2 along with his friends before going to a concert thinking it was harmless fun. According to his parents, David and his friends purchased this product at a mall in Des Moines after hearing about it from some college students who were home for the summer. After smoking this product, David's friends reported that David became highly agitated and terrified. When he got home, he found a family shotgun and committed suicide approximately 90 minutes after smoking K2. The Indianola police believe David was under the influence of K2 at the time of his death. David's parents and many in the community who knew David were completely shocked and saddened by this event. David was looking forward to starting his college career at the University of Northern Iowa in the fall. As a result, the Iowa Pharmacy Board placed an emergency ban on K2 products in Iowa beginning on July 21, 2010. A permanent ban is currently being considered in the legislature.

David's tragic death may have been the first case in the United States of synthetic drug use leading to someone's death, but sadly it was only the beginning. A month after David's tragic death, police report that a 28-year-old Middletown, Indiana mother of two passed away after smoking a lethal dose of K2. This woman's godson reported that anyone could get K2 easily because it can be sold to anybody at any price at any time. This last August, a recent 19-year-old Lake Highlands High School graduate in Dallas, TX, passed away after smoking K2. The medical examiner confirmed that this boy had K2 in his system at the time of his death. Even more disturbing is the involvement of synthetic drugs in a recent school shooting that occurred in Omaha, Nebraska in January of 2011. Robert Butler, Jr. shot and killed himself and Dr. Vicki Kaspar, the assistant principal at the school. Doctors have confirmed that Robert Butler had K2 in his system at the time of the shooting.

These incidents throughout the country give me great concern that synthetic drug use, especially K2 use, is a dangerous and growing problem. Many states, including Iowa, have acted to ban the sale and possession of the chemical compounds found in these products. Many more states, counties and communities throughout the country have proposed bans or are in the process of banning these products. The DEA has administratively scheduled five chemicals found in K2. However, this ban will only last for one year with an option to extend the ban for an additional 6 months. There is no guarantee that the chemicals will be permanently banned in the timeframe allowed.

It is time to stop the use and trafficking of these products before more tragedies occur. This is why I am pleased that my colleague, Senator FEINSTEIN, is joining me in introducing the David Mitchell Rozga Act. Although David Rozga is one victim of many from these terrible drugs, his tragic death highlights the damaging nature of these substances and the great loss that they incur to our society. This legislation will take the chemicals the DEA has identified within K2 products and places them as Schedule I narcotics with other deadly drugs like meth and cocaine. The legislation will also amend the Controlled Substances Act, doubling the timeframe the Drug Enforcement Administration and the Department of Health and Human Services have to emergency schedule substances from 18 months to 36 months. This will allow for dangerous substances to be quickly removed from the market while being studied for permanent scheduling. I am grateful that the Community Anti-Drug Coalitions of America, a group that represents more than 5,000 local community anti-drug coalitions throughout the nation, is endorsing this legislation to ban these dangerous synthetic drugs from our society.

It is clear that the sale and use of synthetic drugs is a growing problem. People believe, like David Rozga believed, these products are safe because they can buy them online or at the nearest shopping mall. We need to do a better job at educating the public and our communities about the dangers these products present and nip this problem in the bud before it grows and leads to more tragedy. I urge my colleagues to join us in supporting this important legislation.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 607. A bill to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land and for other purposes; to the Committee on Energy and Natural Recources.

Mr. WYDEN. Mr. President, today I rise to introduce Wilderness legislation to protect two of Oregon's natural treasures. This bill is a reintroduction of legislation that I introduced in the last Congress and I am pleased that Senator MERKLEY is again joining me in cosponsoring this legislation. Significant progress was made in the last Congress in moving the bill towards passage, but unfortunately it failed to get passed before the Congress ended. The legislation I introduce today reflects the work I undertook with the Energy and Natural Resources Committee and the Bureau of Land Management to prepare the bill for markup in the Energy and Natural Resources Committee.

The Cathedral Rock and Horse Heaven Wilderness Act of 2011 will do more than simply protect these areas. It will also help Oregon's economy, because visitors from all over the world come to my State to experience first-hand the unique scenic beauty of place like the lands preserved by this bill.

This legislation will consolidate what is currently a splintered ownership of land in this area and protect 17,340 acres of new Wilderness along the Lower John Day River. This is even more Wilderness than originally in the legislation I introduced in the last Congress. Thanks to an additional land exchange it was possible to add additional lands to the Wilderness proposal. The fractured land ownership in this area makes it difficult for visitors to fully appreciate these areas when they hike, fish or hunt there because of the scattered and misunderstood lines of private and public ownership. This bill will solve that problem and make these lands more inviting to visitors while giving the landowners more contiguous property to call home.

The area in question is stunning. The Cathedral Rock and Horse Heaven Wilderness proposals encompass dramatic basalt cliffs and rolling hills of juniper, sagebrush and native grasses. These new areas build on the desert Spring Basin Wilderness that was established last Congress as a result of legislation I introduced, and are located directly across the John Day River from Spring Basin.

With 500 miles of undammed waters, the John Day River is the second-longest free-flowing river in the continental United States and is a place that is cherished by Oregonians. The Lower John Day Wild and Scenic River offers world-class opportunities for outdoor recreation as well as crucial wildlife habitat for elk, mule deer, bighorn sheep and native fish such as salmon and steelhead trout. Through land consolidation between public and private landowners, this bill will allow for better management and easier public access for this important natural treasure. With the current fragmentation of public and private land ownership in the area, river campsites are limited. Many Federal lands among them can't be reached by the hikers, campers and other outdoors recreationists who could most appreciate them. With the equal-value land exchanges included in this bill, public lands would be consolidated into two new Wilderness areas. This would enhance public safety, improve land management, and increase public access and recreational opportunities. This solution will create an incredible, new heritage for public lands recreationists

who are an important factor in keeping Oregon's economy healthy and thriving.

Rafters of the John Day River can attest to the need for more campsites and public access to the Cathedral Rock area. Backcountry hunters will be able to scan the hillsides for elk, deer and game-birds without having to worry about accidentally trespassing on someone's private land. Anglers will be able to access nearly 5 miles of the John Day River that today are only reachable from privately owned lands. Likewise, such a solution ensures that local landowners can manage their lands effectively without running across unwitting trespassers.

One good example of the value of these land swaps is Young Life's Washington Family Ranch. This Ranch is home to a Christian youth camp that welcomes over 20,000 kids to the lower John Day area each year. This bill sets out private and public land boundaries that on the ground and these boundaries create a safer area for campers on the Ranch; this serves the children who visit the area well and ensures the continued viability of the Ranch, which, in turn, provides big economic dividends to the local community.

The Cathedral Rock and Horse Heaven Wilderness proposal is described as ''win-win-win'' by many stakeholders—nearly 5 miles of new river access for the public and protected land for outdoor enthusiasts; better management for private landowners and public agencies; and important habitat protections for sensitive and endangered species. This proposal is an example of the positive solutions that can result when varied, bipartisan interests in a community come together to craft solutions that will work for everyone. All three of the counties involved in this legislation, Wheeler, Wasco and Jefferson, have endorsed this proposal as well as a number of user and recreation groups. I especially want to thank the Oregon Natural Desert Association, Young Life and Forrest Reinhardt, and Matt Smith for their role in developing this collaborative solution that will benefit all Oregonians.

Oregon's wildlands play an increasingly important role in the economic development of our state, especially in traditionally rural areas east of the Cascades. Visitors come from thousands of miles away to hike, fish, raft and hunt in Oregon's desert Wilderness. Beyond tourism, the rich quality of life and the diverse natural amenities that we enjoy as Oregonians are key to attracting new businesses to Oregon. The Cathedral Rock and Horse Heaven Wilderness areas will help make sure that this rural area will enjoy the benefits that permanently connecting these disparate pieces of natural landscape will bring for generations to come.

By Mr. INHOFE:

S. 610. A bill to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. INHOFE. Mr. President, I rise today to bring to the Senate's attention H.R. 473. This is the HALE Scouts Act, and the House author is Congressman DAN BOREN, D–Okla. I am announcing today introduction of a companion measure in the Senate, and I look forward to working towards its enactment into law in the 112th Congress.

This bill authorizes the U.S. Forest Service to sell, at fair-market value, 140 acres of land in Southeast Oklahoma to an Oklahoma Boy Scouts group, the Indian Nations Council of Boy Scouts, which has a camp site adjacent to this land. This campsite hosts 6,500 campers every year and urgently needs the new expansion.

In the 110th Congress, this same bill passed the House by a vote of 370–2 in the form of H.R. 2675. The bill gained even more support in the 111th Congress passing through the House by a vote of 388–0 as H.R. 310. CBO has written that it has no cost, and the U.S. Forest Service testified before the relevant House subcommittee that it does not oppose the bill. Much work has gone into this bill to get it to this point, including hearings and House floor consideration. Senate passage represents final action necessary for its completion.

By Ms. SNOWE (for herself and Mr. WARNER):

S. 611. A bill to provide greater technical resources to FCC Commissioners; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today, along with Senator WARNER, to reintroduce legislation that provides greater technical resources to the Commissioners of the Federal Communications Commission. Such resources are essential to making sound regulatory decisions and being a more effective technical agency—especially in this era of rapid innovation in the industries under the Commission's jurisdiction.

Specifically, the FCC Technical Expertise Capacity Heightening or ''FCC TECH'' Act would allow Commissioners'' to appoint a staff member—an electrical engineer or computer scientist—to provide in-depth technical consultation, and commission a study by the National Academy of Sciences on the technical policy decision-making process and the availability of technical personnel at FCC. The study would include an examination of the FCC's technical policy decision-making, current technical personnel staffing levels, and agency recruiting and hiring processes of technical staff and engineers, and make specific recommendations to improve these areas.

Over the past several years, I have shared the concerns voiced by the technical community and even some Commissioners themselves about the lack of technical resources and expertise at the FCC. Such concern is warranted. In 1948, the FCC had 720 engineers on staff; today, it has fewer than 270—an astonishing 63 percent reduction—even though the FCC now must face more technical issues concerning the Internet, advanced wireless communications, commercial cable & satellite industries, and broadband. It should be noted that engineering staff currently only accounts for a dismally low 14 percent of the FCC's workforce—in 1948 that figure was more than 50 percent.

A December 2009 report by the Government Accountability Office (GAO–10–79) provides additional evidence of the need for this legislation. The GAO concluded that ''weaknesses in FCC's processes for collecting and using information also raise concerns regarding the transparency and informed nature of FCC's decision-making process.'' Furthermore, the report found the ''FCC faces challenges in ensuring it has the expertise needed to adapt to a changing market place.''

So in a time when citizens are demanding more effective and efficient government and zero government waste, taking such steps as prescribed by this legislation will ensure the FCC is adequately equipped legally and technically to properly craft policy. It should be noted this legislation does not require new staff—it just makes better use of them. In addition, streamlining FCC processes and rulemakings will make sure the Commission keeps pace with the dynamics of the industry it oversees, which is important in order for U.S. companies to continue to be competitive in this global economy.

In a letter I wrote to Chairman Genachowski last year, I highlighted several outstanding spectrum proceedings that I urged the Commission to conclude. The proceedings I mentioned had a common characteristic that concerned me—all of them had been open for three years or longer, and another related proceeding had been pending for well over a decade. This regulatory delay and uncertainty due to the Commission's inaction adversely affects American businesses, which request technical waivers or file petitions to better compete domestically and internationally, and suppresses innovation and the jobs associated with it. We must make sure the Commission is a catalyst to innovation and jobs, not an inhibitor.

Even the general public is aware of the significant technical deficit that exists at the Commission and the importance of increasing its technical aptitude—one of the top public recommendations on the FCC's reform website, reboot.fcc.gov, is to ''require at least one FCC Commissioner to be an engineer.''

This Administration has stressed the importance of innovation being a vital component in our economic recovery, so allowing a shortage of technical

staff to exist at an agency responsible for regulating very technical industries that will be the main drivers for innovation is counterintuitive. The President has also placed a major emphasis on science, technology, engineering, and mathematics, STEM, education in order to enhance our nation's competitiveness and economic wellbeing in the global economy yet, engineers only constitute 14 percent of the FCC's workforce and, it is my understanding, there is only one engineer in a senior management role at the Commission today—the government's technical expert agency.

This legislation enhances technical resources at the FCC so it will be better equipped and more agile to address the ever-changing technical landscape from a regulatory perspective. If it isn't, our nation's technical leadership in this area will continue to erode and it will be even more difficult to lay the proper policy foundation necessary to meet future telecommunications needs. It is also an essential component to execute the FCC's recently released National Broadband Plan, which includes several technically complex initiatives.

Last Congress, several technical organizations expressed support for the legislation—the Institute of Electrical and Electronics Engineers, Society of Broadcast Engineers, Association for Computing Machinery, and the Association of Federal Communications Consulting Engineers. Also, prominent individuals in this field, such as Vint Cerf, and former Senior FCC Technical Officials Dale Hatfield, Dave Farber, and Robert Powers support the legislation.

In the past, Chairman Genachowski has stated ''the country expects the FCC to be an expert agency.'' Being an expert agency starts with having the technical expertise to comprehensively understand and examine the issues that are within its jurisdiction and also acting on those issues in a timely manner. If it doesn't, our nation's technical leadership in telecommunications could continue to erode due to regulatory bottlenecks that are created at the Commission from unresolved proceedings and petitions. Removing the bottlenecks that exist through streamlining processes and removing bureaucracy will reduce government expenses and waste over the long term.

This bill takes steps toward properly addressing glaring technical deficiencies at the Commission, which left unaddressed could continue to hamper American innovation and competitiveness. This is absolutely critical given how rapidly technologies are changing and the implications that regulation could have on the underlying technical catalysts of innovation. That is why I sincerely hope that my colleagues join Senator WARNER and me in supporting this critical legislation.

By Ms. SNOWE (for herself and Mr. MERKLEY):

S. 612. A bill to amend the Energy Policy and Confirmation Act to require the Secretary of Energy to develop and implement a strategic petroleum demand response plan to reduce the consumption of petroleum products by the Federal Government; to the Committee on Energy and Natural Resources.

Ms. SNOWE. Mr. President, I rise to introduce legislation with Senator MERKLEY that will provide the President of the United States with emergency powers to aggressively reduce the Federal Government's demand for energy.

The Strategic Petroleum Demand Response Act will be an additional tool to address rapidly rising energy prices by reducing our country's demand for oil. The political instability in the Middle East reminds us that this region, which holds the largest reserves of oil in the world, has had profound implications on our country's economy by dramatically affecting the price of oil. Although the attention has been on potential supply disruption, our country also consumes nearly 17 million barrels of oil per day and through aggressive measures the Federal Government can lead our country in reducing its energy bill, curtailing its consumption of oil, and reducing the price of oil for consumers.

As we encounter these price spikes, some have called for a release of oil from our country's strategic petroleum reserve. The fact is prior to releasing our country's strategic reserves we must develop policies that prioritize the Federal Government's consumption of these critical oil supplies. The Federal Government can reduce nonemergency travel, reduce congestion on the roads by providing flexible work hours, decrease the use of oil in heating and cooling buildings, and work with local and state governments to cut consumption as well. We must develop a strategic petroleum strategy that reflects the fact that prices are dictated by both supply and demand and the Strategic Petroleum Demand Response Act will address the demand side of the equation.

Since the start of the year the price for West Texas Intermediate has increased by 16 percent and the week of February 28 encountered the second highest net increase in gasoline prices in our country's history. While I strongly believe that we need to develop specific long-term strategies that build on the success of fuel economy standards and reduce our consumption of oil, this legislation will allow the President to take immediate and decisive action to address any energy crisis through both supply and demand.

By Mr. HARKIN (for himself, Ms. MIKULSKI, and Mr. SANDERS):

S. 613. A bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, ensuring that all students, regardless of background or ability, receive an education that gives them the opportunity to live a successful and fulfilling life has always been a major focus of my career in public service. To achieve this goal, I have fought especially hard for students with disabilities to have access to the general education curriculum and the services and supports they need to succeed, and to safeguard their rights under the Individuals with Disabilities Education Act, IDEA. That is why I am pleased to introduce the IDEA Fairness Restoration Act, which my colleague Rep. VAN HOLLEN will also be introducing in the House today. This critical legislation will remove the financial barrier that families, especially low- and middle-income families, face as they pursue their children's rights to the free, appropriate public education they deserve and are entitled to under the Fourteenth Amendment.

When Congress originally passed IDEA, we recognized the vital importance of parent and school collaboration in special education and required they jointly develop an Individualized Education Plan, IEP, to identify goals to promote the academic achievement of students with disabilities. In general, this partnership has served students well. There are, however, times when schools have not fulfilled their responsibilities to provide an appropriate education. In these cases, IDEA provides parents the right to challenge the schools through mediation and due process. To make their argument, families often need access to expert witnesses who can assess the student's needs and testify about whether the current IEP meets those needs. These expert witnesses are a resource that many families cannot afford, but without access to them, families may be unable to make their case.

When Congress amended IDEA in 1986, it recognized the financial barriers that parents face in pursuing due process to resolve disagreements with their school and specified in the Conference Committee Report that when the court finds in favor of the parents a judge could award attorney's fees, including ''reasonable expenses and fees of expert witnesses and the reasonable costs of any test or evaluation which is found to be necessary for the preparation of the parent or guardian's case.'' For years, parents who prevailed in judicial proceedings were awarded these fees, as Congress intended. But in 2006, the U.S. Supreme Court ruled in Arlington Central School District v. Murphy that courts could no longer award these fees because Congress made its intention explicit in the Conference Report rather than in statute. As a result, many parents are discouraged and even prevented from pursuing meritorious cases to secure the rights of their children. Low- and middle-income families are particularly hard hit.

This IDEA Fairness Restoration Act clarifies Congress' express intent that parents should recover expert witness fees, as they currently can do with attorneys' fees, if they prove that the school system has wrongfully denied their child an appropriate education as defined by IDEA. By including ''reasonable expenses and fees of expert witnesses and the reasonable costs of any test or evaluation which is found to be necessary for the preparation of the parent or guardian's case'' and reestablishing the right of judges to award such fees to parents who prevail in IDEA cases, as Congress intended, this legislation will level the playing field and restore the ability of low- and middle-income parents to be effective advocates for their children's educational needs.

This legislation is an essential step for protecting the rights of students with disabilities and ensuring that all families, regardless of their financial resources, can advocate for and protect their children's rights through due process.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 614. A bill to require the Attorney General to consult with appropriate officials within the executive branch prior to making the decision to try an unprivileged enemy belligerent in Federal Court; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise today to introduce with Senator LIEBERMAN the Securing Terrorist Intelligence Act. Last Congress, the Senate Homeland Security and Governmental Affairs Committee heard testimony from the three top U.S. intelligence officials about the errors the Federal Government made in handling the unsuccessful 2009 Christmas Day terrorist plot. We dodged a bullet that day when Umar Farouk Abdulmutallab, a Nigerian-born terrorist, failed to detonate a bomb on Northwest flight 253 in the skies above Detroit.

While critical information was not shared prior to Abdulmatallab boarding that plane, a significant error also was committed by U.S. officials after that foreign terrorist had already been detained in Detroit, an error that may well have prevented the collection of valuable intelligence about future terrorist threats to our country. The error became clear during my questioning of the top intelligence officials at the committee's hearing held in response to this failed attack.

I was stunned to learn that the decision had been made to place this captured terrorist into the U.S. civilian criminal court system after just 50 minutes of interrogation—and without any consultation with the Director of National Intelligence, the Director of the National Counterterrorism Center, or the Secretary Homeland Security. That decision was critical. The determination to charge Abdulmutallab in civilian court likely foreclosed the collection of additional intelligence information. We know that the interrogation of captured terrorists can provide critical intelligence and save American lives, but our civil justice system, as opposed to the military detention and tribunal system established by Congress and the President, encourages terrorists to ''lawyer up'' and to stop answering questions.

Indeed, that was what happened in the case of Abdulmutallab. He had provided some valuable information to law enforcement officials immediately after his capture, and we likely would have obtained more information if we had treated this foreign terrorist as an enemy belligerent and had placed him in the military tribunal system. Unfortunately, once he was read his Miranda rights and given a lawyer at our expense, he was advised to cease answering questions, and that is exactly what he did.

That poor decision-making may well have prevented us from finding out more of the plot's organizers, planners, financiers, logistics support, and other key players. In addition, we may have found out more about future plots originating in Yemen targeting American citizens—possibly even the thwarted October 2010 printer cartridge attacks. Good intelligence is critical to our ability to stop terrorist plots before they are executed. We know that lawful interrogations of terrorist suspects can provide valuable intelligence. Deciding to charge Abdulmutallab in the civilian criminal system without even consulting three of our nation's top intelligence officials simply defies common sense.

It has been over a year since the arrest, and we are all very thankful that there has not been a successful terrorist attack in America since then. We all know, however, the threat persists. That is why we must redouble our efforts and ensure that when the next terrorist is captured, proper action is taken so we do not miss another opportunity to gain valuable intelligence that could save American lives.

To correct this failure and to ensure that our nation's senior intelligence officials are consulted before making the decision to try future foreign terrorists in civilian court, I am reintroducing a bill that would require this crucial consultation. I am very pleased to be joined by the Chairman of the Homeland Security Committee, Senator LIEBERMAN, who has been such a leader in this area.

Specifically, our bill would require the Attorney General to consult with the Director of National Intelligence, the Director of the National Counterterrorism Center, the Secretary of Homeland Security, and the Secretary of Defense before initiating a custodial interrogation of foreign terrorists or filing civilian criminal charges against them. These officials are in the best position to know what other threats the United States is facing from terrorists and to assess the need to gather more intelligence on those threats.

If there is a disagreement among the Attorney General and these intelligence officials regarding the appropriate approach to the detention and interrogation of foreign terrorists, then the bill would require the President to resolve the disagreement. Only the President would be permitted to direct the initiation of civilian law enforcement actions—balancing his constitutional responsibilities as Commander in Chief and as the nation's chief law enforcement officer.

To be clear, this legislation would not deprive the President of any investigative or prosecutorial tool. It would not preclude a decision to charge a foreign terrorist in our military tribunal system or in our civilian criminal justice system. It would simply require that the Attorney General coordinate and consult with our top intelligence officials before making a decision that could foreclose the collection of critical additional intelligence information.

This consultation requirement is not unprecedented. Section 811 of the Counterintelligence and Security Enhancements Act of 1994 requires the Director of the FBI and the head of a department or agency with a potential spy in its ranks to consult and periodically reassess any decision to leave the suspected spy in place so that additional intelligence can be gathered on his activities.

As the Senate Intelligence Committee noted in its report on the legislation that added the espionage consultation requirement:

> While prosecutorial discretion ultimately rests with the Department of Justice officials, it stands to reason that in cases designed to protect our national security—such as espionage and terrorism cases—prosecutors should ensure that they do not make decisions that, in fact, end up harming the national security.

The committee got it right. The committee went on to explain:

> [T]he determination of whether to leave a subject in place should be retained by the host agency.

The history of the espionage consultation requirement is eerily reminiscent of the lack of consultation that occurred in the case of Abdulmutallab. In espionage cases, Congress has already recognized that when valuable intelligence is at stake, our national security should trump decisions based solely on prosecutorial equities. This requirement must be extended to the most significant security threat facing our Nation—terrorism.

I encourage the Senate to act quickly on this important legislation. The changes proposed are modest. They make common sense. But the consequences of a failure to act could be a matter of life and death.

By Mr. REID (for himself and Mr. ENSIGN):

S. 617. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and

to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today to reintroduce the Elko Motocross and Tribal Conveyance Act of 2011. This bill would transfer two small parcels of public land to Elko County and the Elko Indian Colony and provide an important economic development opportunity to the people of Elko County.

In my home State of Nevada, the Federal Government manages more than 87 percent of the land—more than 61 million acres in all. As a result, our communities come to their congressional delegation for help remedying problems that are often handled on the state or local level in other parts of the country.

The first part of our legislation would convey approximately 300 acres of public land managed by the Bureau of Land Management's, BLM, Elko Field Office to Elko County. This proposal is strongly supported by the local community as a way to provide for a variety of motorized recreational opportunities for both residents and visitors of Elko. Off-highway vehicles are a popular form of recreation throughout Nevada and our citizens enthusiastically support safe and sustainable motorized outdoor activities.

This legislation will help Elko County develop a centralized, multipurpose recreational facility on the western edge of the City of Elko with easy access to Interstate 80. The new park will draw OHV enthusiasts from across northeastern Nevada and beyond, providing a much needed economic boost to local businesses. Beyond the convenient location, economic benefits, and potential for diverse recreational opportunities at the proposed Elko Motocross Park site, this new facility will serve as a place for people to learn responsible use and enjoyment of these recreational vehicles.

Title two of our bill would direct the Secretary of the Interior to expand the Elko Indian Colony by taking approximately 373 acres of land into trust for the Elko Band to address their compelling need for additional land. The Elko Band is one of four constituent bands that make up the Te-Moak Tribe of Western Shoshone Indians of Nevada. Each Band has a separate reservation or colony in northeastern Nevada. While the Elko Band's population has steadily grown, their land base has remained the same for over 75 years.

The Elko Indian Colony has always been a thriving part of the greater Elko community. When Elko was established as a railroad town in 1868, Shoshone families lived nearby, working on the railroad as well as in the nearby mines and on local ranches. Despite government efforts to relocate the Elko Band in the late nineteenth century, these families persevered and remained in the Elko area. In 1918, President Woodrow Wilson created the Elko Indian Colony when he reserved 160 acres for the Shoshone Indians near Elko by executive order.

While more than half of the Te-Moak's Tribe's enrolled members continue to live and work in Elko, it is the unfortunate truth that over 350 tribal members must live outside of the colony. The Elko Colony has one of the smallest land bases of the four constituent bands and it lacks adequate land for housing and community development. Our legislation would address this need by making land available for residential development and for traditional uses, such as ceremonial gatherings, hunting and plant collecting.

It is always encouraging when communities come together to support projects like these and we are grateful for their collective work on this effort. This bill is vital to the growing communities we serve. We look forward to working with Chairman BINGAMAN, Ranking Member MURKOWSKI and the other distinguished members of the Senate Energy and Natural Resources Committee to move this bill through their process.

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. 617

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Elko Motocross and Tribal Conveyance Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Secretary.

TITLE I—ELKO MOTOCROSS LAND CONVEYANCE

Sec. 101. Definitions.
Sec. 102. Conveyance of land to county.

TITLE II—ELKO INDIAN COLONY EXPANSION

Sec. 201. Definitions.
Sec. 202. Land to be held in trust for the Te-moak Tribe of Western Shoshone Indians of Nevada.
Sec. 203. Authorization of appropriations.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

TITLE I—ELKO MOTOCROSS LAND CONVEYANCE

SEC. 101. DEFINITIONS.

In this title:

(1) CITY.—The term "city" means the city of Elko, Nevada.

(2) COUNTY.—The term "county" means the county of Elko, Nevada.

(3) MAP.—The term "map" means the map entitled "Elko Motocross Park" and dated January 9, 2010.

SEC. 102. CONVEYANCE OF LAND TO COUNTY.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights and the provisions of this section, the Secretary shall convey to the county, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 275 acres of land managed by the Bureau of Land Management, Elko District, Nevada, as generally depicted on the map as "Elko Motocross Park".

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only as a motocross, bicycle, off-highway vehicle, or stock car racing area, or for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act"), (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the county to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

(f) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with subsection (d), the land shall, at the discretion of the Secretary, revert to the United States.

TITLE II—ELKO INDIAN COLONY EXPANSION

SEC. 201. DEFINITIONS.

In this title:

(1) MAP.—The term "map" means the map entitled "Te-moak Tribal Land Expansion", dated September 30, 2008, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) TRIBE.—The term "Tribe" means the Te-moak Tribe of Western Shoshone Indians of Nevada, which is a federally recognized Indian tribe.

SEC. 202. LAND TO BE HELD IN TRUST FOR THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b)—

(1) shall be held in trust by the United States for the benefit and use of the Tribe; and

(2) shall be part of the reservation of the Tribe.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 373 acres of land administered by the Bureau of Land Management, as generally depicted on the map as "Lands to be Held in Trust".

(c) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

(d) CONDITIONS.—

(1) GAMING.—Land taken into trust under subsection (a) shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) USE OF TRUST LAND.—

(A) IN GENERAL.—The Tribe shall use the land taken into trust under subsection (a) only for—

(i) traditional and customary uses;

(ii) stewardship conservation for the benefit of the Tribe; or

(iii) residential or recreational development.

(B) OTHER USES.—If the Tribe uses any portion of the land taken into trust under subsection (a) for a purpose other than a purpose described in subparagraph (A), the Tribe shall pay to the Secretary an amount that is equal to the fair market value of the portion of the land, as determined by an appraisal.

(C) USE OF FUNDS.—Any amounts received by the Secretary under subparagraph (B) shall be—

(i) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(ii) used in accordance with that Act.

(3) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under subsection (a), the Secretary, in consultation and coordination with the Tribe, may carry out any fuels reduction and other landscape restoration activities on the land that is beneficial to the Tribe and the Bureau of Land Management.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

By Mr. UDALL of New Mexico:

S. 619. A bill to assist in the coordination among science, technology, engineering, and mathematics efforts in the States, to strengthen the capacity of elementary schools, middle schools, and secondary schools to prepare students in science, technology, engineering, and mathematics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. UDALL of New Mexico. Mr. President, who will develop a computer small enough to fit into our eyeglasses? Who will build the first fully-automated, completely sustainable house or hospital? Which country will successfully test time travel?

I hope that it will be the United States, but I am not confident. When we compare the science, technology, engineering and math, or STEM, success of students globally, we are not in the lead.

The President, Congress and our business community all agree that we must do better in order to compete and excel in STEM fields globally. If we are going to remain competitive, we must develop and retain high-quality math and science teachers. We must provide those teachers with strong professional development so they can develop higher-order thinking in their students. We must encourage higher education leaders to strengthen K–8 teacher education programs to provide a deeper understanding of the content knowledge necessary to teach math and science. We must engage students earlier about possible careers in STEM fields.

Our economic growth and our national security depend on a workforce skilled in STEM fields. The demand for scientists and engineers is expected to increase at four times the rate of other occupations. But our students just aren't performing well enough in math and science, and too few of them are pursuing careers in these technical fields.

The biggest problems we face as a global society—including problems with food and water supply, safe housing, economic prosperity and energy efficiency—require excellence in STEM fields. But students are entering our high schools without a strong foundation in STEM. And colleges are not sufficiently preparing a diverse group of STEM graduates to excel in graduate school and STEM careers.

According to the National Center for Education Statistics, about one-third of fourth graders and one-fifth of eighth graders cannot perform basic math computations. And U.S. high school seniors recently tested below the international average for 21 countries in mathematics and science. For example, only 34 percent of fourth graders, 30 percent of eighth graders, and 21 percent of 12th graders test ''proficient'' in science on the national assessment of educational progress, or NAEP. We must invest in our teachers, students and leaders to surpass students in the major European and Asian countries that we currently lag behind.

That is why today I am introducing the STEM Act, or STEM Support for Teachers in Education and Mentoring Act, will help us accomplish this goal.

The STEM Act would identify best teaching practices. It would strengthen networks of teachers, colleges and businesses for STEM collaboration. It would create meaningful opportunities for teacher training and mentoring. The STEM Act also would establish a planning grant program for states to identify STEM skills needed by the workforce, and develop effective State STEM networks for communication and collaboration among businesses, schools teachers and administrators, institutions of higher education, and nonprofit organizations.

Middle school is an important time in a student's career to be inspired by STEM possibilities. Our middle and high school teachers want more professional development to spark this interest. To give teachers and schools the tools they need to encourage and prepare students for STEM careers, the STEM Act would create training programs using best practice models of STEM master teachers, and provide summer institutes for current teachers and administrators to strengthen teacher effectiveness.

There are programs in my home state of New Mexico that are piloting some of these initiatives. These efforts demonstrate how to increase teacher effectiveness to help students learn STEM subjects, and create opportunities for students to be inspired to pursue a STEM field.

The Institute for Math and Science Education, IMSE, and the STEM Outreach Center at New Mexico State University help coordinate Pre K–20 STEM education efforts across the state and region. Faculty and staff in the College of Education created a network of mathematicians, scientists, educational researchers, and business and community leaders to facilitate research and outreach grants.

MC^2—Mathematically Connected Communities is building a statewide learning community of mathematics educators, mathematicians, and public school leaders. MC^2 offers summer mathematics academies to provide teachers with in-depth study of mathematics. It provides continuous professional development during the school year, helps create school district leadership teams, and develops web-based math resources. There is a similar program for science, called Scientifically Connected Communities, SC^2.

The Southern New Mexico Science, Engineering, Math and Aerospace Academy, SNM SEMAA, is a NASA-sponsored, after-school program for K–12 that helps students who are traditionally under-represented in the Science, Engineering, Math, Aerospace, and Technology, SEMAT, fields. SEMAA engages students and their parents in inquiry-based learning and research through innovative, hands-on experience with new technologies.

The Chemical Olympics organizes competitions in chemistry experimentation to increase interest in chemistry and the other sciences among secondary school students.

NASA Summer of Innovation is a collaboration between the New Mexico Space Grant Consortium and STEM Outreach Center to prepare educators from across my state to coordinate a month-long summer camp in their hometowns that are designed to introduce students to inquiry-based science.

Innovate-Educate encourages states to develop statewide networks that help create relationships and programs to advance STEM policies and best practices, aligned with industry needs.

As a Nation, we cannot afford to lag behind other countries in preparing our students to succeed in science, technology, engineering and math. I hope my colleagues will join me in supporting these STEM initiatives, and preparing our teachers and students to take us into the future.

By Mr. KOHL:

S. 623. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senator GRAHAM to introduce the Sunshine in Litigation Act of 2011, a bill that will curb the ongoing abuse of secrecy orders in Federal courts. The result of this abuse, which often comes in the form of sealed settlement agreements, is to keep important health and safety information hidden from the public. As we recognize Sunshine Week, this bipartisan, commonsense measure is an important step to improving transparency in our

courthouses by requiring judges to consider public health and safety before permitting secrecy agreements.

This problem of court secrecy has been occurring for decades, and most often arises in product liability cases. Typically, an individual brings a cause of action against a manufacturer for an injury or death that has resulted from a defect in one of its products. The injured party often faces a large corporation that can spend a virtually unlimited amount of money defending the lawsuit, prolonging the time it takes to reach resolution. Facing a formidable opponent and mounting medical bills, a plaintiff often has no choice but to settle the litigation. In exchange for the award he or she was seeking, the victim is forced to agree to a provision that prohibits him or her from revealing information disclosed during the litigation.

Plaintiffs get a respectable award, and the defendant is able to keep damaging information from getting out. But the American public incurs the loss because they remain unaware of critical public health and safety information that could potentially save lives.

This concern about excessive secrecy is warranted by the long history of tobacco companies, automobile manufacturers, pharmaceutical companies, medical device manufacturers, and others settling with victims and using the legal system to hide information which, if it became public, could protect the American people from future health and safety harms. Surely, there are appropriate uses for such orders, like protecting trade secrets and other truly confidential company information, as well as personal identifying and classified information. This legislation makes sure such information is protected. But, protective orders are certainly not supposed to be used for the sole purpose of hiding damaging information from the public, to protect a company's reputation or profit margin.

One of the most famous cases of abuse of secrecy orders involved Bridgestone/Firestone tires. From 1992 to 2000, tread separations of various Bridgestone and Firestone tires caused accidents across the country, many resulting in serious injuries and even fatalities. Instead of owning up to their mistakes and acting responsibly, Bridgestone/Firestone quietly settled dozens of lawsuits, most of which included secrecy agreements. It wasn't until 1999, when a Houston public television station broke the story, that the company acknowledged its wrongdoing and recalled 6.5 million tires. By then, it was too late. More than 250 people had died and more than 800 were injured as a result of the defective tires.

If the story ended there, and the Bridgestone/Firestone cases were just an aberration, one might argue that there is no urgent need for legislation. But, unfortunately, the list of abuses goes on. There is the case of General Motors. Although an internal memo demonstrated that GM was aware of the risk of fire deaths from crashes of pickup trucks with ''side saddle'' fuel tanks, an estimated 750 people were killed in fires involving trucks with these fuel tanks. When victims sued, GM disclosed documents only under protective orders, and settled these cases on the condition that the information in these documents remained secret. This type of fuel tank was installed for 15 years before being discontinued.

More recently, the world's largest automaker, Toyota, has faced a barrage of litigation relating to its recall of over 8 million cars due to sudden unintended acceleration problems, causing more than eighty deaths. After years of lawsuits, Congressional oversight hearings, and Toyota's efforts to keep settlements and product information secret, a California Federal judge finally made public thousands of previously sealed documents, noting that ''the business of this litigation should be in the public domain.'' Had a judge been required to weigh the public's interest in health and safety, as this legislation would require, perhaps we would have known more about the risks sooner and some of those lives could have been saved. Until we put the public interest on par with the interests of private litigants, public health and safety will remain at risk.

This very issue is currently before a Federal judge in Orlando, FL. There, the court is faced with deciding whether AstraZeneca can keep under seal clinical studies about the harmful side effects of an antipsychotic drug, Seroquel. Plaintiffs' lawyers and Bloomberg News sued to force AstraZeneca to make public documents discovered in dismissed lawsuits. In 2009, the court unsealed some of the documents at question, but denied requests to release AstraZeneca's submissions to foreign regulators and sales representatives' notes on doctors' meetings. Despite a recent $68.5 million settlement, continued efforts to unseal crucial documents proved unsuccessful. This is exactly the sort of case where we need judges to consider public health and safety when deciding whether to allow a secrecy order.

We are mindful of the risks to public health and safety that court secrecy orders can pose in the wake of last year's horrific BP oil spill in the Gulf of Mexico. As the parties continue to fight over crucial documents, injured parties continue to accept secret settlements. We can only hope that information vital to public health and safety, which could protect against the next disaster, is not being shielded from us as well.

The examples go on and on. At a 2007 hearing before the Senate Judiciary Committee Subcommittee on Antitrust, Competition Policy and Consumer Rights, Johnny Bradley Jr. described his tragic personal story that demonstrates the implications of court endorsed secrecy. In 2002, Mr. Bradley's wife was killed in a rollover accident allegedly caused by tread separation in his Cooper tires. While litigating the case, his attorney uncovered documented evidence of Cooper tire design defects. Through aggressive litigation of protective orders and confidential settlements in cases prior to the Bradleys' accident, Cooper had managed to keep the design defect documents confidential. Prior to the end of Mr. Bradley's trial, Cooper Tires settled with him on the condition that almost all litigation documents would be kept confidential under a broad protective order. With no access to documented evidence of design defects, consumers continue to remain in the dark about this life-threatening defect.

In 2005, the drug company Eli Lilly settled 8,000 cases related to harmful side effects of its drug Zyprexa. All of those settlements required plaintiffs to agree ''not to communicate, publish or cause to be published . . . any statement . . . concerning the specific events, facts or circumstances giving rise to [their] claims.'' In those cases, the plaintiffs uncovered documents which showed that, through its own research, Lilly knew about the harmful side effects as early as 1999. While the plaintiffs kept quiet, Lilly continued to sell Zyprexa and generated $4.2 billion in sales in 2005. More than a year later, information about the case was leaked to the New York Times and another 18,000 cases settled. Had the first settlement not included a secrecy agreement, consumers would have been able to make informed choices and avoid the harmful side effects, including enormous weight gain, dangerously elevated blood sugar levels, and diabetes.

There are no records kept of the number of confidentiality orders accepted by State or Federal courts. However, anecdotal evidence suggests that court secrecy and confidential settlements are prevalent. Beyond Bridgestone/Firestone, General Motors, Toyota, Seroquel, BP, Cooper Tire, and Zyprexa, secrecy agreements have also had real life consequences by allowing Dalkon Shield, Bjork-Shiley heart valves, and numerous other dangerous products and drugs to remain in the market. And those are only the ones we know about.

While some judges have already begun to move in the right direction by giving serious weight to public health and safety, we still have a long way to go. The Sunshine in Litigation Act is a modest proposal that would require Federal judges to perform a simple balancing test to ensure that in any proposed secrecy order in a case pleading facts relevant to public health and safety, the defendant's interest in secrecy truly outweighs the public interest in information related to public health and safety.

Specifically, prior to making any portion of a case confidential or sealed, a judge would have to determine—by making a particularized finding of

fact—that doing so would not restrict the disclosure of information relevant to public health and safety. Moreover, all courts, both Federal and State, would be prohibited from issuing protective orders that prevent disclosure to relevant regulatory agencies.

This legislation does not prohibit secrecy agreements across the board, and it does not place an undue burden on judges or on our courts. It simply states that where the public interest in disclosure outweighs legitimate interests in secrecy, courts should not shield important health and safety information from the public. Since last Congress, we have made changes to make absolutely clear that this would apply only to those cases with facts relevant to public health and safety, and to ensure that there is no undue burden on judges or our courts. The time to focus some sunshine on public hazards to prevent future harm is now.

I urge my colleagues to support this important legislation.

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. 623

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 ''Sunshine in Litigation Act of 2011''.

SEC. 2. RESTRICTIONS ON PROTECTIVE ORDERS AND SEALING OF CASES AND SETTLEMENTS.

(a) IN GENERAL.—Chapter 111 of title 28, United States Code, is amended by adding at the end the following:

''§ 1660. Restrictions on protective orders and sealing of cases and settlements

''(a)(1) In any civil action in which the pleadings state facts that are relevant to the protection of public health or safety, a court shall not enter, by stipulation or otherwise, an order otherwise authorized under rule 26(c) of the Federal Rules of Civil Procedure restricting the disclosure of information obtained through discovery, an order approving a settlement agreement that would restrict the disclosure of such information, or an order restricting access to court records unless in connection with such order the court has first made independent findings of fact that—

''(A) such order would not restrict the disclosure of information which is relevant to the protection of public health or safety; or

''(B)(i) the public interest in the disclosure of past, present, or potential health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information or records in question; and

''(ii) the requested order is no broader than necessary to protect the confidentiality interest asserted.

''(2) No order entered as a result of the operation paragraph (1), other than an order approving a settlement agreement, may continue in effect after the entry of final judgment, unless at the time of, or after, such entry the court makes a separate finding of fact that the requirements of paragraph (1) continue to be met.

''(3) The party who is the proponent for the entry of an order, as provided under this section, shall have the burden of proof in obtaining such an order.

''(4) This section shall apply even if an order under paragraph (1) is requested—

''(A) by motion pursuant to rule 26(c) of the Federal Rules of Civil Procedure; or

''(B) by application pursuant to the stipulation of the parties.

''(5)(A) The provisions of this section shall not constitute grounds for the withholding of information in discovery that is otherwise discoverable under rule 26 of the Federal Rules of Civil Procedure.

''(B) A court shall not approve any party's stipulation or request to stipulate to an order that would violate this section.

''(b)(1) In any civil action in which the pleadings state facts that are relevant to the protection of public health or safety, a court shall not approve or enforce any provision of an agreement between or among parties, or approve or enforce an order entered as a result of the operation of subsection (a)(1), to the extent that such provision or such order prohibits or otherwise restricts a party from disclosing any information relevant to such civil action to any Federal or State agency with authority to enforce laws regulating an activity relating to such information.

''(2) Any such information disclosed to a Federal or State agency shall be confidential to the extent provided by law.

''(c)(1) Subject to paragraph (2), a court shall not enforce any provision of a settlement agreement described under subsection (a)(1) between or among parties that prohibits 1 or more parties from—

''(A) disclosing the fact that such settlement was reached or the terms of such settlement, other than the amount of money paid; or

''(B) discussing a civil action, or evidence produced in the civil action, that involves matters relevant to the protection of public health or safety.

''(2) Paragraph (1) applies unless the court has made independent findings of fact that—

''(A) the public interest in the disclosure of past, present, or potential public health or safety hazards is outweighed by a specific and substantial interest in maintaining the confidentiality of the information or records in question; and

''(B) the requested order is no broader than necessary to protect the confidentiality interest asserted.

''(d) When weighing the interest in maintaining confidentiality under this section, there shall be a rebuttable presumption that the interest in protecting personally identifiable information relating to financial, health or other similar information of an individual outweighs the public interest in disclosure.

''(e) Nothing in this section shall be construed to permit, require, or authorize the disclosure of classified information (as defined under section 1 of the Classified Information Procedures Act (18 U.S.C. App.)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 111 of title 28, United States Code, is amended by adding after the item relating to section 1659 the following:

''1660. Restrictions on protective orders and sealing of cases and settlements.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall—

(1) take effect 30 days after the date of enactment of this Act; and

(2) apply only to orders entered in civil actions or agreements entered into on or after such date.

By Ms. CANTWELL (for herself, Mr. VITTER, Mr. CARPER, Mr. COCHRAN, Mr. INOUYE, Ms. LANDRIEU, and Mrs. MURRAY):

S. 626. A bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States; to the Committee on Finance.

Ms. CANTWELL. Mr. President, I am pleased to join with my colleagues Senators VITTER, CARPER, COCHRAN, INOUYE, LANDRIEU, and MURRAY to introduce the American Shipping Reinvestment Act of 2011. This legislation will build on work Congress started in 2004 to strengthen the U.S. merchant marine, create needed jobs in U.S. ship building, and stimulate economic activity in our maritime sector.

Since our Nation's founding, the maritime sector has been integral to U.S. national security and economic security. American companies own and operate both U.S. flag ships and a significant number of vessels under international registries. The U.S. flag fleets of these companies generally are built in the United States and are manned with U.S. seafarers. These U.S. flag fleets support not only the shipbuilding industrial base in this country and the pool of qualified seafarers, but they also create the shipping assets that are needed for military sealift in time of war or national emergency.

Most people understand commercial shipping and understand that we maintain a fleet of ships for military purposes. What may not be as well known is that the international ships of some American-owned companies are part of what is called the effective U.S.-controlled fleet, EUSC fleet. The EUSC is the fleet of merchant vessels registered in certain foreign nations that are available for requisition, use, or charter by the U.S. Government in the event of war or national emergency.

For example, U.S. flag commercial vessels and their American crews transported the majority of the cargo, more than 25 million measurement tons of cargo, in support of Operations Enduring Freedom and Iraqi Freedom during the period of 2002–2008.

What people also may not know is that the EUSC fleet has been in decline for the past quarter century, largely because of U.S. tax policy. Following enactment of certain 1986 tax law changes, there was a precipitous decline in American-owned international shipping assets. To remain competitive, many American-owned shipping companies either became foreign companies or simply divested themselves of their foreign assets.

A 2002 study commissioned by the Department of Defense and performed by professors at the Massachusetts Institute of Technology found that the EUSC fleet dropped by 38 percent in terms of numbers of ships and nearly 55 percent in terms of deadweight tonnage between 1986 and 2000. Perhaps more importantly, these declines have been largely experienced in militarily-useful

vessel types. For example, the results of a 2002 DOD study found that if the EUSC fleet continues its present decline, DOD's ability to support U.S. military tanker requirements will diminish over time.

Fortunately, Congress recognized this problem in 2004 and addressed it by enacting the tonnage tax regime as part of the American Jobs Creation Act. Our legislation today builds on that policy by correcting an oversight in the 2004 act that has continued to stymie the ability of U.S. shipbuilding companies to invest in new ships in the United States.

We have very strong economic and national security reasons to support U.S. owned shipowning companies and to maintain a vibrant maritime industry in this country. We also have to continue to support needed changes in our tax code so that we provide operators of U.S. flag vessels in international trade the opportunity to be competitive with their tax-advantaged foreign competitors.

Notwithstanding the significant competitive disadvantages between 1986 and 2004 for American companies operating international ships, there continues to be several U.S. owned shipping companies with foreign operations, and our legislation is directed at helping them sustain and grow their U.S. flag fleets and to maintain their EUSC fleets. This bill will help these companies make needed investment in the U.S. economy, and create jobs in a way that also will enhance national security.

Specifically, the American Shipping Reinvestment Act of 2011 would repeal an outdated section of the Internal Revenue Code and allow U.S. shipping companies with foreign income earned prior to 1986 to reinvest it into the U.S. for the purpose of growing their U.S. flag operations.

Congress first included foreign shipping income in Subpart F in 1975, which meant that all shipping income was taxable at the full U.S. corporate tax rate no matter whether it was invested abroad or in the United States. However, a temporary rule, applicable to foreign shipping income earned from 1975 to 1986, continued to allow for deferral in cases where this income was reinvested in qualifying shipping activities. Section 955 of the Internal Revenue Code provided that this income would be included in gross income, i.e., taxed, immediately under Subpart F in the event of any net decrease in qualified shipping investments.

The American Jobs Creation Act of 2004 restored for shipping income the normal tax rule under which non-Subpart F income of foreign subsidiaries is not taxed by the United States until it is repatriated, generally as a dividend. In restoring the potential for deferral for certain shipping income, Congress in 2004 returned the treatment of shipping income to where it was prior to 1975.

Unfortunately, Congress did not address the rules under IRC Section 955 that apply to income earned between 1975 and 1986, thus creating a situation that this income is permanently stranded offshore. Our bill would repeal IRC Section 955 and will allow these stranded assets to be reinvested in the United States under the favorable tax terms that were in effect for other companies and industries in 2004. Specifically, the legislation provides a one-time opportunity for American-owned shipping companies to bring foreign source income back into the United States at a discounted tax rate for the purpose of expanding and growing our domestic maritime industry. Without the commonsense change in our legislation, these old, stranded assets will never return to the United States and never be subject to U.S. taxation.

The bill is guaranteed to create jobs for American workers with the funds being brought back into the U.S. economy—on the ships, in the shipyards building the ships, and in supporting businesses. The bill contains a provision that would recapture any tax benefits if a shipping company reduces its full-time U.S. employment levels.

This bill also would enhance U.S. national security interests by supporting shipyards that are vital to our defense industrial base, by enabling new U.S. flag tanker capacity to transport our Nation's energy products, and by providing DOD with critical assets—manpower and ships—necessary to help sustain military sealift.

The bill is strongly supported by maritime labor, shipyards, and ship owners and operators and can provide a boost to the U.S. maritime industry at a time when the U.S. is struggling to find its economic footing. The jobs created by this legislation are well-paying, long-term jobs in a crucial sector of our Nation's economy. I urge my colleagues to join me and my other original cosponsors in supporting this bill.

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. 626

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 ''American Shipping Reinvestment Act of 2011''.

SEC. 2. REPEAL OF QUALIFIED SHIPPING INVESTMENT WITHDRAWAL RULES.

(a) IN GENERAL.—Section 955 of the Internal Revenue Code of 1986 (relating to withdrawal of previously excluded subpart F income from qualified investment) is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 951(a)(1)(A) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of clause (i) and by striking clause (iii).

(2) Section 951(a)(1)(A)(ii) of such Code is amended by striking '', and'' at the end and inserting '', except that in applying this clause amounts invested in less developed country corporations described in section 955(c)(2) (as so in effect) shall not be treated as investments in less developed countries.''.

(3) Section 951(a)(3) of such Code (relating to the limitation on pro rata share of previously excluded subpart F income withdrawn from investment) is hereby repealed.

(4) Section 964(b) of such Code is amended by striking '', 955,''.

(5) The table of sections for subpart F of part III of subchapter N of chapter 1 of such Code is amended by striking the item relating to section 955.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of controlled foreign corporations ending on or after the date of the enactment of this Act, and to taxable years of United States shareholders in which or with which such taxable years of controlled foreign corporations end.

SEC. 3. ONE-TIME TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR PREVIOUSLY UNTAXED FOREIGN BASE COMPANY SHIPPING INCOME.

(a) IN GENERAL.—In the case of a corporation which is a United States shareholder and for which an election under this section is made for the taxable year, for purposes of the Internal Revenue Code of 1986, there shall be allowed as a deduction in computing taxable income under section 63 of such Code an amount equal to 85 percent of the cash distributions which are received during such taxable year by such shareholder from controlled foreign corporations to the extent that the distributions are attributable to income—

(1) which was derived by the controlled foreign corporation in taxable years beginning before January 1, 2005, and

(2) which would, without regard to the year earned, be described in section 954(f) of such Code (as in effect before the enactment of the American Jobs Creation Act of 2004).

(b) INDIRECT DIVIDENDS.—A rule similar to the rule of section 965(a)(2) of the Internal Revenue Code of 1986 shall apply, determined by treating cash distributions which are so attributable as cash dividends.

(c) LIMITATION.—The amount of dividends taken into account under this section shall not exceed the amount permitted to be taken into account under paragraphs (1), (3) (determined by substituting ''December 31, 2008'' for ''October 3, 2004''), and (4) of section 965(b) of the Internal Revenue Code of 1986, determined as if such paragraphs applied to this section.

(d) TAXPAYER ELECTION AND DESIGNATION.—For purposes of subsection (a), a taxpayer may, on its return for the taxable year to which this section applies—

(1) elect to apply paragraph (3) of section 959(c) of the Internal Revenue Code of 1986 before paragraphs (1) and (2) thereof, and

(2) designate the extent, if any, to which a cash distribution reduces a controlled foreign corporation's earnings and profits attributable to—

(A) foreign base company shipping income (determined under section 954(f) of the Internal Revenue Code of 1986 as in effect before the enactment of the American Jobs Creation Act of 2004), or

(B) other earnings and profits.

(e) ELECTION.—

(1) IN GENERAL.—The taxpayer may elect to apply this section to—

(A) the taxpayer's last taxable year which begins before the date of the enactment of this Act, or

(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date.

(2) TIMING OF ELECTION AND ONE-TIME ELECTION.—Such election may be made for a taxable year—

(A) only if made on or before the due date (including extensions) for filing the return of tax for such taxable year, and

(B) only if no election has been made under this section or section 965 of the Internal Revenue Code of 1986 with respect to the same distribution for any other taxable year of the taxpayer.

(f) REDUCTION IN BENEFITS FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

(1) IN GENERAL.—If, during the period consisting of the calendar month in which the taxpayer first receives a distribution described in subsection (a) and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount equal to $25,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment (but not exceeding the aggregate amount allowed as a deduction pursuant to subsection (a)) shall be taken into account as income by the taxpayer during the taxable year that includes the final day of such period.

(2) PRIOR AVERAGE EMPLOYMENT.—For purposes of this paragraph, the taxpayer's ''prior average employment'' shall be the average number of full time equivalent employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the taxpayer first receives a distribution described in subsection (a).

(3) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group (as defined in section 264(e)(5)(B) of the Internal Revenue Code of 1986) shall be treated as a single taxpayer.

(g) SPECIAL RULES.—Rules similar to the rules of subsections (d) and (e) and paragraphs (3), (4), and (5) of subsection (c) of section 965 of the Internal Revenue Code of 1986 shall apply for purposes of this section.

(h) EFFECTIVE DATE.—This section shall apply to taxable years ending on or after the date of the enactment of this Act.

By Mr. LEAHY (for himself, Mr. CORNYN, Mr. WHITEHOUSE, and Mr. TESTER):

S. 627. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, this week, the Nation commemorates Sunshine Week, a time to educate the public about the importance of open government. In recognition of Sunshine Week 2011, I am pleased to join with Senator CORNYN to reintroduce the Faster FOIA Act of 2011, a bill to improve the implementation of the Freedom of Information Act, FOIA.

Senator CORNYN and I first introduced this bill in 2005 to address the growing problem of excessive FOIA delays within our Federal agencies. We reintroduced this bill in 2010, and the Senate unanimously passed it last year. This bill is the most recent product of our bipartisan work to help reinvigorate FOIA.

This bill will establish a bipartisan commission to examine the root causes of agency FOIA delays and to recommend to the Congress and the President steps to help eliminate FOIA backlogs.

While the Obama administration has made significant progress in improving the FOIA process, large backlogs remain a major roadblock to public access to information. A report released earlier this week by the National Security Archive found that only about half of the Federal agencies surveyed have taken concrete steps to update their FOIA policies in light of these reforms. In addition, twelve of the agencies surveyed by the National Security Archive had pending FOIA requests that were more than 6 years old, according to the report.

Senator CORNYN and I believe that these delays are simply unacceptable. And that is why we are introducing this bill.

The commission created by the Faster FOIA Act will make key recommendations to Congress and the President for reducing impediments to the efficient processing of FOIA requests. The commission will also study why Federal agencies are more and more relying on FOIA exemptions to withhold information from the public. In addition, the commission will examine whether the current system for charging fees and granting fee waivers under FOIA should be modified. The commission will be made up of government and non-governmental representatives with a broad range of experience related to handling FOIA requests.

Thomas Jefferson once wisely observed that ''information is the currency of democracy.'' I share this view. Indeed, we need look no further than the unfolding and historic events in the Middle East and North Africa for evidence of the truth of these words. The Faster FOIA Act will help ensure the dissemination of government information to the American people, so that our democracy remains vibrant and free.

I have said many times that open government is neither a Democratic issue, nor a Republican issue it is truly an American value and virtue that we all must uphold. As we celebrate Sunshine Week, it is in this bipartisan spirit that I join Americans from across the Nation in celebrating an open and transparent government. I thank Senator CORNYN for his work on this bill and for his leadership on this issue. I also thank Senator WHITEHOUSE who has cosponsored this bill. I urge all Senators to support the Faster FOIA Act.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 628. A bill to authorize the Secretary of the Interior to convey a railroad right of way between North Pole, Alaska, and Delta Junction, Alaska, to the Alaska Railroad Corporation; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that really has been 97 years in the making, legislation to authorize the land conveyances needed to permit the Alaska Railroad to be extended another 80 miles southeastward.

On March 12, 1914, Congress originally approved the Alaska Railroad Organic Act that authorized the construction of up to 1,000 miles of mainline track in Alaska, an effort to tie coastal Alaska with the Interior of my State. During the past century 470 miles of mainline track has been built tying Seward, Whittier and Anchorage located on either Prince William Sound or Cook Inlet with Fairbanks and Eielson Air Force base that is located just south of Fairbanks in the Interior of Alaska. Since 1923 when the current mainline track was finished being installed, there has been a dream by many to extend the railroad further, perhaps all the way to the Canadian border 270 miles away so the railroad could eventually be tied into North America's trans-continental rail network.

Today, joined by my colleague, Senator MARK BEGICH of Alaska, I introduce legislation to only authorize the land conveyances from the Federal Government to permit the railroad to reach Delta Junction, Alaska.

The reasons for the extension are many.

One reason is that the Department of Defense has large military training areas south of the Tanana River between Fairbanks and Delta Junction—some of the best areas for joint Army and Air Force training in the nation. Access to the Joint Pacific Area Range Complex, JPARC, is currently limited to ice roads in winter, but a railroad extension would permit vehicles to travel by low-cost rail to a staging area for joint military exercises that could be built immediately south of the river, reducing the time and cost of military exercises and permitting year-round training to occur more readily.

Delta Junction, the home of Ft. Greely, is also the site of an anti-missile defense installation that could also benefit from access to rail transportation.

Rail service to the area also would permit existing agricultural, mining and petrochemical industries to obtain supplies, reducing wear and tear on the Richardson Highway, currently the only means of access to the region. It would improve the economics for several mining deposits located along the 80-mile rail extension right of way, and should the railroad ever be extended further toward the border, it would open more than a dozen other known mineralized areas to potential economic development. A railroad would provide safer all-weather transportation than highways given Alaska's severe winter weather driving conditions.

Planning for such a rail extension has been underway for a number of years. In January 2010 the Surface Transportation Board approved the Environmental Impact Statement for the

rail extension. That means that a route already has been identified. This means that the estimate that this extension will require only roughly 950 acres of land to be purchased/conveyed to the railroad is a firm requirement based on an approved rail route and corridor.

The bill I introduce requires the railroad to pay the full appraised value for the land—an appraisal performed by an appraiser mutually acceptable to the Secretary of the Interior and the railroad—unless the government accepts railroad replacement property in lieu of cash payment. It requires the railroad to pay all surveying costs of the land transfer—surveying the largest likely cost of any land conveyance by the Federal Government. The bill models the transfer on the 1982 legislation that conveyed the railroad from Federal ownership to the State-based Alaska Railroad Corp., since there are now nearly 30 years of precedent and practice that should make the land conveyance issues involved in a rail extension clearer and easier to resolve.

This bill since it allows the secretary only to clear a right of way corridor does not impact the lone controversy that I am aware of involving the extension. That is the exact location of a bridge needed for the rail line to cross the Tanana River near Salcha. It is certainly my hope that the U.S. Army Corps of Engineers early this spring will follow the route approved in January 2010 and locate the bridge near Salcha, where it was cleared to go by the Surface Transportation Board after a four-year environmental review of the project. But whether the Corps approves the route, or whether EPA presses its concerns about the bridge, the bill will still be needed to authorize the right-of-way corridor over whatever final route wins approval.

For a host of reasons, it makes sense for the Alaska Railroad to be permitted to advance this extension, the first major extension of the railroad's track bed in Alaska since lines were run to Whittier during World War II in 1943. My hope is that this bill will receive a thoughtful review by the Senate Energy and Natural Resources Committee and be approved by Congress during the 112th Congress.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. BINGAMAN, Ms. CANTWELL, Mr. CRAPO, Mrs. MURRAY, Mr. RISCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 629. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce three pieces of legislation aimed at increasing the production of our hardest working renewable resource, one that often gets overlooked in the clean energy debate—hydropower. The first bill I would like to introduce today is the Hydropower Improvement Act of 2011, cosponsored by my colleagues Senators BINGAMAN, RISCH, CANTWELL, CRAPO, WYDEN, MURRAY, BEGICH, and WHITEHOUSE, true hydropower advocates. The Hydropower Improvement Act of 2011 seeks to substantially increase the capacity and generation of our clean, renewable hydropower resources that will improve environmental quality and support local job creation and economic investment across the Nation.

There is no question that hydropower is, and must continue to be, part of our energy solution. It is the largest source of renewable electricity in the United States. The 100,000 megawatts of hydroelectric capacity we now have today provide about seven percent of the Nation's electricity needs. Hydro-electric generation is carbon-free baseload power that allows us to avoid approximately 200 million metric ton of carbon emissions each year. Hydropower is clean, efficient, and inexpensive. Yet, despite its tremendous benefits I am constantly amazed at how some undervalue this important resource.

Perhaps it is because conventional wisdom dismisses our Nation's hydropower capacity as tapped out. That is simply not the case. If anything, hydropower is really an under-developed resource—something we certainly understand in my home State of Alaska where hydro already supplies 24 percent of the State's electricity needs and over 200 promising sites for further hydropower development have been identified. There is great potential for additional hydropower development in every state, not just Alaska.

According to the Obama administration, conventional hydropower facilities have the capacity to generate an additional 75,000 megawatts of power—a staggering amount of clean, inexpensive power. Now that doesn't seem possible until you realize that only three percent of the country's 80,000 existing dams are even electrified. Significant amounts of new capacity—anywhere between 20,000 and 60,000 megawatts—can be derived from simple efficiency improvements or capacity additions at existing facilities. Additional hydropower can be captured in existing manmade conduits and hydroelectric pumped storage projects can help reliably integrate other renewable resources that are intermittent, such as wind, onto our grid.

The Hydropower Improvement Act of 2011 seeks to substantially increase our Nation's hydropower capacity in an effort to expand clean power generation and create domestic jobs. The legislation establishes a competitive grants program and directs the Energy Department to produce and implement a plan for the research, development and demonstration of increased hydropower capacity. The bill provides the Federal Energy Regulatory Commission with the authority to extend preliminary permit terms; to work with federal resource agencies and stakeholders to make the review process for conduit and small hydropower projects more efficient; and to explore a possible two-year licensing process for hydropower development at non-powered dams and closed loop pumped storage projects. The act also calls for studies on the resource development at Bureau of Reclamation facilities and in conduit projects, as well as on suitable pumped storage locations. Importantly, by utilizing existing authorizations, the bill does not represent new funding.

It is my hope that as the Senate considers our Nation's long-term energy policy, we can finally recognize the important contribution the renewable resource of hydropower makes, and will continue to make, to our clean energy goals. This legislation is supported by the National Hydropower Association, the American Public Power Association, the Family Farm Alliance, the National Rural Electric Cooperative Association, the Edison Electric Institute, and the National Water Resources Association. I ask my colleagues to join me in supporting the Hydropower Improvement Act of 2011 to promote the further development of our most cost-effective, clean energy option.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 630. A bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise to introduce legislation that is designed to speed up the development of renewable ocean energy—wave, current and tidal energy—across the nation and also in my home State of Alaska. The Hydrokinetic Renewable Energy Promotion Act of 2011 is cosponsored by my colleague from Alaska, Senator BEGICH.

Since 2004 I have had a strong interest in working to promote the research and development of marine hydrokinetic energy—the effort to produce electricity from waves, current and tidal energy—all of which is indirectly driven by the sun. With 70 percent of our planet covered with water, marine hydrokinetic energy has the potential to be a major source of the world's clean, non-carbon emitting power in the future.

The Electric Power Research Institute has estimated that our Nation's ocean resources could generate 252 million megawatt hours of electricity—63 percent of our entire electricity generation—if ocean energy gained the same financial and research incentives currently enjoyed by other forms of renewable energy.

In the 2005 Energy Policy Act, we started the process of leveling the playing field. In that bill, Congress authorized Federal research and included ocean energy in both the federal renewable energy purchase requirements and the federal production incentives. In the 2007 Energy Independence and Security Act, we authorized ocean energy research and demonstration centers. In 2008, we finally qualified ocean energy

to receive a renewable energy Production Tax Credit, although unfortunately at a lower rate than some other renewable energy resources receive.

The Hydrokinetic Renewable Energy Promotion Act of 2011, along with a related tax measure that I will discuss next, seeks to increase the industry's growth through additional federal aid. Specifically, the bill authorizes the Department of Energy to expand its research and development efforts on marine hydrokinetic energy via advanced engineering and integration systems. It further authorizes the Department to transfer environmental data throughout the industry in order to expedite environmental assessments and demonstration project approvals. The legislation calls for the creation of three testing facilities to be developed by states, universities, or non-profit entities to test marine hydrokinetic technology.

Importantly, the legislation directs the development of a Federal Marine-Based Energy Device Verification program. Through this program, the government will be able to certify the performance of new marine technologies in order to reduce market risks for utilities purchasing power from new devices. The bill also authorizes the Federal government to set up an adaptive management program and a fund to help pay for the regulatory permitting and development of new marine technologies. This program should help demonstration projects to win permitting approvals.

This bill further amends Section 803 from the Energy Independence and Security Act. This was a provision I had authored in that 2007 energy bill to create a renewable energy deployment grants program for all forms of renewable energy. That program has never been funded because it has been inaccurately perceived as an Alaska-only program. The amendments make clear that the renewable energy grants program is national in scope and is available to assist projects in high-cost areas, where power costs exceed 125 percent of the national average.

The Hydrokinetic Renewable Energy Promotion Act of 2011 is very similar to marine and hydrokinetic provisions that won the approval of the Senate Energy and Natural Resources Committee last Congress and were included in S. 1462, the American Clean Energy Leadership Act. This bill, however, is far less expensive, authorizing up to $225 million in aid over 3 years to jump start marine hydrokinetic power—substantially less than the $3.25 billion authorized by the original legislation. Moreover, the spending authorized in this legislation is offset via the reprogramming of previously un-utilized Congressional authorizations.

Coming from Alaska where there are more than 80 large communities located along the State's 34,000 miles of coastline and major river systems, it is clear that perfecting marine energy could be of immense benefit to the Nation. It simply makes good sense to harness the power of the sun, wind, waves, and river and ocean currents to make electricity. When the fuel is free, it's obviously economic to harness its power.

This legislation is designed to aid development nationally, but also in Alaska where several companies already have proposed test projects in the Yukon and Tanana Rivers and in Cook Inlet, along with Kachemak Bay and Inside Passage waters. Projects are under consideration at Eagle, Galena, Ruby, Tanana, in addition to near Anchorage, with others being considered near Homer and in Southeast.

This bill would allow the marine industry to be on a level playing field with other renewables such as wind, solar and geothermal power, all of which have received large budget increases in the President's fiscal year 2012 budget proposal. It would truly help the industry prove whether the technology can achieve the technical success and the economies of scale needed for it to become a major component of the nation's energy mix. I hope that Congress will give real consideration to the Hydrokinetic Renewable Energy Promotion Act of 2011, as well as the other bills that I am introducing today to aid hydroelectric development throughout the country.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 631. A bill to extend certain Federal benefits and income tax provisions to energy generated by hydropower resources; to the Committee on Finance.

Ms. MURKOWSKI. Mr. President, I rise to introduce the Hydropower Renewable Energy Development Act of 2011, legislation to extend certain benefits and income tax provisions to energy generated by hydropower resources. This legislation is co-sponsored by my colleague from Alaska, Senator BEGICH.

We have an incredible amount of hydropower potential in my home State of Alaska. To date, we have almost 50 hydropower projects—in a range of sizes from the 126 megawatt Bradley Lake project to the 7 kilowatt Walsh Creek project—that produce about 24 percent of the State's electricity needs. Alaska is proof that the hydropower resource is not tapped out—not even close. Currently, there are 32 additional hydropower projects, just in Southeast, that are either under construction or on the drawing boards. Statewide there are another 200 areas that have been identified as promising sites for lake taps, run of river, pumped storage and even new hydroelectric reservoirs. With the proper financing, we could keep a dozen hydro construction companies fully employed in the State for a decade or even longer. That is just in Alaska. There are tremendous opportunities in each and every State to further develop this clean energy alternative.

Hydropower, by definition, is a renewable resource. It produces no carbon emissions and through rainfall and melting snowpacks it is able to be replenished. Yet there are some who would deny this important classification to the hydropower resource. The Hydropower Renewable Energy Development Act of 2011 directs that the generation of hydroelectric power be treated as a ''renewable'' resource for purposes of any Federal program or standard. This reclassification of hydroelectric generation should help to incent the further production of this important and often undervalued resource.

Next, the bill provides parity treatment for hydropower resources in the Production Tax Credit, PTC. Currently, companies that generate wind, solar, geothermal, and closed-loop biomass systems are eligible for the PTC which provides a 2.1 cent per kilowatt-hour, kWh, benefit for the first 10 years of a renewable energy facility's operation. Other technologies, such as incremental hydropower, certain generation at non-powered facilities, and wave and tidal receive a lesser value tax credit of 1.1 cent per kWh. The Hydropower Renewable Energy Development Act of 2011 eliminates the distinction between the two categories so that all qualified hydropower resources receive the full PTC credit. The bill further expands upon the types of hydropower resources that can qualify for the PTC, allowing new hydro generation, small hydropower under 50 megawatts, lake taps, and pumped storage facilities to qualify as well.

The Hydropower Renewable Energy Development Act of 2011 also carries this expanded qualification of hydropower to the Clean Renewable Energy Bonds, CREBS, program.

Because non-profits like rural electric cooperatives and public power providers are not eligible for the PTC due to their tax-exempt status, CREBS was created to encourage these entities to undertake renewable energy development as well. This program has been wildly popular and has been oversubscribed since its inception. There are endless possibilities for increased hydropower production by electric cooperatives and public power providers and they should be given the proper financial incentive to do so.

Finally, the bill provides for a 5-year accelerated depreciation period for equipment which produces electricity from marine and hydrokinetic energy, as well as conventional hydropower resources.

I ask my colleagues to support this hydropower tax legislation. The further development of this untapped renewable resource will help us meet our clean energy goals through the generation of carbon-free, baseload power. At a time of record unemployment, the addition of hydropower capacity throughout the nation will lead to hundreds of thousands of good paying, domestic jobs.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. BROWN of Massachusetts, Mr. MERKLEY, and Mr. ENZI):

S. 633. A bill to prevent fraud in small business contracting, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to introduce bipartisan legislation along with Senators LANDRIEU, MERKLEY, BROWN of Massachusetts, and ENZI, titled the Small Business Contracting Fraud Prevention Act of 2011.

In the past year, the Government Accountability Office, GAO, has identified vulnerabilities and abuses in virtually all of the SBA's contracting programs, including the 8(a) Business Development Program, the Historically Underutilized Business Zone, HUBZone, program, and the Service-Disabled Veteran-Owned small business, SDVOSB, program. Our legislation attempts to remedy the spate of illegitimate firms siphoning away contracts from the rightful businesses trying to compete within the SBA's contracting programs.

As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I take very seriously our responsibility of vigorous oversight. That is why, last December, Senator LANDRIEU and I sent a letter to the SBA highlighting the recent press headlines and GAO reports of fraud and abuse that have plagued the Agency's contracting programs. That letter stated unequivocally that our Committee's first priority this Congress is ensuring that ALL of the SBA's contracting programs are running efficiently, effectively, and free of exploitation. Adopting this critical small business legislation is an effective first step at ensuring all small businesses are competing fairly and honestly within the Federal marketplace.

As recently as Saturday March 12, the Washington Post, as part of an ongoing investigation, published an article titled, ''DC insiders can reap fortunes from federal programs for small businesses.'' This article states ''Government officials were not monitoring contracts for compliance with rules.'' The report exposes a glaring deficiency in contract oversight. Moreover, an SBA spokesperson is quoted as saying the SBA ''long ago transferred that authority to the Pentagon and other agencies.'' This hands-off attitude is unacceptable, and as I told the SBA Deputy Administrator at a recent Small Business Committee hearing, the ultimate authority for monitoring fraud lies with the SBA.

This legislation contains recommendations both from the SBA Inspector General and the GAO for combating these reports of fraud and addresses vulnerabilities in the Service-Disabled Veteran-Owned small business program, the HUBZone program, and the 8(a) program. Additionally, the bill will work to change the culture at SBA to make the process of suspensions and debarments more transparent.

In order to effectively execute the small business contracting programs, the SBA needs a comprehensive framework to provide effective certification, continued surveillance and monitoring, and robust enforcement throughout the SBA's contracting portfolio. This bill aims to increase criminal prosecutions as well as suspension and debarments for businesses found to have attained contracts through fraudulent means, and requires the SBA to submit a report to Congress annually detailing the specific data on all suspensions, debarments, and cases referred to the Department of Justice for criminal prosecutions.

To that end, the SBIR bill we are now debating on the Senate floor, includes stringent oversight and fraud prevention measures, requiring Inspectors General of participating Federal agencies to establish fraud detection measures, coordinate fraud-related information sharing between agencies, and provide fraud prevention related education and training to agencies administering the programs, among other initiatives.

As a senior member of the Senate Commerce Committee, I worked with the Chairman, Senator ROCKEFELLER, in developing this language following a 2009 committee investigation and hearing on the subject of fraud in the SBIR program. My amendment goes even further and provides the SBA more stringent oversight capacity across all the SBA contracting programs. It is SBA's duty to utilize every fraud prevention measure at its disposal and this amendment puts the tools in place to punish the bad actors that have infiltrated the SBA contracting programs.

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. 633

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 ''Small Business Contracting Fraud Prevention Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''8(a) program'' means the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(2) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(3) the terms ''HUBZone'' and ''HUBZone small business concern'' and ''HUBZone map'' have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this Act; and

(4) the term ''recertification'' means a determination by the Administrator that a business concern that was previously determined to be a qualified HUBZone small business concern is a qualified HUBZone small business concern under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)).

SEC. 3. FRAUD DETERRENCE AT THE SMALL BUSINESS ADMINISTRATION.

Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Whoever'' and all that follows through ''oneself or another'' and inserting the following: ''A person shall be subject to the penalties and remedies described in paragraph (2) if the person misrepresents the status of any concern or person as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans, in order to obtain for any person'';

(ii) by amending subparagraph (A) to read as follows:

''(A) prime contract, subcontract, grant, or cooperative agreement to be awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 36;'';

(iii) by striking subparagraph (B);

(iv) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(v) in subparagraph (C), as so redesignated, by striking '', shall be'' and all that follows and inserting a period;

(B) in paragraph (2)—

(i) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(ii) by inserting after subparagraph (B) the following:

''(C) be subject to the civil remedies under subchapter III of chapter 37 of title 31, United States Code (commonly known as the 'False Claims Act');''; and

(C) by adding at the end the following:

''(3)(A) In the case of a violation of paragraph (1)(A), (g), or (h), for purposes of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the amount that the Federal Government paid to the person that received a contract, grant, or cooperative agreement described in paragraph (1)(A), (g), or (h), respectively.

''(B) In the case of a violation of subparagraph (B) or (C) of paragraph (1), for the purpose of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the portion of any payment by the Federal Government under a prime contract that was used for a subcontract described in subparagraph (B) or (C) of paragraph (1), respectively.

''(C) In a proceeding described in subparagraph (A) or (B), no credit shall be applied against any loss or damages to the Federal Government for the fair market value of the property or services provided to the Federal Government.'';

(2) by striking subsection (e) and inserting the following:

''(e) Any representation of the status of any concern or person as a small business concern, a HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans, in order to obtain any prime contract, subcontract, grant, or cooperative agreement described in subsection (d)(1) shall be made in writing or

through the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto.''; and

(3) by adding at the end the following:

''(g) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person misrepresents the status of any concern or person as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, a small business concern owned and controlled by women, or a small business concern owned and controlled by service-disabled veterans—

''(1) in order to allow any person to participate in any program of the Administration; or

''(2) in relation to a protest of a contract award or proposed contract award made under regulations issued by the Administration.

''(h)(1) A person that submits a request for payment on a contract or subcontract that is awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 36, shall be deemed to have submitted a certification that the person complied with regulations issued by the Administration governing the percentage of work that the person is required to perform on the contract or subcontract, unless the person states, in writing, that the person did not comply with the regulations.

''(2) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person—

''(A) uses the services of a business other than the business awarded the contract or subcontract to perform a greater percentage of work under a contract than is permitted by regulations issued by the Administration; or

''(B) willfully participates in a scheme to circumvent regulations issued by the Administration governing the percentage of work that a contractor is required to perform on a contract.''.

SEC. 4. VETERANS INTEGRITY IN CONTRACTING.

(a) DEFINITION.—Section 3(q)(1) of the Small Business Act (15 U.S.C. 632(q)(1)) is amended by striking ''means a veteran'' and all that follows and inserting the following: ''means—

''(A) a veteran with a service-connected disability rated by the Secretary of Veterans Affairs as zero percent or more disabling; or

''(B) a former member of the Armed Forces who is retired, separated, or placed on the temporary disability retired list for physical disability under chapter 61 of title 10, United States Code.''.

(b) VETERANS CONTRACTING.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

''(g) VETERAN STATUS.—

''(1) IN GENERAL.—A business concern seeking status as a small business concern owned and controlled by service-disabled veterans shall—

''(A) submit an annual certification indicating that the business concern is a small business concern owned and controlled by service-disabled veterans by means of the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto; and

''(B) register with—

''(i) the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation, or any successor thereto; and

''(ii) the VetBiz database of the Department of Veterans Affairs, or any successor thereto.

''(2) VERIFICATION OF STATUS.—

''(A) VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall determine whether a business concern registered with the VetBiz database of the Department of Veterans Affairs, or any successor thereto, as a small business concern owned and controlled by veterans or a small business concern owned and controlled by service-disabled veterans is owned and controlled by a veteran or a service-disabled veteran, as the case may be.

''(B) FEDERAL AGENCIES GENERALLY.—The head of each Federal agency shall—

''(i) for a sole source contract awarded to a small business concern owned and controlled by service-disabled veterans or a contract awarded with competition restricted to small business concerns owned and controlled by service-disabled veterans under section 36, determine whether a business concern submitting a proposal for the contract is a small business concern owned and controlled by service-disabled veterans; and

''(ii) use the VetBiz database of the Department of Veterans Affairs, or any successor thereto, in determining whether a business concern is a small business concern owned and controlled by service-disabled veterans.

''(3) DEBARMENT AND SUSPENSION.—If the Administrator determines that a business concern knowingly and willfully misrepresented that the business concern is a small business concern owned and controlled by service-disabled veterans, the Administrator may debar or suspend the business concern from contracting with the United States.''.

(c) INTEGRATION OF DATABASES.—Not later than 1 year after the date of enactment of this Act, the Administrator for Federal Procurement Policy and the Secretary of Veterans Affairs shall ensure that data is shared on an ongoing basis between the VetBiz database of the Department of Veterans Affairs and the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation.

SEC. 5. SECTION 8(a) PROGRAM IMPROVEMENTS.

(a) REVIEW OF EFFECTIVENESS.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following:

''(22) Not later than 3 years after the date of enactment of this paragraph, and every 3 years thereafter, the Comptroller General of the United States shall—

''(A) conduct an evaluation of the effectiveness of the program under this subsection, including an examination of—

''(i) the number and size of contracts applied for, as compared to the number received by, small business concerns after successfully completing the program;

''(ii) the percentage of small business concerns that continue to operate during the 3-year period beginning on the date on which the small business concerns successfully complete the program;

''(iii) whether the business of small business concerns increases during the 3-year period beginning on the date on which the small business concerns successfully complete the program; and

''(iv) the number of training sessions offered under the program; and

''(B) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding each evaluation under subparagraph (A).''.

(b) OTHER IMPROVEMENTS.—In order to improve the 8(a) program, the Administrator shall—

(1) not later than 90 days after the date of enactment of this Act, begin to—

(A) evaluate the feasibility of—

(i) using additional third-party data sources;

(ii) making unannounced visits of sites that are selected randomly or using risk-based criteria;

(iii) using fraud detection tools, including data-mining techniques; and

(iv) conducting financial and analytical training for the business opportunity specialists of the Administration;

(B) evaluate the feasibility and advisability of amending regulations applicable the 8(a) program to require that calculations of the adjusted net worth or total assets of an individual include assets held by the spouse of the individual; and

(C) develop a more consistent enforcement strategy that includes the suspension or debarment of contractors that knowingly make misrepresentations in order to qualify for the 8(a) program; and

(2) not later than 1 year after the date on which the Comptroller General submits the report under section 8(a)(22)(B) of the Small Business Act, as added by subsection (c), issue, in final form, proposed regulations of the Administration that—

(A) determine the economic disadvantage of a participant in the 8(a) program based on the income and asset levels of the participant at the time of application and annual recertification for the 8(a) program; and

(B) limit the ability of a small business concern to participate in the 8(a) program if an immediate family member of an owner of the small business concern is, or has been, a participant in the 8(a) program, in the same industry.

SEC. 6. HUBZONE IMPROVEMENTS.

(a) PURPOSE.—The purpose of this section is to reform and improve the HUBZone program of the Administration.

(b) IN GENERAL.—The Administrator shall—

(1) ensure the HUBZone map is—

(A) accurate and up-to-date; and

(B) revised as new data is made available to maintain the accuracy and currency of the HUBZone map;

(2) implement policies for ensuring that only HUBZone small business concerns determined to be qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) are participating in the HUBZone program, including through the appropriate use of technology to control costs and maximize, among other benefits, uniformity, completeness, simplicity, and efficiency;

(3) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding any application to be designated as a HUBZone small business concern or for recertification for which the Administrator has not made a determination as of the date that is 60 days after the date on which the application was submitted or initiated, which shall include a plan and timetable for ensuring the timely processing of the applications; and

(4) develop measures and implement plans to assess the effectiveness of the HUBZone program that—

(A) require the identification of a baseline point in time to allow the assessment of economic development under the HUBZone program, including creating additional jobs; and

(B) take into account—

(i) the economic characteristics of the HUBZone; and

(ii) contracts being counted under multiple socioeconomic subcategories.

(c) EMPLOYMENT PERCENTAGE.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (5), by adding at the end the following:

''(E) EMPLOYMENT PERCENTAGE DURING INTERIM PERIOD.—

''(i) DEFINITION.—In this subparagraph, the term 'interim period' means the period beginning on the date on which the Administrator determines that a HUBZone small business concern is qualified under subparagraph (A) and ending on the day before the date on which a contract under the HUBZone program for which the HUBZone small business concern submits a bid is awarded.

''(ii) INTERIM PERIOD.—During the interim period, the Administrator may not determine that the HUBZone small business is not qualified under subparagraph (A) based on a failure to meet the applicable employment percentage under subparagraph (A)(i)(I), unless the HUBZone small business concern—

''(I) has not attempted to maintain the applicable employment percentage under subparagraph (A)(i)(I); or

''(II) does not meet the applicable employment percentage—

''(aa) on the date on which the HUBZone small business concern submits a bid for a contract under the HUBZone program; or

''(bb) on the date on which the HUBZone small business concern is awarded a contract under the HUBZone program.''; and

(2) by adding at the end the following:

''(8) HUBZONE PROGRAM.—The term 'HUBZone program' means the program established under section 31.

''(9) HUBZONE MAP.—The term 'HUBZone map' means the map used by the Administration to identify HUBZones.''.

(d) REDESIGNATED AREAS.—Section 3(p)(4)(C)(i) of the Small Business Act (15 U.S.C. 632(p)(4)(C)(i)) is amended to read as follows:

''(i) 3 years after the first date on which the Administrator publishes a HUBZone map that is based on the results from the 2010 decennial census; or''.

SEC. 7. ANNUAL REPORT ON SUSPENSION, DEBARMENT, AND PROSECUTION.

The Administrator shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that contains—

(1) the number of debarments from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of debarments that were based on a conviction; and

(B) the number of debarments that were fact-based and did not involve a conviction;

(2) the number of suspensions from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of suspensions issued that were based upon indictments; and

(B) the number of suspensions issued that were fact-based and did not involve an indictment;

(3) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report that were based upon referrals from offices of the Administration, other than the Office of Inspector General;

(4) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report based upon referrals from the Office of Inspector General; and

(5) the number of persons that the Administrator declined to debar or suspend after a referral described in paragraph (8), and the reason for each such decision.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 637. A bill to establish a program to provide guarantees for debt issued by or on behalf of State catastrophe insurance programs to assist in the financial recovery from earthquakes, earthquake-induced landslides, volcanic eruptions, and tsunamis; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Earthquake Insurance Affordability Act. This bill makes important changes that will increase availability and reduce cost of catastrophic insurance for homeowners in California and other earthquake-prone Sstates.

The tragedy and devastation of the recent 9.0 earthquake in Japan was a real wakeup call for many of us. You see, the people of Japan are keenly aware of the risks of earthquakes. Every year, thousands of people participate in earthquake drills, and their building codes are the most advanced in the world. Japanese seismologists have the most sophisticated technology and monitoring systems. But all of this did little to protect them from an earthquake of this magnitude.

The people of California and much of the West Coast face a similar risk. The United States Geological Survey predicts a 99.7 percent chance that a magnitude 6.7 earthquake will strike in California in the next 30 years. The agency also predicts a 46 percent chance that a magnitude 7.5 percent or higher earthquake will strike California in the next 30 years.

The 2008 ShakeOut Scenario conducted by the US Geological Survey and FEMA modeled a 7.8 earthquake on the southern San Andres Fault. Though that quake was only 1/10th the size of the recent event in Honshu, Japan, FEMA estimated that a 7.8 earthquake in Los Angeles would result in 2,000 deaths and an economic loss of $213.3 billion.

The simple fact is that we cannot prevent earthquakes, so we must be prepared in the event one does occur. That is the only way we will be able to respond and recover quickly.

That is why I am introducing the Earthquake Insurance Affordability Act. This legislation allows non-profit state-run disaster insurance programs to receive federal guarantees if they need access to credit in the aftermath of a catastrophic disaster. Access to credit is critical in the immediate aftermath of disasters because the market will likely be disrupted and private institutions will be reluctant to lend the large sums necessary to facilitate a quick and meaningful recovery.

This Federal guarantee will be limited. The Secretary of Treasury must certify that recipients of each of the loan guarantee are able to repay debts within a reasonable timeframe. Moreover, my legislation ensures that the cost of the program is born by state programs, not the federal taxpayer. The Congressional Budget Office has estimated that my bill comes at no cost to the taxpayer.

But this legislation is about more than just access to credit—it will guarantee homeowners have access to affordable earthquake insurance coverage. This means homeowners will be able to quickly rebuild in the aftermath of an earthquake.

This legislation is necessary because most homeowner insurance policies do not cover earthquakes. In California, for instance, most homeowner insurance policies cover fire damage but not damage caused by earthquakes.

As a result, homeowners are often put in the position of either having to purchase expensive supplemental insurance or leaving their homes uninsured against these risks.

In order to help promote coverage for these risks, many states and the Federal Government have set up supplemental insurance programs that offer this coverage at affordable rates.

At the Federal level, the National Flood Insurance Program offers flood insurance to residents living in flood plains where private insurance is unavailable or too expensive.

Similar State-level programs exist in California, Florida, Texas, and other states to help residents protect their homes against catastrophic disasters. In my state, The California Earthquake Authority, CEA, was set up after the devastating 1994 Northridge earthquake to make earthquake insurance more affordable.

Unfortunately, many of these programs are not fully utilized. The California Earthquake Authority insures 70 percent of homeowners who purchase earthquake insurance in my state, but only 770,000 homeowners in California opted to buy such insurance. That means only 12 percent of Californians will be covered up if an earthquake hits.

The reason for such low use in that premiums and deductibles remain too high for the average consumer. A policy covering a $400,000 home and $60,000 of its contents costs an additional $1,105 per year, and that's on top of normal homeowners insurance. Even worse, with such high deductibles, policyholders must suffer near total collapse before they receive any payout. For most, this just isn't a good deal.

The reason for high-cost, high-deductible policies is that the CEA is forced to spend nearly $200 million each year to purchase reinsurance. This ensures that in the event of a major catastrophe, the CEA will still be able to pay out all of its claims. It is good policy for the CEA to incur this expense, and I commend their responsible business practices.

However, since 1994 the California Earthquake Authority has paid $2.5 billion in reinsurance premiums and only received back $250,000 in claims. It doesn't take a savvy businessman to see this isn't a good investment. But with minimal changes to federal law, the CEA and other state-run insurance programs can drastically reduce the

need for expensive reinsurance and substantially decrease the cost of their products.

The Earthquake Insurance Affordability Act makes these changes, allowing programs like the California Earthquake Authority to access sufficient capital following a disaster.

Let me be clear: this is not a bailout or a handout for states. The California Earthquake Authority is independent from the state and financially stable.

This bill would increase insurance coverage in California and the rest of the country and help consumers deal with losses that will occur when the next major disaster strikes.

Over the first 5 years this legislation is in effect, nearly half a billion dollars in reinsurance costs would be saved and passed along to consumers.

The California Earthquake Authority could cut premiums by 30 percent or deductibles by 50 percent.

This could result in at least 700,000 new California homeowners purchasing earthquake insurance.

Following major disasters, the federal government spends millions of dollars, and often billions, cleaning up the mess.

Katrina cost FEMA $7.2 billion.

The Northridge earthquake cost FEMA $7 billion.

Hurricane Andrew cost FEMA $1.8 billion.

By enacting the Earthquake Insurance Affordability Act and increasing the number of individuals with insurance, the cost of disaster recovery to the Federal Government could be substantially lower.

This is because FEMA cannot make payments to individuals who have insurance coverage. Therefore, every family that purchases earthquake insurance as a result of this bill, is one less family that FEMA may have to support when disaster strikes.

The bottom line is this: the next big earthquake is coming and we are not prepared for it. Families need to make sure they have earthquake preparedness plans, and homeowners need to evaluate the best ways to protect their homes. Structures need to be strengthened and all new buildings must be built to the highest standards. The Federal Government must also do its part, to help facilitate this preparedness.

The Earthquake Insurance Affordability Act will make great strides to help our country prepare for a major earthquake, and it does so without burdening the federal taxpayer. I urge my colleagues to quickly adopt this critical piece of legislation and help us better prepare for tragedy.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. MCCAIN, Mr. SCHUMER, Mrs. BOXER, and Mrs. HUTCHISON):

S. 638. A bill to amend the Immigration and Nationality Act to provide for compensation to States incarcerating undocumented aliens charged with a felony or two or more misdemeanors; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today Senator KYL and I are introducing two bills that will assist with alleviating the costs of illegal immigration for State and local governments—the SCAAP Reauthorization Act and the SCAAP Reimbursement Protection Act of 2011.

We are joined by Senators MCCAIN, SCHUMER, BOXER, and HUTCHISON.

Immigration is a federal responsibility, as is securing the Nation's borders. When the Federal Government fails to prevent illegal immigration, as it has for some time now, it needs to take responsibility for the consequences of this failure.

However, the burden of incarcerating illegal aliens who commit crimes in our country has fallen largely to the States, and it weighs heavily on them, especially during this time of economic uncertainty. Last year, the State of California spent an estimated $1 billion to incarcerate criminal aliens.

Understanding the expenses that States and localities bear, Congress enacted the State Criminal Alien Assistance Program, SCAAP, in 1994 as part of the Violent Crime Control Act. The program was designed to help reimburse States and local governments for the costs of incarcerating criminal aliens, and was last reauthorized in 2006 as part of a Department of Justice Reauthorization bill. The SCAAP Reauthorization bill that I am introducing today will reauthorize the program for an additional four years, until fiscal year 2015.

The second bill that we are introducing today is necessary to fix a switch in interpretation by the Justice Department.

Prior to 2003, the Department of Justice interpreted the SCAAP statute to include reimbursement to States and localities for incarcerating undocumented criminal aliens who have been accused or convicted of State and local offenses, and have been incarcerated for a minimum of 72 hours. However, in 2003, DOJ changed its interpretation, and began limiting reimbursement to the amount States and localities spend incarcerating convicted criminal aliens for at least 4 consecutive days.

Reimbursing States and localities only for the costs when a criminal alien is convicted and incarcerated for 4 consecutive days significantly undermines the goal of SCAAP that States and localities should not bear the burden of a broken Federal immigration system. The actual costs of this failed Federal system begin when these aliens are charged with a crime, transported, and incarcerated for any length of time.

This narrow interpretation by the Justice Department is even more devastating because SCAAP is consistently under-funded. The President's fiscal year 2012 budget request for SCAAP represents a 59 percent reduction below the fiscal year 2010 level and is far short of meeting the actual reimbursement costs of most States. As a result, SCAAP only reimburses States for a fraction of the costs of incarcerating criminal aliens. In 2009, Los Angeles County alone spent $116.6 million to house undocumented felons and received only $15.4 million in reimbursement payments.

The SCAAP Reimbursement Protection Act of 2011 will fix this problem by making it clear that States can be reimbursed for the full costs of incarcerating aliens who are either charged with or convicted of a felony or two misdemeanors.

When the Federal Government does not reimburse States and local governments for the costs of incarcerating criminal aliens, it is at the expense of local services and law enforcement. American communities simply cannot afford to shoulder the weight of our immigration policies.

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. 638

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 ''SCAAP Reimbursement Protection Act of 2011''.

SEC. 2. ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.

Section 241(i)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. MCCAIN, Mr. SCHUMER, Mrs. BOXER, and Mrs. HUTCHISON):

S. 639. A bill to authorize to be appropriated $950,000,000 for each of the fiscal years 2012 through 2015 to carry out the State Criminal Alien Assistance Program; to the Committee on the Judiciary.

Mrs. FEINSTEIN. 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. 639

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 ''SCAAP Reauthorization Act''.

SEC. 2. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

Subparagraph (C) of section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)) is amended by striking ''2011.'' and inserting ''2015.''.

By Mr. AKAKA (for himself and Mr. CARPER):

S. 640. A bill to underscore the importance of international nuclear safety

cooperation for operating power reactors, encouraging the efforts of the Convention on Nuclear Safety, supporting progress in improving nuclear safety, and enhancing the pubic availability of nuclear safety information; to the Committee on Foreign Relations.

Mr. AKAKA. Mr. President, I rise today to introduce the Furthering International Nuclear Safety Act of 2011 to enhance the implementation of the Convention on Nuclear Safety by taking a more systematic approach to improving civilian nuclear power safety. This legislation is cosponsored by Senator CARPER, and Representative FORTENBERRY is introducing a House companion bill.

The still unfolding nuclear emergency in Japan serves as a powerful reminder that the United States as a Nation, and as an influential member of the international community, must continually seek methods to enhance the safety posture of nuclear facilities worldwide.

This year, April 26 will provide us with another sobering reminder: the 26th anniversary of the Chernobyl disaster in Ukraine. The Chernobyl disaster was the worst nuclear power accident in history and made clear the need for international nuclear safety norms. According to a report commissioned by United Nations agencies, millions of people were exposed to high doses of radiation, and approximately 350,000 people were displaced from their homes. The countries most directly affected by the disaster suffered estimated economic damages on the order of hundreds of billions of dollars, while thousands of square miles of agricultural and forest lands were removed from service.

In the aftermath of this accident, over 50 countries, led by the United States, worked together to develop the Convention on Nuclear Safety. This convention was formally established in 1994, and the United States joined in 1999. Through the cooperative nature of the convention, which relies on peer-reviewed national reports and the sharing of best practices, countries that are party to the treaty work to improve their nuclear safety.

Although civilian nuclear power programs have become safer since Chernobyl, the unfolding disaster in Japan makes clear that we must not become complacent. In future months, Japan and the international community will assess the damage and how to prevent its recurrence. This bill will provide a stronger framework for United States engagement in that process.

Currently, there are nearly 450 civilian nuclear power reactors operating in 31 countries around the world, and at least 65 more are under construction. Countries such as Jordan, the United Arab Emirates, Thailand, and Vietnam have started or expressed interest in civilian nuclear power programs. The global expansion of nuclear power should be accompanied by greater attention to nuclear safety.

Last year, the Government Accountability Office, GAO, completed a review of the Convention on Nuclear Safety in which GAO obtained the views of 40 parties to the Convention while carefully protecting individual respondent information. GAO found that the Convention has been very successful in improving nuclear safety but made recommendations to the United States Government that would enhance the Convention's effectiveness.

The bill I am introducing today will implement GAO's recommendations and additional steps to improve nuclear safety worldwide. This bill urges the United States delegate to the Convention to take certain actions to enhance international nuclear safety. This includes the United States advocating that parties to the Convention more systematically assess their own progress through the broader use of performance metrics. Additionally, to increase access to information about nuclear safety, the delegate to the Convention will encourage parties to post their annual reports and answers to questions from other parties on the International Atomic Energy Agency's, IAEA, public website. IAEA will be encouraged to offer additional support, such as providing additional technical support; assistance as needed for parties' national reports; and support for Convention meetings, including language translation services. Further, the United States delegate will encourage all countries that have or are considering establishing a civilian nuclear power program to join the Convention. Finally, this bill calls for the Secretary of State to lead the development of a United States Government strategic plan for international nuclear safety cooperation for operating nuclear power reactors and to report on progress made in implementing this bill.

International nuclear safety deserves our Nation's ongoing attention. As we continue to support Japan's efforts to prevent further deterioration at the damaged nuclear facilities, and as we approach the 25th anniversary of the Chernobyl disaster, we should be mindful that the use and expansion of nuclear power needs to be combined with supreme vigilance and concern for safety.

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

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. 640

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 ''Furthering International Nuclear Safety Act of 2011''.

SEC. 2. PURPOSES.

The purposes of this Act are as follows:

(1) To recognize the paramount importance of international nuclear safety cooperation for operating power reactors.

(2) To further the efforts of the Convention on Nuclear Safety as a vital international forum on nuclear safety.

(3) To support progress in improving nuclear safety for countries that currently have or are considering the development of a civilian nuclear power program.

(4) To enhance the public availability of nuclear safety information.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Environment and Public Works of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Energy and Commerce of the House of Representatives; and

(F) the Committee on Oversight and Government Reform of the House of Representatives.

(2) CONVENTION.—The term ''Convention'' means the Convention on Nuclear Safety, done at Vienna September 20, 1994, and ratified by the United States April 11, 1999.

(3) MEETING.—The term ''meeting'' means a meeting as described under Article 20, 21, or 23 of the Convention.

(4) NATIONAL REPORT.—The term ''national report'' means a report as described under Article 5 of the Convention.

(5) PARTY.—The term ''party'' means a nation that has formally joined the Convention through ratification or other means.

(6) SUMMARY REPORT.—The term ''summary report'' means a report as described under Article 25 of the Convention.

SEC. 4. UNITED STATES EFFORTS TO FURTHER INTERNATIONAL NUCLEAR SAFETY.

The President shall instruct the United States official serving as the delegate to the meetings of the Convention on Nuclear Safety pursuant to Article 24 of the Convention to use the voice, vote, and influence of the United States, while recognizing that these efforts by parties are voluntary, to encourage, where appropriate—

(1) parties to more systematically assess where and how they have made progress in improving safety, including where applicable through the incorporation of performance metric tools;

(2) parties to increase the number of national reports they make available to the public by posting them to a publicly available Internet Web site of the International Atomic Energy Agency (IAEA);

(3) parties to expand public dissemination of written answers to questions raised by other parties about national reports by posting the information to a publicly available Internet Web site of the IAEA;

(4) the IAEA to further its support of the Convention, upon request by a party and where funding is available, by—

(A) providing assistance to parties preparing national reports;

(B) providing additional assistance to help prepare for and support meetings, including language translation services; and

(C) providing additional technical support to improve the safety of civilian nuclear power programs; and

(5) all countries that currently have or are considering the establishment of a civilian nuclear power program to formally join the Convention.

SEC. 5. STRATEGIC PLAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in cooperation with the heads of other relevant United States Government agencies, shall submit to the appropriate congressional committees the United States Government's strategic plan and prioritized goals for international nuclear safety cooperation for operating power reactors.

SEC. 6. REPORTS.

(a) REPORT ON IMPLEMENTATION OF STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 180 days after the issuance of each of the first two summary reports of the Convention issued after the date of the enactment of this Act, the Secretary of State, in cooperation with the heads of other relevant United States Government agencies, shall submit to the appropriate congressional committees a report that—

(A) describes the status of implementing the strategic plan and achieving the goals set forth in section 5; and

(B) enumerates the most significant concerns of the United States Government regarding worldwide nuclear safety and describes the extent to which the strategic plan addresses these concerns.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(b) REPORT ON UNITED STATES EFFORTS TO FURTHER INTERNATIONAL NUCLEAR SAFETY.—Not later than 180 days after the issuance of each of the first two summary reports of the Convention issued after the date of the enactment of this Act, the United States official serving as the delegate to the meetings of the Convention shall submit to the appropriate congressional committees a report providing the status of achieving the actions set forth in section 4.

By Mr. DURBIN (for himself, Mr. CORKER, Mr. REID, Mr. ROBERTS, Mr. CARDIN, Mr. ISAKSON, Mr. LEAHY):

S. 641. A bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, on March 22, countries around the world will celebrate World Water Day—a day to mark the progress we have made protecting this most important resource and to reflect on the many challenges we still face in providing clean, safe water to the world's poor.

In 2005, Congress in a bipartisan effort, passed the Senator Paul Simon Water for the Poor Act to establish American leadership on this issue. The bill had the support of then-Majority Leader Bill Frist and then-Congressman Henry Hyde in the House. President George W. Bush signed the bill into law.

The bill was appropriately named after my predecessor in the Senate, Paul Simon, who was years ahead of many others recognizing the importance of water.

This act has already done a great deal to help bring clean water and sanitation to the world's poor. But we can do more.

That is why today Senators CORKER, REID, ROBERTS, CARDIN, ISAKSON, LEAHY, and I are reintroducing the Senator Paul Simon Water for the World Act. This bill would improve the original Water for the Poor Act—by strengthening America's ability to provide clean water and sanitation to 100 million of the world's poor within six years of enactment.

Tragically, today nearly 1 billion people still lack access to safe drinking water, and more than 2 billion still lack basic sanitation. Lack of access to stable supplies of water is reaching critical proportions, particularly for agricultural purposes. And the problem will only worsen with rapid urbanization worldwide. Experts suggest that another 1.2 billion people will lack access to clean water and sanitation within 20 years.

The overall economic loss in Africa alone due to lack of access to safe water and basic sanitation is estimated at $28.4 billion a year. In many poor nations, women and girls walk 2 or 3 hours or more each way, every day, to collect water that is often dirty and unsafe.

The United Nations estimates that women and girls in sub-Saharan Africa spend a total of 40 billion working hours each year collecting water. That is equivalent to all of the hours worked in France in a year. Clearly, the world needs to do more to help with such a basic human need.

Last year, the Senate passed the Water for the World Act with 33 cosponsors representing the broad political spectrum of the Senate. You see, American leadership in providing the world's poor with this most basic of human needs has always been bipartisan in the past—and it should be today.

As we celebrate World Water Day next week, let's renew our commitment to making sure the world's poor have access to water and sanitation need by sending this critical piece of legislation to the President's desk.

The Water for the World Act is not an effort to create vast new programs, but rather to focus our foreign assistance on a comprehensive, strategic series of investments related to water and sanitation. These are simple, common-sense steps that will make a real difference in people's lives.

Our legislation would make the United States a leader in trying to meet Millennium Development Goals for drinking water and sanitation, which is to reduce by half the proportion of people without safe water and sanitation by 2015. The bill targets aid to areas with the greatest need and helps build the capacity of poor nations to meet their own water and sanitation challenges.

The Water for the World Act also supports research of clean water technologies and regional partnerships to find solutions to shared water challenges. The bill provides technical assistance—best practices, credit authorities, and training—to help countries expand access to clean water and sanitation. Our development experts will design the assistance based on local needs.

The bill also would strengthen the capacity of USAID and the State Department to implement development assistance efforts related to water and ramp up U.S. developmental and diplomatic leadership.

And lastly, the bill includes a 25 percent cost share for these water and sanitation programs—requiring USAID to partner with universities, philanthropies, and other donors in meeting the key goals.

USAID's sustained commitment to addressing water and sanitation issues has been invaluable in combating poverty and disease worldwide. In fact, USAID recently announced the position of a Senior Water Coordinator, Chris Holmes, whom I had the pleasure of meeting this week. I applaud USAID Administrator Shah for taking this important step that will save lives.

Not only is helping people access clean water and sanitation the right thing to do, it is the smart thing to do. For example, research shows that for every dollar put into clean water and sanitation, $8 in returns are gained in health, education and economic productivity.

Water scarcity can also be a source of conflict and economic calamity. Without reliable supplies of water, farmers struggle to grow crops, and areas once abundant with water are slowly becoming barren. Quite simply, no other issue is more important to human health, peace and security than access to sustainable supplies of water.

Helping other nations is in our national interest. Some say that now is not the time to invest in poor nations half a world away, when our economy is in crisis and so many Americans are hurting. That view is understandable. Recovering from this recession and rebuilding our economy for the long term must be, and is, our government's top priority.

But investing in clean water for the world is a smart strategy that will make our foreign assistance dollars achieve more—something we need in these hard economic times.

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. 641

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 ''Senator Paul Simon Water for the World Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121)—

(A) makes access to safe water and sanitation for developing countries a specific policy objective of United States foreign assistance programs;

(B) requires the Secretary of State to—

(i) develop a strategy to elevate the role of water and sanitation policy; and

(ii) improve the effectiveness of United States assistance programs undertaken in support of that strategy;

(C) codifies Target 10 of the United Nations Millennium Development Goals; and

(D) seeks to reduce by half between 1990 (the baseline year) and 2015—

(i) the proportion of people who are unable to reach or afford safe drinking water; and

(ii) the proportion of people without access to basic sanitation.

(2) On December 20, 2006, the United Nations General Assembly, in GA Resolution 61/192, declared 2008 as the International Year of Sanitation, in recognition of the impact of sanitation on public health, poverty reduction, economic and social development, and the environment.

(3) On August 1, 2008, Congress passed H. Con. Res. 318, which—

(A) supports the goals and ideals of the International Year of Sanitation; and

(B) recognizes the importance of sanitation on public health, poverty reduction, economic and social development, and the environment.

(4) While progress is being made on safe water and sanitation efforts—

(A) more than 884,000,000 people throughout the world lack access to safe drinking water; and

(B) 2 of every 5 people in the world do not have access to basic sanitation services.

(5) The health consequences of unsafe drinking water and poor sanitation are significant, accounting for—

(A) nearly 10 percent of the global burden of disease; and

(B) more than 2,000,000 deaths each year.

(6) Water scarcity has negative consequences for agricultural productivity and food security for the 1,200,000,000 people who, as of 2010, suffer from chronic hunger and seriously threatens the ability of the world to more than double food production to meet the demands of a projected population of 9,000,000,000 people by 2050.

(7) According to the November 2008 report entitled, ''Global Trends 2025: A Transformed World'', the National Intelligence Council expects rapid urbanization and future population growth to exacerbate already limited access to water, particularly in agriculture-based economies.

(8) According to the 2005 Millennium Ecosystem Assessment, commissioned by the United Nations, more than ⅕ of the world population relies on freshwater that is either polluted or excessively withdrawn.

(9) The impact of water scarcity on conflict and instability is evident in many parts of the world, including the Darfur region of Sudan, where demand for water resources has contributed to armed conflict between nomadic ethnic groups and local farming communities.

(10) In order to further the United States contribution to safe water and sanitation efforts, it is necessary to—

(A) expand foreign assistance capacity to address the challenges described in this section; and

(B) represent issues related to water and sanitation at the highest levels of United States foreign assistance and diplomatic deliberations, including those related to issues of global health, food security, the environment, global warming, and maternal and child mortality.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the United States should help undertake a global effort to bring sustainable access to clean water and sanitation to poor people throughout the world.

SEC. 4. PURPOSE.

The purpose of this Act is—

(1) to enable first-time access to safe water and sanitation, on a sustainable basis, for 100,000,000 people in high priority countries (as designated under section 6(f) of the Senator Paul Simon Water for the Poor Act of 2005 (22 U.S.C. 2152h note) within 6 years of the date of enactment of this Act through direct funding, development activities, and partnerships; and

(2) to enhance the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121).

SEC. 5. DEVELOPING UNITED STATES GOVERNMENT CAPACITY.

Section 135 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152h) is amended by adding at the end the following:

''(e) SENIOR ADVISOR FOR WATER.—

''(1) IN GENERAL.—To carry out the purposes of subsection (a), the Administrator of the United States Agency for International Development shall designate a senior advisor to coordinate and conduct the activities described in this section and the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121). The Advisor shall report directly to the Administrator and be known as the 'Senior Advisor for Water'. The initial Senior Advisor for Water shall be the individual serving as the USAID Global Water Coordinator as of the date of the enactment of the Senator Paul Simon Water for the World Act of 2010.

''(2) DUTIES.—The Advisor shall—

''(A) implement this section and the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121);

''(B) develop and oversee implementation in high priority countries of country-specific water strategies and expertise, in coordination with appropriate United States Agency for International Development Mission Directors, to enable the goal of providing 100,000,000 additional people with sustainable access to safe water and sanitation through direct funding, development activities, and partnerships within 6 years of the date of the enactment of the Senator Paul Simon Water for the World Act of 2011; and

''(C) place primary emphasis on providing safe, affordable, and sustainable drinking water, sanitation, and hygiene in a manner that—

''(i) is consistent with sound water resource management principles; and

''(ii) utilizes such approaches as direct service provision, capacity building, institutional strengthening, regulatory reform, and partnership collaboration; and

''(D) integrate water strategies with country-specific or regional food security strategies.

''(3) CAPACITY.—The Advisor shall be designated appropriate staff and may utilize interagency details or partnerships with universities, civil society, and the private sector, as needed, to strengthen implementation capacity.

''(4) FUNDING SOURCES.—The Advisor shall ensure that at least 25 percent of the overall funding necessary to meet the global goal set forth under paragraph (2)(B) is provided by non-Federal sources, including foreign governments, international institutions, and through partnerships with universities, civil society, and the private sector, including private and corporate foundations.

''(f) SPECIAL COORDINATOR FOR INTERNATIONAL WATER.—

''(1) ESTABLISHMENT.—To increase the capacity of the Department of State to address international issues regarding safe water, sanitation, integrated river basin management, and other international water programs, the Secretary of State shall establish a Special Coordinator for International Water (referred to in this subsection as the 'Special Coordinator'), who shall report to the Under Secretary for Democracy and Global Affairs. The initial Special Coordinator shall be the individual serving as Special Coordinator for Water Resources as of the date of the enactment of the Senator Paul Simon Water for the World Act of 2011.

''(2) DUTIES.—The Special Coordinator shall—

''(A) oversee and coordinate the diplomatic policy of the United States Government with respect to global freshwater issues, including interagency coordination related to—

''(i) sustainable access to safe drinking water, sanitation, and hygiene;

''(ii) integrated river basin and watershed management;

''(iii) global food security;

''(iv) transboundary conflict;

''(v) agricultural and urban productivity of water resources;

''(vi) disaster recovery, response, and rebuilding,

''(vii) pollution mitigation; and

''(viii) adaptation to hydrologic change due to climate variability; and

''(B) ensure that international freshwater issues are represented—

''(i) within the United States Government; and

''(ii) in key diplomatic, development, and scientific efforts with other nations and multilateral organizations.

''(3) SUPPORT STAFF.—The Special Coordinator shall be designated appropriate staff to support the duties described in paragraph (2).''.

SEC. 6. SAFE WATER, SANITATION, AND HYGIENE STRATEGY.

Section 6 of the Senator Paul Simon Water for the Poor Act of 2005 (22 U.S.C. 2152h note) is amended—

(1) in subsection (b), by adding at the end the following: ''The Special Coordinator for International Water established under section 135(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2152h(f)) shall take actions to ensure that the safe water and sanitation strategy is integrated into any review or development of a Federal strategy for global development, global health, or global food security that sets forth or establishes the United States mission for global development, guidelines for assistance programs, and how development policy will be coordinated with policies governing trade, immigration, and other relevant international issues.'';

(2) in subsection (c), by adding at the end the following: ''In developing the program activities needed to implement the strategy, the Secretary shall consider the results of the assessment described in subsection (e)(9).''; and

(3) in subsection (e)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(7) an assessment of all United States Government foreign assistance allocated to the drinking water and sanitation sector during the 3 previous fiscal years, across all United States Government agencies and programs, including an assessment of the extent to which the United States Government's efforts are reaching and supporting the goal of enabling first-time access to safe water and sanitation on a sustainable basis for 100,000,000 people in high priority countries;

''(8) recommendations on what the United States Government would need to do to achieve and support the goals referred to in

paragraph (7), in support of the United Nation's Millennium Development Goal on access to safe drinking water; and

''(9) an assessment of best practices for mobilizing and leveraging the financial and technical capacity of business, governments, nongovernmental organizations, and civil society in forming public-private partnerships that measurably increase access to safe, affordable, drinking water and sanitation.''.

SEC. 7. DEVELOPING LOCAL CAPACITY.

The Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121) is amended—

(1) by redesignating sections 9, 10, and 11 as sections 10, 11, and 12, respectively; and

(2) by inserting after section 8 the following:

''SEC. 9. WATER AND SANITATION INSTITUTIONAL CAPACITY-BUILDING PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development (referred to in this section as the 'Secretary' and the 'Administrator', respectively), in consultation with host country institutions, the Centers for Disease Control and Prevention, the Department of Agriculture, and other agencies, as appropriate, shall establish, in coordination with mission directors in high priority countries, a program to build the capacity of host country institutions and officials responsible for water and sanitation in countries that receive assistance under section 135 of the Foreign Assistance Act of 1961, including training at appropriate levels, to—

''(A) provide affordable, equitable, and sustainable access to safe drinking water and sanitation;

''(B) educate the populations of such countries about the dangers of unsafe drinking water and lack of proper sanitation; and

''(C) encourage behavior change to reduce individuals' risk of disease from unsafe drinking water and lack of proper sanitation and hygiene.

''(2) EXPANSION.—The Secretary and the Administrator may establish the program described in this section in additional countries if the receipt of such capacity building would be beneficial for promoting access to safe drinking water and sanitation, with due consideration given to good governance.

''(3) CAPACITY.—The Secretary and the Administrator—

''(A) should designate appropriate staff with relevant expertise to carry out the strategy developed under section 6; and

''(B) may utilize, as needed, interagency details or partnerships with universities, civil society, and the private sector to strengthen implementation capacity.

''(b) DESIGNATION.—The United States Agency for International Development Mission Director for each country receiving a 'high priority' designation under section 6(f) and for each region containing a country receiving such designation shall report annually to Congress on the status of—

''(1) designating safe drinking water and sanitation as a strategic objective;

''(2) integrating the water strategy into a food security strategy;

''(3) assigning an employee of the United States Agency for International Development as in-country water and sanitation manager to coordinate the in-country implementation of this Act and section 135 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152h) with host country officials at various levels of government responsible for water and sanitation, the Department of State, and other relevant United States Government agencies; and

''(4) coordinating with the Development Credit Authority and the Global Development Alliance to further the purposes of this Act.''.

SEC. 8. OTHER ACTIVITIES SUPPORTED.

In addition to the requirements of section 135(c) of the Foreign Assistance Act (22 U.S.C. 2152h(c)) the Administrator should—

(1) foster global cooperation on research and technology development, including regional partnerships among water experts to address safe drinking water, sanitation, water resource management, and other water-related issues;

(2) establish regional and cross-border cooperative activities between scientists and specialists that work to share technologies and best practices, mitigate shared water challenges, foster international cooperation, and defuse cross-border tensions;

(3) provide grants through the United States Agency for International Development to foster the development, dissemination, and increased and consistent use of low cost and sustainable technologies, such as household water treatment, hand washing stations, and latrines, for providing safe drinking water, sanitation, and hygiene that are suitable for use in high priority countries, particularly in places with limited resources and infrastructure;

(4) in collaboration with the Centers for Disease Control and Prevention, Department of Agriculture, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and other agencies, as appropriate, conduct formative and operational research and monitor and evaluate the effectiveness of programs that provide safe drinking water and sanitation; and

(5) integrate efforts to promote safe drinking water, sanitation and hygiene with existing foreign assistance programs, as appropriate, including activities focused on food security, HIV/AIDS, malaria, tuberculosis, maternal and child health, food security, and nutritional support.

SEC. 9. MONITORING AND EVALUATION.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) achieving United States foreign policy objectives requires the consistent and systematic evaluation of the impact of United States foreign assistance programs and analysis on what programs work and why, when, and where they work;

(2) the design of assistance programs and projects should include the collection of relevant baseline data required to measure outcomes and impacts;

(3) the design of assistance programs and projects should reflect the knowledge gained from evaluation and analysis;

(4) a culture and practice of high quality evaluation should be revitalized at agencies managing foreign assistance programs, which requires that the concepts of evaluation and analysis are used to inform policy and programmatic decisions, including the training of aid professionals in evaluation design and implementation;

(5) the effective and efficient use of funds cannot be achieved without an understanding of how lessons learned are applicable in various environments and under similar or different conditions; and

(6) project evaluations should be used as sources of data when running broader analyses of development outcomes and impacts.

(b) COORDINATION AND INTEGRATION.—To the extent possible, the Administrator shall coordinate and integrate evaluation of United States water programs with the learning, evaluation, and analysis efforts of the United States Agency for International Development aimed at measuring development impact.

SEC. 10. UPDATED REPORT REGARDING WATER FOR PEACE AND SECURITY.

Section 11(b) of the Senator Paul Simon Water for the Poor Act of 2005, as redesignated by section 7, is amended by adding at the end the following: ''The report submitted under this subsection shall include an assessment of current and likely future political tensions over water sources and multidisciplinary assessment of the expected impacts of changes to water supplies and agricultural productivity in 10, 25, and 50 years.''.

SEC. 11. COMPTROLLER GENERAL REPORT ON EFFECTIVENESS AND EFFICIENCY OF UNITED STATES EFFORTS TO PROVIDE SAFE WATER AND SANITATION FOR DEVELOPING COUNTRIES.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the effectiveness and efficiency of United States efforts to provide safe water and sanitation for developing countries.

(b) ELEMENTS.—In preparing the report required by subsection (a), the Comptroller General shall, at a minimum—

(1) identify all programs (and respective Federal agencies) in the Federal Government that perform the mission of providing safe water and sanitation for developing countries, including capacity-building, professional exchanges, and other related programs;

(2) list the actual costs for the implementation, operation, and support of the individual programs;

(3) assess the effectiveness of these programs in meeting their goals;

(4) assess the efficiency of these programs compared to each other and to programs to provide similar aid performed by nongovernmental organizations and other governments, and identify best practices from this assessment;

(5) identify and assess programs that are duplicative of each other or of efforts by nongovernmental organizations and other governments;

(6) assess whether appropriate oversight of these programs is being conducted by Federal agencies, especially in the programs in which Federal agencies are utilizing contractors instead of government employees to perform this mission; and

(7) make such recommendations as the Comptroller General considers appropriate.

By Mr. LEAHY:

S. 642. A bill to permanently reauthorize the EB-E Regional Center Program; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing the Creating American Jobs Through Foreign Capital Investment Act. This bill does one simple thing: It makes the EB–5 regional center program permanent. The EB–5 Regional Center Program has been highly successful since its inception in 1992, but it has always lacked the security of assured continuity. Extending the program by a few years at a time hampers the growth of the program and creates a disincentive for immigrant investors to bring their capital investments to the United States. EB–5 regional center programs have drawn jobs and millions of investment dollars to struggling communities and regions of our country. We can expand these job-creating

programs and allow new regional centers to compete for investments with quality projects—if the EB–5 authorization is made permanent in law.

The State of Vermont and Vermont entrepreneurs recognized the potential of this program early on, and Vermont gained regional center status in 1997. Our State and the Vermont entrepreneurs who took advantage of the regional center planned their projects with great care. As a result, both the State and our entrepreneurs have successfully attracted investors and created jobs. Other states have taken note of Vermont's success, and today there are now about 135 designated regional center programs across the country, which are creating jobs in States like Alabama, Arizona, California, Florida, Iowa, and New York, to name just a few.

A regional center program is an economic engine for the state or region in which it is located. In a small state like Vermont, the economic activity generated by EB–5 projects at resorts like Jay Peak and Sugarbush has created direct jobs in those communities. Some of those jobs are for the construction and expansion phase, and others are for long-term employees of the resorts. These resort expansions bring more tourists to Vermont to enjoy skiing and summertime activities. Then there are the multiplier effects of these projects. Our visitors spend money while skiing and touring Vermont, supporting other Vermont businesses with every purchase they make. The economic activity is not limited to tourism, and there are other innovative projects in the pipeline in Vermont—projects like biotechnology; water purification; and manufacturing. Because the entire State of Vermont is a designated regional center, there is great potential for diversity both in terms of projects and geographic location.

The Regional Center program attracts foreign investors seeking legal permanent residency and a chance to invest in the American economy. Investors must pledge a minimum of $500,000 to a project within a Regional Center, and they independently apply for EB–5 visas. If approved by U.S. Citizenship and Immigration, USCIS, foreign investors are granted conditional 2-year green cards. After 2 years, these investors must provide proof that they have created at least 10 jobs as a result of their investments, and that they have met additional investment requirements set by USCIS.

The Federal Government authorizes approximately 388,000 green cards each year. Out of that number, only 10,000 annually are reserved for the EB–5 program. The vast majority of the green cards issued by our Government are family-based and available to anyone who meets the admissibility criteria, irrespective of personal wealth. It is true that this program requires a significant up-front investment from a prospective immigrant, but that does not disadvantage others who wish to become permanent residents. Most importantly, that investment directly benefits American communities and workers at no cost to American taxpayers. Similar programs have long yielded extraordinary economic benefits for the people of Canada, Australia and other countries.

There is virtually no substantive opposition to the EB–5 program. Most elected officials will agree that creating jobs and capital investment is a good, bipartisan goal.

The bill I introduce today makes the program permanent, but I am also working on a broader package of improvements to the EB–5 program to modernize it and ensure it operates efficiently, and as Congress intended. We must make sure that the immigration agency has the tools it needs to keep the program free from fraud and abuse. We must offer stakeholders an efficient process with fair standards so that they have confidence in the program. I am developing legislation in consultation with stakeholders and agency officials to make changes that will bring about lasting improvements for everyone involved.

The EB–5 regional center program is one small corner of our overall immigration system—and it is one that generates tangible, ongoing economic benefits for Americans in the form of jobs and capital investment in local communities. It is an American success story, and we can build on its success with a continuing charter, with careful cultivation, and with appropriate oversight.

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. 642

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 ''Creating American Jobs Through Foreign Capital Investment Act''.

SEC. 2. PERMANENT REAUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking ''pilot'' each place such term appears; and

(2) in subsection (b), by striking ''until September 30, 2012''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 104—DESIGNATING SEPTEMBER 2011 AS ''CAMPUS FIRE SAFETY MONTH''

Mr. LAUTENBERG (for himself, Ms. COLLINS, Mr. LEVIN, Mr. SANDERS, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committtee on the Judiciary:

S. RES. 104

Whereas, each year, States across the Nation formally designate September as Campus Fire Safety Month;

Whereas, since January 2000, at least 143 people, including students, parents, and children have died in campus-related fires;

Whereas 85 percent of those deaths occurred in off-campus residences;

Whereas a majority of college students in the United States live in off-campus residences;

Whereas a number of fatal fires have occurred in buildings in which the fire safety systems had been compromised or disabled by the occupants;

Whereas automatic fire alarm systems provide the early warning of a fire that is necessary for occupants and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants;

Whereas many college students live in off-campus residences, fraternity and sorority housing, and residence halls that are not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems;

Whereas fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education during their time in college;

Whereas it is vital to educate young people in the United States about the importance of fire safety to help ensure fire-safe behavior by young people during their college years and beyond; and

Whereas, by developing a generation of fire-safe adults, future loss of life from fires may be significantly reduced: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as ''Campus Fire Safety Month''; and

(2) encourages administrators of institutions of higher education and municipalities across the country—

(A) to provide educational programs to all students during September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on- and off-campus student housing; and

(C) to ensure fire-safe living environments through fire safety education, installation of fire suppression and detection systems, and the development and enforcement of applicable codes relating to fire safety.

SENATE RESOLUTION 105—TO CONDEMN THE DECEMBER 19, 2010, ELECTIONS IN BELARUS, AND TO CALL FOR THE IMMEDIATE RELEASE OF ALL POLITICAL PRISONERS AND FOR NEW ELECTIONS THAT MEET INTERNATIONAL STANDARDS

Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. MCCAIN, Mr. CARDIN, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KYL, Mr. BARRASSO, Mr. UDALL of Colorado, Mr. KIRK, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 105

Whereas the people of Belarus have lived under the brutal dictatorship of Alexander Lukashenko for almost 2 decades;

Whereas, under Mr. Lukashenko's rule, Belarus—which is known as ''the last dictatorship of Europe''—has defied the post-Soviet democratic transformation that swept eastern and central Europe by maintaining an abhorrent human and political rights record and denying its citizens fundamental freedoms;

Whereas, according to the United States Department of State 2009 Human Rights Country Report on Belarus, elections in Belarus are consistently unfair and undemocratic; politically motivated arrests and detentions are ongoing; Belarus' judiciary is not independent; beatings, poor treatment, and disease are widespread in prisons in Belarus, where detainees lack access to food, proper clothing, and medical treatment; and the Government of Belarus has severely and systematically restricted basic freedoms of press, speech, assembly, association, and religion;

Whereas Mr. Lukashenko had an opportunity to move Belarus closer to the community of democracies by holding free and fair presidential elections on December 19, 2010, and allowing for multiple opposition candidates to run for president;

Whereas the Lukashenko regime squandered this opportunity for the people of Belarus by orchestrating a fraudulent election that failed to meet minimal international standards;

Whereas, following the elections, the Lukashenko regime arrested 5 of the 6 opposition presidential candidates, severely beating one candidate, Uladzimir Niakliayeu, and arbitrarily beating many of the thousands of Belarusians who were peacefully protesting the stolen election in the largest public demonstration the country had seen in over 5 years;

Whereas, during the course of election day and its aftermath, Lukashenko's security forces, the State Security Agency (KGB), detained or arrested over 600 additional people, including journalists, civil society representatives, political activists, and ordinary Belarusians who were peacefully seeking to exercise their fundamental human rights to free assembly and expression;

Whereas the Organization for Security and Cooperation in Europe's Election Observation Mission, which monitored the election in Belarus, issued a statement of preliminary findings and conclusions on December 20, 2010, that criticized the election's campaign environment as ''characterized by the lack of a level-playing field'' and reported that international observers assessed the vote count as ''non-transparent'' and ''bad or very bad in almost half of all observed polling stations'';

Whereas, according to Organization for Security and Cooperation in Europe observers, prominent international websites, including Gmail and Hotmail, and Belarusian websites including Charter97.org, euroradio.by, gazetaby.com, and zapraudu.info were rendered inaccessible on election day;

Whereas, on February 22, 2011, the Organization for Security and Cooperation in Europe stated in its final report on the December 19, 2010, election that the final vote count was ''flawed and lacked transparency'';

Whereas Department of State spokesperson Philip J. Crowley said on December 20, 2010, ''We cannot consider the election results as legitimate.'';

Whereas, on December 20, 2010, the Obama Administration called for the release of all detained presidential candidates and protestors arrested around the election and strongly condemned the violence used by the Lukashenko regime to ''undermine the democratic process'';

Whereas on December 23, 2010, Secretary of State Hillary Clinton and European Union High Representative for Foreign Affairs and Security Policy Catherine Ashton strongly condemned the Lukashenko regime's disproportionate use of violence and called for ''the immediate release of the presidential candidates and the over 600 demonstrators who have been taken into custody in the wake of the presidential elections in Belarus'';

Whereas the heads of the foreign affairs committees of the German and Polish parliaments issued a joint statement on December 31, 2010, stating that the presidential election in Belarus showed ''a complete lack of respect for European values and standards'';

Whereas, on January 20, 2011, the European Parliament adopted a resolution that condemns the December 19, 2010, elections in Belarus and their violent aftermath; demands the immediate and unconditional release of political prisoners; and calls for ''new elections to be held'' in Belarus under ''free and democratic conditions'' and ''according to OSCE standards'';

Whereas, on December 31, 2010, the Government of Belarus refused to extend the mandate of the Organization for Security and Cooperation in Europe office in Minsk, thereby shuttering the democratic institution building efforts of the Organization for Security and Cooperation in Europe in Belarus;

Whereas, on January 4, 2011, Department of State spokesperson Philip J. Crowley and Darren Ennis, Spokesperson for European Union High Representative Catherine Ashton, issued a joint statement expressing regret over the closure of the Organization for Security and Cooperation in Europe Office in Belarus and calling on authorities in Belarus ''to fulfill their commitments to the OSCE by reforming the election process and providing greater respect for human rights'';

Whereas the Belarusian KGB continues to detain at least 32 political opposition leaders and activists associated with the December 19, 2010, elections who face dubious charges that carry prison sentences up to 15 years;

Whereas, on February 28, 2011, Ales Mikhalevich, a presidential candidate who was arrested following the December 19, 2010, elections and released on January 19, 2011, issued a statement detailing the abuse and torture that he endured during his 2-month detention by the Belarusian KGB, in violation of existing Belarusian laws as well as international agreements, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, to which Belarus has been a signatory since December 1985;

Whereas families of presidential candidates and political opposition leaders and their lawyers face continued harassment and intimidation by Lukashenko's KGB, including repeated interrogations, raids, pressure, and threats of dismissal from places of employment and schools;

Whereas the detained presidential candidates and political opposition leaders are being denied regular access to family, lawyers, medical treatment, and open legal proceedings;

Whereas authorities in Belarus continue to carry out searches and seizures across the country, including the offices and homes of journalists, political activists, civil society representatives, former presidential candidates and their advisers, and ordinary Belarusians with tenuous connections to members of the political opposition;

Whereas, according to the Stockholm International Peace Research Institute, an internationally reputable source on global arms trade, the Lukashenko regime delivered a shipment of military equipment to the Qaddafi regime in Libya in February 2011, just before Qaddafi prepared to initiate the widely condemned bloody crackdown undertaken against the people of Libya;

Whereas, on January 31, 2011, the United States and the European Union imposed targeted travel and financial sanctions on an expanded list of officials of the Government of Belarus, including Alexander Lukashenko and those helping prop up his regime;

Whereas, on January 31, 2011, the United States Government also restricted economic transactions with Lakokraska OAO and Polotsk Steklovolokno OAO, 2 subsidiaries of Belarus's largest state-owned petroleum and chemical conglomerate, Belneftekhim;

Whereas, on February 2, 2011, the United States Government pledged to supplement its democracy assistance to Belarus by $4,000,000 in fiscal year 2011;

Whereas, on March 2, 2011, Lukashenko's regime sentenced 3 of the political detainees, Alyaksandr Atroshchankau, Zmitster Novik, and Alyaksandr Malchanau, to between 3 and 4 years in a top-security prison;

Whereas on March 4, 2011, Department of State Spokesman P.J. Crowley said, ''The United States remains gravely concerned over the continuing post-election crackdown by the Government of Belarus on civil society, independent media, and the political opposition. Through its ongoing detentions, trials, and harsh prison sentences, the government is creating new political prisoners. We urge the unconditional release of those detained in the crackdown without trials, and the creation of space for the free expression of political views, the development of civil society, and the ability of citizens to expand their contact with open societies.''; and

Whereas Congress passed the Belarus Democracy Act of 2004 (Public Law 108–347) and the Belarus Democracy Reauthorization Act of 2006 (Public Law 109–480) as expressions of support consistent with these aims: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the December 19, 2010, election in Belarus as illegitimate, fraudulent, and not representative of the will or the aspirations of the voters in Belarus, and joins the European Parliament in calling for new elections to be held in Belarus that meet international standards;

(2) condemns the beating, arrest, fining, and imprisonment of presidential candidates, opposition leaders, and activists by Alexander Lukashenko's KGB in the wake of the December 19, 2010, election;

(3) condemns the Lukashenko regime's systematic efforts to prevent freedom of expression and association in Belarus, including its efforts to censor the Internet and stifle freedom of the press;

(4) stands in solidarity with the people of Belarus, those political prisoners being unjustly detained, and those who continue to fight for peaceful democratic change and their fundamental human rights in Belarus;

(5) applauds the pledges of the United States Government and the European Union to impose targeted sanctions, including visa bans and asset freezes, on Belarusian officials and their associates responsible for the recent crackdown and human rights abuses against the people of Belarus;

(6) applauds the decisions of the United States Government, the European Union, and other democratic allies to expand assistance to civil society in Belarus;

(7) calls on the Lukashenko regime—

(A) to immediately and unconditionally release all political prisoners in Belarus who were arrested in association with the December 19, 2010, election, including 3 presidential candidates, Andrei Sannikov, Nikolai

Statkevich, and Uladzimir Nyaklyaeu, who are still in prison or under house arrest;

(B) to immediately cease the harassment of the families, friends, and lawyers of political prisoners in Belarus;

(C) to authorize the extension of the mandate of the Organization for Security and Cooperation in Europe Office in Belarus;

(D) to hold new presidential and parliamentary elections in Belarus that are free, fair, inclusive, and meet international standards; and

(E) to meet its international obligations and cease any illegal efforts related to the provision of arms to rogue regimes;

(8) urges the President and the Secretary of State—

(A) to continue to closely coordinate United States and European Union policies towards Belarus;

(B) to resume direct technical and material support to the opposition and civil society in Belarus, including political parties, civic groups, and independent media outlets;

(C) to ensure that the United States list includes any other officials of the Government of Belarus responsible for the crackdown following the December 19, 2010, election in Belarus, associated human rights abuses, and the continued detention, prosecution, and mistreatment of all political prisoners, and to impose targeted sanctions on those individuals and their family members where warranted; and

(D) to identify any other entities that enrich Mr. Lukashenko and his regime at the expense of the people of Belarus and prohibit business with and freeze the assets of such entities;

(9) urges the European Union—

(A) to join the United States in prohibiting business with, and freezing the assets of, the Belarusian state-owned oil and petrochemicals company Belneftekhim and its subsidiaries Lakokraska OAO and Polotsk Steklovolokno OAO, as well as other entities that enrich Mr. Lukashenko and his regime at the expense of the people of Belarus;

(B) to cut all European projects linked to the authorities in Belarus responsible for the crackdown and associated human rights abuses and to exclude officials of the Government of Belarus from meetings under the European Union's Eastern Partnership policy—including the planned European Union summit with post-Soviet countries scheduled to take place in Budapest in May 2011—but to ensure that this suspension not apply to nongovernmental and civil society organizations in Belarus;

(C) to ensure that the European Union list includes any other officials of the Government of Belarus responsible for the crackdown following the December 19, 2010, election in Belarus, associated human rights abuses, and the continued detention, prosecution, and mistreatment of political prisoners, and to impose targeted sanctions on those officials and their family members where warranted; and

(D) to increase support to the opposition and civil society in Belarus, including political parties, civic groups, and independent media outlets;

(10) calls on other members of the international community, including Russia, to take similar targeted actions against the leaders of the Government of Belarus;

(11) calls on the Government of Lithuania, as chair of the Organization for Security and Cooperation in Europe for 2011, to make the reestablishment of the Organization for Security and Cooperation in Europe Office in Belarus one of its chief priorities for its tenure; and

(12) calls on the International Ice Hockey Federation to suspend its 2014 International World Ice Hockey championship to be hosted in Minsk, Belarus until all political prisoners in Belarus are released.

SENATE RESOLUTION 106—RECOGNIZING THE 100TH ANNIVERSARY OF THE TRIANGLE SHIRTWAIST COMPANY FIRE IN NEW YORK CITY ON MARCH 25, 1911, AND DESIGNATING THE WEEK OF MARCH 21, 2011, THROUGH MARCH 25, 2011, AS THE ''100TH ANNIVERSARY OF THE TRIANGLE SHIRTWAIST FACTORY FIRE REMEMBRANCE WEEK''

Mrs. GILLIBRAND (for herself, Mr. SCHUMER, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 106

Whereas the Triangle Shirtwaist Company fire was the deadliest industrial disaster in the City of New York's history and resulted in the 4th greatest loss of life from an industrial accident in the history of the United States, claiming the lives of 146 garment workers, many of whom were young immigrants;

Whereas this human catastrophe exposed the need to strengthen labor laws, fire regulations, and health and safety protections for workers;

Whereas the Triangle Shirtwaist Company fire helped spur the growth of the modern-day organized labor movement, particularly the International Ladies' Garment Workers' Union, which continued to fight for better conditions for sweatshop workers;

Whereas from the ashes of this horrific event emerged the modern celebration of International Women's Day, and the death of 129 women workers in the Triangle Shirtwaist Company fire demonstrated the need for workers' rights and women's rights;

Whereas more than 5,000 workers lose their lives each year on the job, and protecting the health and safety of workers continues to be a critical issue in the United States today; and

Whereas national events will be held to remember the victims of the Triangle Shirtwaist Company fire, and to educate citizens about the important role this tragic event played in the history of the United States: Now, therefore, be it

Resolved, That the Senate designates the week of March 21, 2011 through March 25, 2011 as the ''100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week''.

SENATE RESOLUTION 107—DESIGNATING APRIL 4, 2011, AS ''NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY''

Mr. WICKER (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 107

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

(1) are beneficial to the general public; and

(2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2011, as ''National Association of Junior Auxiliaries Day'';

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

SENATE RESOLUTION 108—EXPRESSING THE SENSE OF THE SENATE ON THE IMPORTANCE OF STRENGTHENING INVESTMENT RELATIONS BETWEEN THE UNITED STATES AND BRAZIL

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 108

Whereas President Barack Obama is set to visit Brazil on March 19 and 20, 2011, during a 5 day trip which will include stops in Chile (March 21), and El Salvador (March 22);

Whereas the United States and Brazil enjoy longstanding economic relations sustained by trade and investment;

Whereas investment in and by Brazil promotes economic growth, generates greater wealth and employment, strengthens the manufacturing and services sectors, and enhances research, technology, and productivity in the United States and Brazil;

Whereas the United States is the largest direct investor abroad, with total world-wide investments of $3,508,000,000,000 in 2009;

Whereas the United States has historically been the largest direct investor in Brazil, investing a total of $56,692,000,000 in 2009;

Whereas the sound economic policy of the Government of Brazil was given an investment-grade rating by the 3 major investment rating agencies in 2009;

Whereas the United States is the largest recipient of direct investment in the world, with total foreign direct investments of $2,320,000,000,000 in 2009;

Whereas the United States received direct investment from Brazil, including a total of $1,400,000,000 in 2007 and a reduction of that amount by $647,000,000 in 2009;

Whereas Brazil is the only country with a gross national product of more than $1,000,000,000,000 with which the United States does not have a bilateral tax treaty;

Whereas Brazil is the 4th largest investor in United States Treasury securities, which are important to the health of the United States economy;

Whereas Brazil ranked 7th among other countries in the number of corporations listed on the New York Stock Exchange in 2009, with 35 corporations listed;

Whereas a bilateral tax treaty between the United States and Brazil would enhance the partnerships between investors in the United States and Brazil and benefit small- and medium-sized enterprises in both the United States and Brazil;

Whereas a bilateral tax treaty between Brazil and the United States would promote a greater flow of investment between Brazil and the United States by creating the certainty that comes with a commitment to reduce taxation and eliminate double taxation;

Whereas the Brazil-United States Business Council and the United States-Brazil CEO

Forum have worked to advance a bilateral tax treaty between the United States and Brazil;

Whereas the Senate intends to closely monitor the progress on treaty negotiations and hold a periodic dialogue with officers of the Department of the Treasury; and

Whereas the United States and Brazil will greatly benefit from deeper political and economic relations: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States Government and the Government of Brazil should continue to develop their relationship; and

(2) during the President's March 19 and 20, 2011, visit to Brazil, he should propose to his Brazilian counterpart that the United States and Brazil begin negotiations for a bilateral tax treaty that—

(A) is consistent with the existing tax treaty practices of the United States Government; and

(B) reflects modern, internationally recognized tax policy principles.

AMENDMENTS SUBMITTED AND PROPOSED

SA 244. Ms. LANDRIEU proposed an amendment to amendment SA 183 proposed by Mr. MCCONNELL to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes.

SA 245. Mr. KIRK (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 246. Mr. HATCH (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 247. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 248. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 249. Mrs. FEINSTEIN (for herself, Ms. COLLINS, and Mr. WEBB) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 244. Ms. LANDRIEU proposed an amendment to amendment SA 183 proposed by Mr. MCCONNELL to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end, insert the following:

The provisions of this title shall become effective 5 days after enactment.

SA 245. Mr. KIRK (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—REDUCING THE PAPERWORK BURDEN ON SMALL BUSINESSES

SEC. 601. REDUCTION OF REGULATORY BURDEN.

(a) IN GENERAL.—The Administrator, acting through the Chief Counsel for Advocacy of the Administration, may provide such support as may be necessary to a Federal agency or department during the rulemaking process to ensure that a small business concern is not required to expend more than a total of 200 man-hours annually on applications, filings, petitions, or other paperwork submitted the Federal agency or department.

(b) COMMONLY REQUIRED INFORMATION FORM.—The Administrator shall establish a form on the public Internet website of the Administrator that a small business concern may use to provide to the Administrator information that the Administrator determines to be frequently required as part of any application, filing, petition, or other paperwork described in subsection (a). The Administrator may use information provided by a small business concern using the form established under this subsection to assist the small business concern in the expedited completion of an application, filing, petition, or other paperwork described in subsection (a).

(c) GAO REPORT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of each regulation of each Federal agency or department to determine the burden that the regulation imposes on small business concerns.

(2) SUBMISSION OF REPORT.—The Comptroller General shall submit a report on the study conducted under paragraph (1) to the Administrator not later 270 days after the date of enactment of this Act.

(d) SBA RECOMMENDATIONS.—Not later than 180 days after receiving the report under subsection (c)(2), the Administrator shall publish and maintain on the public Internet website of the Administrator recommendations on how to reduce the burden each regulation of each Federal agency or department imposes on small business concerns.

(e) REDUCTION OF PAPERWORK.—In carrying out any program under the Small Business Act (15 U.S.C. 631 et seq.) or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), the Administrator, acting through the Chief Counsel for Advocacy of the Administration, shall take any actions the Administrator determines appropriate to reduce the amount of paperwork (including any application, filing, or petition) that a small business concern may be required to complete by any Federal department or agency. Such actions shall include providing for the replacement of paperwork requirements with electronic or telephone filing requirements or reporting requirements.

SEC. 602. SUSPENSION OF FINES FOR FIRST-TIME PAPERWORK VIOLATIONS BY SMALL BUSINESS CONCERNS.

Section 3506 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act''), is amended by adding at the end the following:

''(j)(1) In this subsection, the term 'small business concern' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

''(2) In the case of a first-time violation by a small business concern of a requirement regarding the collection of information by an agency, the head of the agency may not impose a civil fine on the small business concern unless the head of the agency determines that—

''(A) the violation has the potential to cause serious harm to the public interest;

''(B) failure to impose a civil fine would impede or interfere with the detection of criminal activity;

''(C) the violation is a violation of an internal revenue law or a law concerning the assessment or collection of any tax, debt, revenue, or receipt;

''(D) the small business concern did not correct the violation on or before the date that is 180 days after the date on which the small business concern received notification of the violation in writing from the agency; or

''(E) except as provided in paragraph (3), the violation presents a danger to the public health or safety.

''(3)(A) If the head of an agency determines under paragraph (2)(E) that a violation presents a danger to the public health or safety, the head of the agency may determine not to impose a civil fine on the small business concern if the small business concern corrects the violation not later than 24 hours after receipt by the small business concern of notification of the violation in writing.

''(B) In determining whether to allow a small business concern 24 hours to correct a violation under subparagraph (A), the head of an agency shall take into account all the facts and circumstances regarding the violation, including—

''(i) the nature and seriousness of the violation, including whether the violation is technical or inadvertent or involves willful or criminal conduct;

''(ii) whether the small business concern has made a good faith effort to comply with applicable laws and to remedy the violation within the shortest practicable period of time; and

''(iii) whether the small business concern has obtained a significant economic benefit from the violation.

''(C) If the head of an agency imposes a civil fine on a small business concern for a violation that presents a danger to the public health or safety and does not allow the small business concern 24 hours to correct the violation under subparagraph (A), the head of the agency shall notify Congress regarding the determination not later than 60 days after the date on which the agency imposes the civil fine.

''(4) For purposes of determining whether a violation by a small business concern of a requirement regarding collection of information is a first time violation, the head of an agency may not take into account a violation of a requirement regarding collection of information by another agency.''.

SA 246. Mr. HATCH (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE ___—COMMITTEE TO REDUCE GOVERNMENT WASTE

SEC. 01. ESTABLISHMENT.

There shall be a Senate committee known as the Committee to Reduce Government Waste (referred to in this title as the ''Committee'').

SEC. 02. MEMBERSHIP.

(a) COMPOSITION.—The Committee shall be composed of 12 members as follows:

(1) Four members from the Committee on Finance, 2 selected by the majority leader and 2 selected by the minority leader.

(2) Four members from the Committee on Appropriations, 2 selected by the majority leader and 2 selected by the minority leader.

(3) Four members from the Committee on the Budget, 2 selected by the majority leader and 2 selected by the minority leader.

(b) TENURE OF OFFICE.—

(1) PERIOD OF APPOINTMENT.—Members shall be appointed for a period of not to exceed 6 years.

(2) EXCEPTIONS.—No person shall continue to serve as a member of the Committee after

the person has ceased to be a member of the Committee from which the member was chosen.

(c) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) CHAIRMAN AND VICE CHAIRMAN.—The Committee shall select a Chairman and Vice Chairman from among its members.

(e) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings. The powers conferred upon them by section 4 may be exercised by a majority vote.

SEC. 03. DUTIES.

(a) IN GENERAL.—The Committee shall have the following duties:

(1) STUDY.—The Committee shall—

(A) research, review, and study Federal programs that are underperforming or nonessential; and

(B) determine which Federal programs should be modified or eliminated.

(2) RECOMMEND.—The Committee shall develop recommendations to the Senate for action designed to modify or eliminate underperforming or nonessential Federal programs.

(3) REPORT AND LEGISLATION.—The Committee shall submit to the Senate—

(A) at least once a year, reports including—

(i) a detailed statement of the findings and conclusions of the Committee; and

(ii) a list of underperforming or nonessential Federal programs; and

(B) such legislation and administrative actions as it considers appropriate.

(b) CONSIDERATION OF LEGISLATION.—Any legislation submitted to the Senate by the Committee shall be considered under the provisions of section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641).

SEC. 04. POWERS.

(a) HEARINGS.—The Committee or, at its direction, any subcommittee or member of the Committee, may, for the purpose of carrying out the provisions of section 03—

(1) sit and act, at any time, during the sessions, recesses, and adjourned periods of Congress;

(2) require as the Committee considers necessary, by subpoena or otherwise, the attendance of witnesses and the production of books, papers, and documents;

(3) administer oaths and take testimony; and

(4) procure necessary printing and binding.

(b) WITNESS ALLOWANCES AND FEES.—The provisions of section 1821 of title 28, United States Code, shall apply to witnesses requested to appear at any hearing of the Committee. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Committee.

(c) EXPENDITURES.—The Committee, or any subcommittee thereof, is authorized to make such expenditures as it deems advisable.

SEC. 05. APPOINTMENT AND COMPENSATION OF STAFF.

Except as otherwise provided by law, the Committee shall have power to appoint and fix the compensation of the Chief of Staff of the Committee and such experts and clerical, stenographic, and other assistants as it deems advisable.

SEC. 06. PAYMENT OF EXPENSES.

The expenses of the Committee shall be paid from the contingent fund of the Senate.

SA 247. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. MAXIMUM PURCHASE LIMIT UNDER THE SMALL BUSINESS LENDING FUND PROGRAM; TRANSFER OF FUNDS.

(a) MAXIMUM PURCHASE LIMIT.—Section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended by striking ''$30,000,000,000'' and inserting ''$20,000,000,000''.

(b) TRANSFER OF AMOUNTS IN FUND.—Section 4108 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended by adding at the end the following:

''(c) TRANSFER OF AMOUNTS.—On the date of enactment of the SBIR/STTR Reauthorization Act of 2011, the Secretary shall transfer $10,000,000,000 from the Fund to the general fund of the Treasury for reduction of the public debt.''.

SA 248. Ms COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _ REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in division A of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2011

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2011, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $41,042,653,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,912,449,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $13,210,161,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $27,105,755,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,333,165,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,940,191,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $612,191,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other

duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,650,797,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $7,511,296,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,060,098,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $33,306,117,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $37,809,239,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $5,539,740,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $36,062,989,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $30,210,810,000: *Provided*, That not more than $50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than $31,659,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That $8,251,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,840,427,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,344,264,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $275,484,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $3,291,027,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $6,454,624,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $5,963,839,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $14,068,000, of which not to exceed $5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $464,581,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $304,867,000, to remain available until transferred: *Provided*, That the Secretary of the

Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $502,653,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $10,744,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, $316,546,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $108,032,000, to remain available until September 30, 2012.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $522,512,000, to remain available until September 30, 2013: *Provided*, That of the amounts provided under this heading, not less than $13,500,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $217,561,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $5,752,291,000, to remain available for obligation until September 30, 2013.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,570,108,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,461,086,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,847,066,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, ARMY

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $8,145,665,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Army, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein,

may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $16,665,868,000, to remain available for obligation until September 30, 2013.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $3,221,957,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $790,527,000, to remain available for obligation until September 30, 2013.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program, $1,731,256,000.

Carrier Replacement Program (AP), $908,313,000.

NSSN, $3,441,452,000.

NSSN (AP), $1,691,236,000.

CVN Refueling, $1,255,799,000.

CVN Refuelings (AP), $408,037,000.

DDG–1000 Program, $186,312,000.

DDG–51 Destroyer, $2,922,190,000.

DDG–51 Destroyer (AP), $47,984,000.

Littoral Combat Ship, $1,230,984,000.

Littoral Combat Ship (AP), $190,351,000.

LHA–R, $942,837,000.

Joint High Speed Vessel, $180,703,000.

Oceanographic Ships, $88,561,000.

LCAC Service Life Extension Program, $83,035,000.

Service Craft, $13,770,000.

For outfitting, post delivery, conversions, and first destination transportation, $306,640,000.

In all: $15,724,520,000, to remain available for obligation until September 30, 2015: *Provided*, That additional obligations may be incurred after September 30, 2015, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

(INCLUDING TRANSFER OF FUNDS)

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $5,804,963,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Navy, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $1,236,436,000, to remain available for obligation until September 30, 2013.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $14,971,267,000, to remain available for obligation until September 30, 2013: *Provided*, That none of the funds provided in this Act for modification of C–17 aircraft, Global Hawk Unmanned Aerial Vehicle and F–22 aircraft may be obligated until all C–17, Global Hawk and F–22 contracts funded with prior year ''Aircraft Procurement, Air Force'' appropriated funds are definitized unless the Secretary of the Air Force certifies in writing to the congressional defense committees that each such obligation is necessary to meet the needs of a warfighting requirement or prevents increased costs to the taxpayer, and provides the reasons for failing to definitize the prior year contracts along with the prospective contract definitization schedule: *Provided further*, That the Secretary of the Air Force shall expand the current HH–60 Operational Loss Replacement program to meet the approved HH–60 Recapitalization program requirements.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $5,424,764,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $731,487,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $17,568,091,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Air Force, and that funds so transferred shall be available for the same

purposes and the same time period as the account to which transferred.

PROCUREMENT, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $4,199,041,000, to remain available for obligation until September 30, 2013: *Provided,* That of the funds made available in this paragraph, $15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of Defense, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $34,346,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $9,710,998,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $17,961,303,000 (reduced by $225,000,000), to remain available for obligation until September 30, 2012: *Provided*, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $26,742,405,000 (reduced by $225,000,000), to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $20,797,412,000, to remain available for obligation until September 30, 2012: *Provided*, That of the funds made available in this paragraph, $3,200,000 shall only be available for program management and oversight of innovative research and development.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $194,910,000, to remain available for obligation until September 30, 2012.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,434,536,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,474,866,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $31,382,198,000; of which $29,671,764,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2012, and of which up to $16,212,121,000 may be available for contracts entered into under the TRICARE program; of which $534,921,000, to remain available for obligation until September 30, 2013, shall be for procurement; and of which $1,175,513,000, to remain available for obligation until September 30, 2012, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than $10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,467,307,000, of which $1,067,364,000 shall be for operation and maintenance, of which no less than $111,178,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of $35,130,000 for activities on military installations and $76,048,000, to remain available until September 30, 2012, to assist State and local governments; $7,132,000 shall be for procurement, to remain available until September 30, 2013; and $392,811,000, to remain available until September 30, 2012, shall be for research, development, test and evaluation, of which $385,868,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $1,156,957,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $306,794,000, of which $305,794,000 shall be for operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2013, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $292,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $649,732,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That, in the case of a host nation that does not provide salary increases on an annual basis, any increase granted by that nation shall be annualized for the purpose of applying the preceding proviso: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2011: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled ''Explanation of Project Level Adjustments'' in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8008. The Secretaries of the Air Force and the Army are authorized, using funds available under the headings ''Operation and Maintenance, Air Force'' and ''Operation and Maintenance, Army'', to complete facility conversions and phased repair projects which may include upgrades and additions to Alaskan range infrastructure and training areas, and improved access to these ranges.

(TRANSFER OF FUNDS)

SEC. 8009. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8010. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8011. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

Navy MH–60R/S Helicopter Systems.

SEC. 8012. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated

pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8013. (a) During fiscal year 2011, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2012.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8016. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8017. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8018. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term ''manufactured'' shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8020. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8021. In addition to the funds provided elsewhere in this Act, $15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8022. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8023. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000

for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8024. (a) Of the funds made available in this Act, not less than $30,374,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $27,048,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $2,424,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $902,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8025. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2011 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2011, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2012 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $125,000,000.

SEC. 8026. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8027. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8028. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8029. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2011. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

SEC. 8030. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8031. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8032. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8033. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2012 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8034. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for

obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2012: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2012.

SEC. 8035. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8036. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8037. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8038. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8040. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011'', $86,300,000.

''Other Procurement, Army, 2009/2011'', $147,600,000.

''Aircraft Procurement, Navy, 2009/2011'', $26,100,000.

''Aircraft Procurement, Air Force, 2009/2011'', $116,900,000.

''Aircraft Procurement, Army, 2010/2012'', $14,000,000.

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2010/2012'', $36,000,000.

''Missile Procurement, Army, 2010/2012'', $9,171,000.

''Aircraft Procurement, Navy, 2010/2012'', $184,847,000.

''Procurement of Ammunition, Navy and Marine Corps, 2010/2012'', $11,576,000.

Under the heading, ''Shipbuilding and Conversion, Navy, 2010/2014'': DDG–51 Destroyer, $22,000,000.

''Other Procurement, Navy, 2010/2012'', $9,042,000.

''Aircraft Procurement, Air Force, 2010/2012'', $151,300,000.

''Other Procurement, Air Force, 2010/2012'', $36,600,000.

''Research, Development, Test and Evaluation, Army, 2010/2011'', $53,500,000.

''Research, Development, Test and Evaluation, Air Force, 2010/2011'', $198,600,000.

''Research, Development, Test and Evaluation, Defense-Wide, 2010/2011'', $10,000,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8046. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8047. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8048. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F–22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8058. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8059. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8060. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop,

lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8061. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8062. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8063. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8065. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8066. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8067. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8068. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8069. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year, and hereafter, may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $147,258,300 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8071. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2011.

SEC. 8072. In addition to amounts provided elsewhere in this Act, $4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the headings ''Procurement, Defense-Wide'' and ''Research, Development, Test and Evaluation, Defense-Wide'', $415,115,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, $205,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, $84,722,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, $58,966,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and $66,427,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite, of which $12,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8074. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8075. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8076. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2011 until the enactment of the Intelligence Authorization Act for Fiscal Year 2011.

SEC. 8077. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8078. The budget of the President for fiscal year 2012 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8079. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $65,200,000 is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make grants in the amounts specified as follows: $20,000,000 to the United Service Organizations; $24,000,000 to the Red Cross; $1,200,000 to the Special Olympics; and $20,000,000 to the Youth Mentoring Grants Program: *Provided further*, That funds available in this section for the Youth Mentoring Grants Program may be available for transfer to the Department of Justice Youth Mentoring Grants Program.

SEC. 8081. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the nonhurricane season.

SEC. 8082. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8083. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8084. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8085. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8086. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8087. Of the funds provided in this Act, $7,080,000 shall be available for the operations and development of training and technology for the Joint Interagency Training and Education Center and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agencies, and State and local first responder personnel at the Joint Interagency Training and Education Center.

SEC. 8088. Notwithstanding any other provision of law or regulation, during the current fiscal year and hereafter, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8089. Up to $15,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8090. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2012.

SEC. 8091. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading ''Shipbuilding and Conversion, Navy'' shall be considered to be for the same purpose as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8092. Notwithstanding any other provision of law, not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of $130,000,000 or higher.

SEC. 8093. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than $20,000,000 in any fiscal year, the P–1, Procurement Program; P–5, Cost Analysis; P–5a, Procurement History and Planning; P–21, Production Schedule; and P–40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than $10,000,000 in any fiscal year, the R–1, RDT&E Program; R–2, RDT&E Budget Item Justification; R–3, RDT&E Project Cost Analysis; and R–4, RDT&E Program Schedule Profile.

SEC. 8094. The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2011. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8095. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's

budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8096. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8097. For the purposes of this Act, the term ''congressional intelligence committees'' means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8098. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 ''Contingency Operations'', Annex 1, dated September 2005.

SEC. 8099. The amounts appropriated in title II of this Act are hereby reduced by $783,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows: (1) From ''Operation and Maintenance, Army'', $700,000,000; and (2) From ''Operation and Maintenance, Defense-Wide'', $83,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8100. During the current fiscal year, not to exceed $11,000,000 from each of the appropriations made in title II of this Act for ''Operation and Maintenance, Army'', ''Operation and Maintenance, Navy'', and ''Operation and Maintenance, Air Force'' may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8101. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, $24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8102. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8103. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8104. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000 unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a ''covered subcontractor'' is an entity that has a subcontract in excess of $1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(e) By March 1, 2011, or within 60 days after enactment of this Act, whichever is later, the Government Accountability Office shall submit a report to the Congress evaluating the effect that the requirements of this section have had on national security, including recommendations, if any, for changes to these requirements.

SEC. 8105. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act or otherwise available to the Department of Defense may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A–76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) have been satisfactorily completed.

SEC. 8106. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than $3,000,000, within the Intelligence Community without the approval of the Business Transformation Office, and the designated Intelligence Community functional lead element.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees a semi-annual report of approvals under paragraph (1) no later than March 30 and September 30 of each year. The report shall include the results of the Business Transformation Investment Review Board's semi-annual activities, and each report shall certify that the following steps have been taken for systems approved under paragraph (1):

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. Of the funds appropriated in this Act for the Office of the Director of National Intelligence, $50,000,000, may be transferred to appropriations available to the Central Intelligence Agency, the National Security Agency, and the National Geospatial Intelligence Agency, the Defense Intelligence Agency and the National Reconnaissance Office for the Business Transformation Transfer Funds, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8108. In addition to funds made available elsewhere in this Act, there is hereby appropriated $538,875,000, to remain available until transferred: *Provided*, That these funds are appropriated to the ''Tanker Replacement Transfer Fund'' (referred to as ''the Fund'' elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to ''Operation and Maintenance, Air Force'', ''Aircraft Procurement, Air Force'', and ''Research, Development, Test and Evaluation, Air Force'', only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to $132,200,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8110. (a) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Navy'', not less than $2,000,000, shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10, section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(b) Of the amounts made available in this Act under the heading ''Operation and Maintenance, Air Force'', not less than $2,000,000 shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10 section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(c) The Secretaries of the Army, Navy, Air Force, and the Directors of the Defense Agencies and Field Activities (in coordination with the appropriate Principal Staff Assistant), in coordination with the Under Secretary of Defense for Personnel and Readiness, shall report to the congressional defense committees within 60 days of enactment of this Act their plan for documenting the number of full-time contractor employees (or its equivalent), as required by United States Code title 10, section 2330a.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8111. In addition to amounts provided elsewhere in this Act, there is appropriated $250,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8112. In addition to amounts provided elsewhere in this Act, there is appropriated $300,000,000, for an additional amount for ''Operation and Maintenance, Defense-Wide'', to remain available until expended. Such funds may be available for the Office of Economic Adjustment, notwithstanding any other provision of law, for transportation infrastructure improvements associated with medical facilities related to recommendations of the Defense Base Closure and Realignment Commission.

SEC. 8113. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32; 123 Stat. 1871) is amended by striking ''1 year'' both places it appears and inserting ''2 years''.

SEC. 8114. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex: *Provided*, That not later than 90 days after enactment of this Act, the Director of National Intelligence shall certify that the Office of the Director of National Intelligence selects individuals for Senior Executive positions in a manner consistent with statutes, regulations, and the requirements of other Federal agencies in making such appointments and will submit its policies and procedures related to the appointment of personnel to Senior Executive positions to the congressional intelligence oversight committees.

SEC. 8115. For all major defense acquisition programs for which the Department of Defense plans to proceed to source selection during the current fiscal year, the Secretary of Defense shall perform an assessment of the winning bidder to determine whether or not the proposed costs are realistic and reasonable with respect to proposed development and production costs. The Secretary of Defense shall provide a report of these assessments, to specifically include whether any cost assessments determined that such proposed costs were unreasonable or unrealistic, to the congressional defense committees not later than 60 days after enactment of this Act and on a quarterly basis thereafter.

SEC. 8116. (a) The Deputy Under Secretary of Defense for Installations and Environment, in collaboration with the Secretary of Energy, shall conduct energy security pilot projects at facilities of the Department of Defense.

(b) In addition to the amounts provided elsewhere in this Act, $20,000,000, is appropriated to the Department of Defense for ''Operation and Maintenance, Defense-Wide'' for energy security pilot projects under subsection (a).

SEC. 8117. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8118. Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Chief of the Air Force Reserve, and the Director of the National Guard Bureau, in collaboration with the Secretary of Agriculture and the Secretary of the Interior, shall submit to the Committees on Appropriations of the House and Senate, the House Committee on Agriculture, the Senate Committee on Agriculture, Nutrition and Forestry, the House Committee on Natural Resources, and the Senate Committee on Energy and Natural Resources a report of firefighting aviation assets. The report required under this section shall include each of the following:

(1) A description of the programming details necessary to obtain an appropriate mix of fixed wing and rotor wing firefighting assets needed to produce an effective aviation resource base to support the wildland fire management program into the future. Such programming details shall include the acquisition and contracting needs of the mix of aviation resources fleet, including the acquisition of up to 24 C–130Js equipped with the Mobile Airborne Fire Fighting System II (in this section referred to as ''MAFFS''), to be acquired over several fiscal years starting in fiscal year 2012.

(2) The costs associated with acquisition and contracting of the aviation assets described in paragraph (1).

(3) A description of the costs of the operation, maintenance, and sustainment of a fixed and rotor wing aviation fleet, including a C–130J/MAFFS II in an Air National Guard tactical airlift unit construct of 4, 6, or 8 C–130Js per unit starting in fiscal year 2012, projected out through fiscal year 2020. Such description shall include the projected costs associated with each of the following through fiscal year 2020:

(A) Crew ratio based on 4, 6, or 8 C–130J Air National Guard unit construct and requirement for full-time equivalent crews.

(B) Associated maintenance and other support personnel and requirement for full-time equivalent positions.

(C) Yearly flying hour model and the cost for use of a fixed and rotor wing aviation fleet, including C–130J in its MAFFS capacity supporting the United States Forest Service.

(D) Yearly flying hour model and cost for use of a C–130J in its capacity supporting Air National Guard tactical airlift training.

(E) Any other costs required to conduct both the airlift and firefighting missions, including the Air National Guard unit construct for C–130Js.

(4) Proposed program management, utilization, and cost share arrangements for the aircraft described in paragraph (1) for primary support of the Forest Service and secondary support, on an as available basis, for the Department of Defense, together with any proposed statutory language needed to authorize and effectuate the same.

(5) An integrated plan for the Forest Service and the Department of the Interior wildland fire management programs to operate the fire fighting air tanker assets referred to in this section.

SEC. 8119. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about February 16, 2011, by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,468,033,000: *Provided*, That each amount in this paragraph is 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.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $1,308,719,000: *Provided*, That each amount in this paragraph is 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.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $732,920,000: *Provided*, That each amount in this paragraph is 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.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $2,060,442,000: *Provided*, That each amount in this paragraph is 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.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $268,031,000: *Provided*, That each amount in this paragraph is 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.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $48,912,000: *Provided*, That each amount in this paragraph is 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.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $45,437,000: *Provided*, That each amount in this paragraph is 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.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $27,002,000: *Provided*, That each amount in this paragraph is 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.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $853,022,000: *Provided*, That each amount in this paragraph is 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.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $16,860,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $60,587,102,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $8,970,724,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $4,008,022,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $12,989,643,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $9,276,990,000: *Provided*, That each amount in this section is 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: *Provided further*, That of the funds provided under this heading:

(1) Not to exceed $12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation New Dawn and Operation Enduring Freedom.

(2) Not to exceed $1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation New Dawn and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $206,784,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $93,559,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $29,685,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $203,807,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $497,849,000: *Provided*, That each amount in this paragraph is 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.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $417,983,000: *Provided*, That each amount in this paragraph is 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.

AFGHANISTAN INFRASTRUCTURE FUND

(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the ''Afghanistan Infrastructure Fund''. For the ''Afghanistan Infrastructure Fund'', $400,000,000, to remain available until September 30, 2012: *Provided*, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the ''appropriate committees of Congress'' are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That each amount in this paragraph is 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.

AFGHANISTAN SECURITY FORCES FUND

For the ''Afghanistan Security Forces Fund'', $11,619,283,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That up to $15,000,000 of these funds may be available for coalition police trainer life support costs: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is 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.

IRAQ SECURITY FORCES FUND

For the ''Iraq Security Forces Fund'', $2,000,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: *Provided further*, That each amount in this paragraph is 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.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $2,222,638,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $343,828,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $896,996,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $369,885,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $6,423,832,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $774,549,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $90,502,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $558,024,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $316,835,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $1,589,119,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $1,499,934,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $56,621,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $292,959,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $2,868,593,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $1,072,779,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is 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.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, $850,000,000, to remain available for obligation until September 30, 2013, of which $250,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That each amount in this paragraph is 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.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, $3,415,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'',

$143,234,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $104,781,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $484,382,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $222,616,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $485,384,000: *Provided*, That each amount in this paragraph is 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.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,422,092,000, of which $1,398,092,000 shall be for operation and maintenance, to remain available until September 30, 2011, and of which $24,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $440,510,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is 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.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $2,793,768,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is 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.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the ''Office of the Inspector General'', $10,529,000: *Provided*, That each amount in this paragraph is 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.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2011.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to $4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2011.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the ''Afghanistan Security Forces Fund'' provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of $75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $250,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed $500,000,000 of the amount appropriated in this title under the heading ''Operation and Maintenance, Army'' may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent, small scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That projects (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed $20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Iraq and Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies,

services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. (a) The Secretary of Defense shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings Iraq Security Forces Fund, Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and Pakistan Counterinsurgency Fund on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates for the accounts referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9011. Of the funds appropriated by this Act for the Office of the Director of National Intelligence, $3,375,000 is available, as specified in the classified annex, for transfer to other departments and agencies of the Federal Government.

SEC. 9012. (a) The Task Force for Business and Stability Operations in Afghanistan may, subject to the direction and control of the Secretary of Defense and with the concurrence of the Secretary of State, carry out projects in fiscal year 2011 to assist the commander of the United States Central Command in developing a link between United States military operations in Afghanistan under Operation Enduring Freedom and the economic elements of United States national power in order to reduce violence, enhance stability, and restore economic normalcy in Afghanistan through strategic business and economic opportunities.

(b) The projects carried out under paragraph (a) may include projects that facilitate private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, and energy development in and with respect to Afghanistan.

(c) The Secretary may use up to $150,000,000 of the funds available for overseas contingency operations in ''Operation and Maintenance, Army'' for additional activities to carry out projects under paragraph (a).

SEC. 9013. (a) Not more than 85 percent of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure until the date on which the Secretary of Defense submits the report under subsection (b).

(b) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on contractor employees in the United States Central Command, including—

(1) the number of employees of a contractor awarded a contract by the Department of Defense (including subcontractor employees) who are employed at the time of the report in the area of operations of the United States Central Command, including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(2) for each fiscal year quarter beginning on the date of the report and ending on September 30, 2012—

(A) the number of such employees planned by the Secretary to be employed during each such period in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

This division may be cited as the ''Department of Defense Appropriations Act, 2011''.

SA 249. Mrs. FEINSTEIN (for herself, Ms. COLLINS, and Mr. WEBB) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 504. ETHANOL ELIGIBLE FOR BLENDER INCOME TAX AND FUEL EXCISE TAX CREDITS.

(a) INCOME TAX CREDIT.—Section 40(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ETHANOL ELIGIBLE FOR CREDIT.—In the case of any sale or use for any period after June 30, 2011, this subsection shall apply only to ethanol which qualifies as an advanced biofuel (as defined in section 211(o)(1)(B) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B))).''.

(b) EXCISE TAX CREDIT.—Section 6426(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) ETHANOL ELIGIBLE FOR CREDIT.—In the case of any sale, use, or removal for any period after June 30, 2011, no credit shall be determined under this subsection with respect to an alcohol fuel mixture in which any of the alcohol consists of ethanol unless the ethanol qualifies as an advanced biofuel (as defined in section 211(o)(1)(B) of the Clean Air Act (42 U.S.C. 7545(o)(1)(B))).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after June 30, 2011.

SEC. 505. ETHANOL TARIFF-TAX PARITY.

Not later than 30 days after the date of the enactment of this Act, and semiannually thereafter, the President shall reduce the temporary duty imposed on ethanol under subheading 9901.00.50 of the Harmonized Tariff Schedule of the United States by an amount equal to the reduction in any Federal income or excise tax credit under section 40(h), 6426(b), or 6427(e)(1) of the Internal Revenue Code of 1986 and take any other action necessary to ensure that the combined temporary duty imposed on ethanol under such subheading 9901.00.50 and any other duty imposed under the Harmonized Tariff Schedule of the United States is equal to, or lower than, any Federal income or excise tax credit applicable to ethanol under the Internal Revenue Code of 1986.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 17, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. LANDRIEU. 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 17, 2011, at 10 a.m. to conduct a hearing entitled ''TARP Oversight: Evaluating Returns on Taxpayer Investments.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during

the session of the Senate on March 17, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the sessions of the Senate on March 17, 2011, at 10 a.m., to hold a hearing entitled ''Popular Uprisings in the Middle East: The implications for U.S. Policy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Health Insurance Exchanges and Ongoing State Implementation of the Patient Protection and Affordable Care Act'' on March 17, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 17, 2011, 3:15 p.m. to conduct a hearing entitled ''Catastrophic Preparedness: How Ready Is FEMA for the Next Big Disaster?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 17, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

AT HOC SUBCOMMITTEE ON DISASTER RECOVERY AND INTERGOVERNMENTAL AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 17, 2011, at 10 a.m. to conduct a hearing entitled ''Preventing Improperly Paid Federal Assistance in the Aftermath of Disasters.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 17, 2011 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY AND SUBCOMMITTEE ON GREEN JOBS AND THE NEW ECONOMY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety and the Subcommittee on Green Jobs and the New Economy of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 17, 2011, at 10 a.m. in SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on March 17, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 17, 2011, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. SNOWE. Mr. President, I ask unanimous consent that Jelena McWilliams, a detailee with the Small Business Committee, be granted the privilege of the floor during consideration of this legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 48; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF DEFENSE

Michael Vickers, of Virginia, to be Under Secretary of Defense for Intelligence.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that on Monday, March 28, at 4:30 p.m., the Senate proceed to executive session to consider Calendar No. 40; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, without intervening action or debate, on Calendar No. 40; that the motion to reconsider be considered made and laid upon the table; that no further motions be in order; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE 190TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. REID. Madam President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 51 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 51) recognizing the 190th anniversary of the independence of Greece and celebrating Greek and American democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 51) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 51

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States, many of whom read Greek political philosophy in the original Greek, drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that ''it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you'';

Whereas the Greek national anthem, the ''Hymn to Liberty'', includes the words, ''Most heartily was gladdened George Washington's brave land'';

Whereas the people of the United States generously offered humanitarian assistance to the Greek people during their struggle for independence;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas hundreds of thousands of Greek civilians were killed in Greece during World War II in defense of the values of the Allies;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested more than $20,000,000,000 in the countries of the region, thereby helping to create more than 200,000 new jobs, and having contributed more than $750,000,000 in development aid for the region;

Whereas Greece actively participates in peacekeeping and peace-building operations conducted by international organizations including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding and rapprochement with Turkey, as seen by Prime Minister of Greece George Papandreou's trip to Turkey, just days after being elected and the Prime Minister of Turkey Recep Tayyip Erdogan's visit to Greece in May 2010, during which Greece and Turkey established a Joint Ministerial Council, made up of 10 ministers from each country, to discuss tangible ways to enhance cooperation in various fields of interest;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and similar ideals have forged a close bond between Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2011, Greek Independence Day, with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 190th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 190 years ago.

CONDEMNING THE ELECTIONS IN BELARUS

Mr. REID. Madam President, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 105.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 105) to condemn the December 19, 2010, elections in Belarus, and to call for the immediate release of all political prisoners and for new elections that meet international standards.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Madam President, much of the world's recent attention has understandably been on the Middle East—and of course this week on the terrible situation with one of America's closest allies—Japan. I understand that USAID has sent disaster relief teams to help in the earthquake and tsunami devastated cities and that the U.S. aircraft carrier USS Ronald Reagan is off the coast to help with relief operations.

Events there are truly heartbreaking and we stand in solidarity with our Japanese friends during this time of continued crisis and rebuilding.

Amid these major global events I want to make sure we don't lose sight of the continuing political repression in the last dictatorship of Europe—Belarus.

You see, despite the transformations that swept through eastern and central Europe following the collapse of the Soviet Union, Belarus remains stuck in time under the tyranny of Alexander Lukashenko, who has ruled the country with an iron fist for most of the last two decades.

Lukashenko's security forces that help prop up his illegitimate regime are actually still called the KGB—and they have the same despicable tactics as the old Soviet KGB.

Under Lukashenko's regime, those who dare to speak up against the government or attempt to participate in any semblance of democratic activity find themselves arrested, beaten, or worse.

In December, six of the seven candidates who chose to run against Lukashenko were arrested on election day when protesting the sham electoral process. Some were beaten and one, Vladimir Nekliaev, was even yanked out of a hospital and taken for interrogation by Lukashenko's KGB henchmen.

Over 600 other protesters were also arrested.

I had the opportunity to visit Belarus some weeks after the election and meet with the family members of these brave candidates and activists and I must tell you, it was a very moving experience.

I want to tell you about Milana Mikhalevich a 34-year-old mother of two, whose husband Ales was a Presidential candidate.

She told me of her harassment by Belarusian officials since her husband's arrest; how they denied her access to see him or even exchange letters. Any attorneys brave enough to defend him faced disbarment or criminal charges.

As she described this Lukashenka nightmare, Milana's 14-month-old daughter Alena scrambled around her feet—her father held somewhere in a Lukashenka KGB nightmare.

Just a few weeks ago Ales was finally released from detention. He promptly issued a statement detailing the abuse and torture that he endured in his 2-month KGB detention, including being beaten, stripped naked, and hung by his hands.

He said that following his torture he was forced to sign a document in which he pledged to cooperate, noting ''after my joints crunched I did all they wanted.''

Madam President, can anyone believe this kind of barbarism is still happening in Europe?

At the end of January, following repeated condemnations of the December election and demands for the release of all political prisoners, the United States and the European Union imposed targeted travel and financial sanctions on Lukashenko and his group of enablers.

Tragically, since then, Lukashenko's KGB has continued daily raids on the homes and offices of those suspected of ties to the democratic opposition, human rights organizations, or independent media.

Lukashenko has ignored election monitor reports questioning the credibility of the election and international demands to release all political prisoners. He has pulled his country even further into isolation and made it the subject of international scorn.

Following the old Soviet playbook, his government has tried to blame outside forces and other countries—everyone but Lukashenko himself—for the shameful political mess he has created.

You may have read his very troubling interview recently in the Washington Post in which he brazenly claimed ''We told you clearly that there is no less democracy in Belarus than there is in the United States'' and that despite the international condemnation and sanctions, he would order the same arrests and repression on election night all over again given the chance.

Just last week his government formally sentenced a number of protesters to terms of between 3–4 years in a high security prison. Others still face trials and possible 15 year sentences.

That is why last week, Senators LIEBERMAN, MCCAIN, CARDIN, SHAHEEN, GRAHAM, KYL, BARRASSO, MARK UDALL, KIRK, LAUTENBERG and I submitted a Senate resolution on Belarus that, among other things:

Condemns the December election as illegitimate and fraudulent and calls for new elections that are genuinely democratic; calls for the immediate release of all political prisoners in

Belarus and an end to the harassment of their families and lawyers; and urges the U.S. and the EU to expand the list of Belarussian officials and their families responsible for maintaining Lukashenko's rein of tyranny to be subject to travel and asset sanctions.

The resolution also calls on the International Ice Hockey Federation to suspend its 2014 International World Ice Hockey championship to be hosted in Minsk, Belarus until all political prisoners are released.

No such distinguished international sport championship should be awarded to Lukashenko's dictatorship while political prisoners are rotting away and being tortured in his secret KGB prisons.

Madam President, the people of Belarus only want the same basic freedoms that so many of us take for granted—and that so many are protesting for in the Middle East—the freedom to choose one's own government, to be free from indiscriminate arrest and torture, and to speak and debate issues freely within a democratic process.

We in the Senate owe the Belarusian people nothing less than to stand in solidarity with them as they continue their struggle.

Mr. REID. I ask unanimous consent that 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 related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 105) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 105

Whereas the people of Belarus have lived under the brutal dictatorship of Alexander Lukashenko for almost 2 decades;

Whereas, under Mr. Lukashenko's rule, Belarus—which is known as ''the last dictatorship of Europe''—has defied the post-Soviet democratic transformation that swept eastern and central Europe by maintaining an abhorrent human and political rights record and denying its citizens fundamental freedoms;

Whereas, according to the United States Department of State 2009 Human Rights Country Report on Belarus, elections in Belarus are consistently unfair and undemocratic; politically motivated arrests and detentions are ongoing; Belarus' judiciary is not independent; beatings, poor treatment, and disease are widespread in prisons in Belarus, where detainees lack access to food, proper clothing, and medical treatment; and the Government of Belarus has severely and systematically restricted basic freedoms of press, speech, assembly, association, and religion;

Whereas Mr. Lukashenko had an opportunity to move Belarus closer to the community of democracies by holding free and fair presidential elections on December 19, 2010, and allowing for multiple opposition candidates to run for president;

Whereas the Lukashenko regime squandered this opportunity for the people of Belarus by orchestrating a fraudulent election that failed to meet minimal international standards;

Whereas, following the elections, the Lukashenko regime arrested 5 of the 6 opposition presidential candidates, severely beating one candidate, Uladzimir Niakliayeu, and arbitrarily beating many of the thousands of Belarusians who were peacefully protesting the stolen election in the largest public demonstration the country had seen in over 5 years;

Whereas, during the course of election day and its aftermath, Lukashenko's security forces, the State Security Agency (KGB), detained or arrested over 600 additional people, including journalists, civil society representatives, political activists, and ordinary Belarusians who were peacefully seeking to exercise their fundamental human rights to free assembly and expression;

Whereas the Organization for Security and Cooperation in Europe's Election Observation Mission, which monitored the election in Belarus, issued a statement of preliminary findings and conclusions on December 20, 2010, that criticized the election's campaign environment as ''characterized by the lack of a level-playing field'' and reported that international observers assessed the vote count as ''non-transparent'' and ''bad or very bad in almost half of all observed polling stations'';

Whereas, according to Organization for Security and Cooperation in Europe observers, prominent international websites, including Gmail and Hotmail, and Belarusian websites including Charter97.org, euroradio.by, gazetaby.com, and zapraudu.info were rendered inaccessible on election day;

Whereas, on February 22, 2011, the Organization for Security and Cooperation in Europe stated in its final report on the December 19, 2010, election that the final vote count was ''flawed and lacked transparency'';

Whereas Department of State spokesperson Philip J. Crowley said on December 20, 2010, ''We cannot consider the election results as legitimate.'';

Whereas, on December 20, 2010, the Obama Administration called for the release of all detained presidential candidates and protestors arrested around the election and strongly condemned the violence used by the Lukashenko regime to ''undermine the democratic process'';

Whereas on December 23, 2010, Secretary of State Hillary Clinton and European Union High Representative for Foreign Affairs and Security Policy Catherine Ashton strongly condemned the Lukashenko regime's disproportionate use of violence and called for ''the immediate release of the presidential candidates and the over 600 demonstrators who have been taken into custody in the wake of the presidential elections in Belarus'';

Whereas the heads of the foreign affairs committees of the German and Polish parliaments issued a joint statement on December 31, 2010, stating that the presidential election in Belarus showed ''a complete lack of respect for European values and standards'';

Whereas, on January 20, 2011, the European Parliament adopted a resolution that condemns the December 19, 2010, elections in Belarus and their violent aftermath; demands the immediate and unconditional release of political prisoners; and calls for ''new elections to be held'' in Belarus under ''free and democratic conditions'' and ''according to OSCE standards'';

Whereas, on December 31, 2010, the Government of Belarus refused to extend the mandate of the Organization for Security and Cooperation in Europe office in Minsk, thereby shuttering the democratic institution building efforts of the Organization for Security and Cooperation in Europe in Belarus;

Whereas, on January 4, 2011, Department of State spokesperson Philip J. Crowley and Darren Ennis, Spokesperson for European Union High Representative Catherine Ashton, issued a joint statement expressing regret over the closure of the Organization for Security and Cooperation in Europe Office in Belarus and calling on authorities in Belarus ''to fulfill their commitments to the OSCE by reforming the election process and providing greater respect for human rights'';

Whereas the Belarusian KGB continues to detain at least 32 political opposition leaders and activists associated with the December 19, 2010, elections who face dubious charges that carry prison sentences up to 15 years;

Whereas, on February 28, 2011, Ales Mikhalevich, a presidential candidate who was arrested following the December 19, 2010, elections and released on January 19, 2011, issued a statement detailing the abuse and torture that he endured during his 2-month detention by the Belarusian KGB, in violation of existing Belarusian laws as well as international agreements, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, to which Belarus has been a signatory since December 1985;

Whereas families of presidential candidates and political opposition leaders and their lawyers face continued harassment and intimidation by Lukashenko's KGB, including repeated interrogations, raids, pressure, and threats of dismissal from places of employment and schools;

Whereas the detained presidential candidates and political opposition leaders are being denied regular access to family, lawyers, medical treatment, and open legal proceedings;

Whereas authorities in Belarus continue to carry out searches and seizures across the country, including the offices and homes of journalists, political activists, civil society representatives, former presidential candidates and their advisers, and ordinary Belarusians with tenuous connections to members of the political opposition;

Whereas, according to the Stockholm International Peace Research Institute, an internationally reputable source on global arms trade, the Lukashenko regime delivered a shipment of military equipment to the Qaddafi regime in Libya in February 2011, just before Qaddafi prepared to initiate the widely condemned bloody crackdown undertaken against the people of Libya;

Whereas, on January 31, 2011, the United States and the European Union imposed targeted travel and financial sanctions on an expanded list of officials of the Government of Belarus, including Alexander Lukashenko and those helping prop up his regime;

Whereas, on January 31, 2011, the United States Government also restricted economic transactions with Lakokraska OAO and Polotsk Steklovolokno OAO, 2 subsidiaries of Belarus's largest state-owned petroleum and chemical conglomerate, Belneftekhim;

Whereas, on February 2, 2011, the United States Government pledged to supplement its democracy assistance to Belarus by $4,000,000 in fiscal year 2011;

Whereas, on March 2, 2011, Lukashenko's regime sentenced 3 of the political detainees, Alyaksandr Atroshchankau, Zmitster Novik, and Alyaksandr Malchanau, to between 3 and 4 years in a top-security prison;

Whereas on March 4, 2011, Department of State Spokesman P.J. Crowley said, ''The United States remains gravely concerned over the continuing post-election crackdown

by the Government of Belarus on civil society, independent media, and the political opposition. Through its ongoing detentions, trials, and harsh prison sentences, the government is creating new political prisoners. We urge the unconditional release of those detained in the crackdown without trials, and the creation of space for the free expression of political views, the development of civil society, and the ability of citizens to expand their contact with open societies.''; and

Whereas Congress passed the Belarus Democracy Act of 2004 (Public Law 108–347) and the Belarus Democracy Reauthorization Act of 2006 (Public Law 109–480) as expressions of support consistent with these aims: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the December 19, 2010, election in Belarus as illegitimate, fraudulent, and not representative of the will or the aspirations of the voters in Belarus, and joins the European Parliament in calling for new elections to be held in Belarus that meet international standards;

(2) condemns the beating, arrest, fining, and imprisonment of presidential candidates, opposition leaders, and activists by Alexander Lukashenko's KGB in the wake of the December 19, 2010, election;

(3) condemns the Lukashenko regime's systematic efforts to prevent freedom of expression and association in Belarus, including its efforts to censor the Internet and stifle freedom of the press;

(4) stands in solidarity with the people of Belarus, those political prisoners being unjustly detained, and those who continue to fight for peaceful democratic change and their fundamental human rights in Belarus;

(5) applauds the pledges of the United States Government and the European Union to impose targeted sanctions, including visa bans and asset freezes, on Belarusian officials and their associates responsible for the recent crackdown and human rights abuses against the people of Belarus;

(6) applauds the decisions of the United States Government, the European Union, and other democratic allies to expand assistance to civil society in Belarus;

(7) calls on the Lukashenko regime—

(A) to immediately and unconditionally release all political prisoners in Belarus who were arrested in association with the December 19, 2010, election, including 3 presidential candidates, Andrei Sannikov, Nikolai Statkevich, and Uladzimir Nyaklyaeu, who are still in prison or under house arrest;

(B) to immediately cease the harassment of the families, friends, and lawyers of political prisoners in Belarus;

(C) to authorize the extension of the mandate of the Organization for Security and Cooperation in Europe Office in Belarus;

(D) to hold new presidential and parliamentary elections in Belarus that are free, fair, inclusive, and meet international standards; and

(E) to meet its international obligations and cease any illegal efforts related to the provision of arms to rogue regimes;

(8) urges the President and the Secretary of State—

(A) to continue to closely coordinate United States and European Union policies towards Belarus;

(B) to resume direct technical and material support to the opposition and civil society in Belarus, including political parties, civic groups, and independent media outlets;

(C) to ensure that the United States list includes any other officials of the Government of Belarus responsible for the crackdown following the December 19, 2010, election in Belarus, associated human rights abuses, and the continued detention, prosecution, and mistreatment of all political prisoners, and to impose targeted sanctions on those individuals and their family members where warranted; and

(D) to identify any other entities that enrich Mr. Lukashenko and his regime at the expense of the people of Belarus and prohibit business with and freeze the assets of such entities;

(9) urges the European Union—

(A) to join the United States in prohibiting business with, and freezing the assets of, the Belarusian state-owned oil and petrochemicals company Belneftekhim and its subsidiaries Lakokraska OAO and Polotsk Steklovolokno OAO, as well as other entities that enrich Mr. Lukashenko and his regime at the expense of the people of Belarus;

(B) to cut all European projects linked to the authorities in Belarus responsible for the crackdown and associated human rights abuses and to exclude officials of the Government of Belarus from meetings under the European Union's Eastern Partnership policy—including the planned European Union summit with post-Soviet countries scheduled to take place in Budapest in May 2011—but to ensure that this suspension not apply to nongovernmental and civil society organizations in Belarus;

(C) to ensure that the European Union list includes any other officials of the Government of Belarus responsible for the crackdown following the December 19, 2010, election in Belarus, associated human rights abuses, and the continued detention, prosecution, and mistreatment of political prisoners, and to impose targeted sanctions on those officials and their family members where warranted; and

(D) to increase support to the opposition and civil society in Belarus, including political parties, civic groups, and independent media outlets;

(10) calls on other members of the international community, including Russia, to take similar targeted actions against the leaders of the Government of Belarus;

(11) calls on the Government of Lithuania, as chair of the Organization for Security and Cooperation in Europe for 2011, to make the reestablishment of the Organization for Security and Cooperation in Europe Office in Belarus one of its chief priorities for its tenure; and

(12) calls on the International Ice Hockey Federation to suspend its 2014 International World Ice Hockey championship to be hosted in Minsk, Belarus until all political prisoners in Belarus are released.

100TH ANNIVERSARY OF TRIANGLE SHIRTWAIST COMPANY FIRE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 106.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 106) recognizing the 100th anniversary of the Triangle Shirtwaist Company fire in New York City on March 25, 1911 and designating the week of March 21, 2011 through March 25, 2011 as the ''100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 106) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 106

Whereas the Triangle Shirtwaist Company fire was the deadliest industrial disaster in the City of New York's history and resulted in the 4th greatest loss of life from an industrial accident in the history of the United States, claiming the lives of 146 garment workers, many of whom were young immigrants;

Whereas this human catastrophe exposed the need to strengthen labor laws, fire regulations, and health and safety protections for workers;

Whereas the Triangle Shirtwaist Company fire helped spur the growth of the modern-day organized labor movement, particularly the International Ladies' Garment Workers' Union, which continued to fight for better conditions for sweatshop workers;

Whereas from the ashes of this horrific event emerged the modern celebration of International Women's Day, and the death of 129 women workers in the Triangle Shirtwaist Company fire demonstrated the need for workers' rights and women's rights;

Whereas more than 5,000 workers lose their lives each year on the job, and protecting the health and safety of workers continues to be a critical issue in the United States today; and

Whereas national events will be held to remember the victims of the Triangle Shirtwaist Company fire, and to educate citizens about the important role this tragic event played in the history of the United States: Now, therefore, be it

Resolved, That the Senate designates the week of March 21, 2011 through March 25, 2011 as the ''100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week''.

NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY

Mr. REID. Madam President, I now ask we proceed to S. Res. 107.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 107) designating April 4, 2011, as ''National Association of Junior Auxiliaries Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 107) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 107

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

(1) are beneficial to the general public; and

(2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2011, as ''National Association of Junior Auxiliaries Day'';

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. I now ask unanimous consent we proceed to H. Con. Res. 30.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 30) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 30) was considered and agreed to, as follows:

H. CON. RES. 30

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, March 17, 2011, Friday, March 18, 2011, or Saturday, March 19, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, March 29, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, March 17, 2011, through Friday, March 25, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, March 28, 2011, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SIGNING AUTHORITY

Mr. REID. I ask unanimous consent that during the adjournment of the Senate, the majority leader, Senator ROCKEFELLER, and Senator WEBB be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT AUTHORITY

Mr. REID. Madam President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore and majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 28, 2011

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 30 until 2 p.m. on Monday, March 28; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and following any leader remarks, there be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, following morning business, that the Senate resume consideration of S. 493, the small business jobs bill; and finally, at 4:30 p.m., the Senate proceed to executive session to consider the nomination of Mae D'Agostino to be U.S. District Judge for the Northern District of New York, as provided under a previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, for the information of Senators, at 5:30 p.m. Monday when we return, there will be a vote on the confirmation of the D'Agostino nomination.

ADJOURNMENT UNTIL MONDAY, MARCH 28, 2011, AT 2 P.M.

Mr. REID. Madam 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 6:40 p.m., adjourned until Monday, March 28, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

TENNESSEE VALLEY AUTHORITY

RICHARD C. HOWORTH, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2015, VICE HOWARD A. THRAILKILL, TERM EXPIRED.

NATIONAL BOARD FOR EDUCATION SCIENCES

ANTHONY BRYK, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

LISA O. MONACO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE DAVID S. KRIS, RESIGNED.

ELECTION ASSISTANCE COMMISSION

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 12, 2011, VICE ROSEMARY E. RODRIGUEZ.

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015. (REAPPOINTMENT)

GINEEN MARIA BRESSO, OF FLORIDA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013. (REAPPOINTMENT)

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17, 2011:

THE JUDICIARY

AMY BERMAN JACKSON, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

DEPARTMENT OF DEFENSE

MICHAEL VICKERS, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

NSP TERMINATION ACT

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 861) to rescind the third round of funding for the Neighborhood Stabilization Program and to terminate the program.

Mr. VAN HOLLEN. Mr. Chair, today's legislation is the third in a series of four announced bills explicitly intended to dismantle our nation's foreclosure prevention efforts.

In this case, the initiative being terminated is the Neighborhood Stabilization Program, which has to date impacted over 100,000 properties in our nation's hardest hit areas while supporting an estimated 93,000 jobs. The program works by providing critical assistance to states, local governments and nonprofit organizations to demolish or rehabilitate blighted properties, as well as establish financial assistance programs for low- and middle-income homebuyers. The resulting redevelopment of foreclosed and abandoned homes has helped stabilize communities, preserve the value of adjacent properties, and begun to restore municipalities' tax base.

Mr. Chair, with seven million people having lost their homes to this housing crisis so far, another three million foreclosures expected through 2012, and unemployment still hovering around 9 percent, now is not the time to pull the rug out from under distressed homeowners and communities struggling to get back on their feet.

TO RECOGNIZE THE ASIAN AMERICAN CHAMBER OF COMMERCE AND CONGRATULATE THE 2011 HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my great honor to recognize the Asian American Chamber of Commerce and to congratulate this year's Gala awardees. These awards recognize local businesses that have demonstrated an extraordinary commitment to the community.

The Asian American Chamber of Commerce is a resource for local businesses looking to connect with one another and the community of Northern Virginia. The accomplishments of this chamber reflects the many contributions Asian Americans have made to our community and the growing prominence of Asian Americans in civic, social, and political life of our region.

It gives me great pleasure to recognize the following awardees:

Asian Business Excellence Award: Base Technologies

Lifetime Achievement Award: Master Jhoon Rhee—Pioneer of U.S. Tae Kwon Do

Non-Profit of the Year: New Tang Dynasty Television

Public Service Award: Rosemary Lauer—Devotion to Children

Member/Volunteer of the Year: Cindy Chatman—Prudential

Small Business of the Year: Allegra Print & Imaging of Fairfax

Corporate Partner of the Year: Verizon, State Farm, CitiBank

Government Agency of the Year: Fairfax County Office of Public Private Partnerships

Mr. Speaker, I ask my colleagues to join me in recognizing their accomplishments and thanking these individuals and organizations for their work in the community. The efforts and leadership of these honorees have been a great benefit to our community and truly merit our highest praise. I also would like to thank the Asian American Chamber of Commerce for its tireless efforts to promote the highest caliber of business and social involvement from area businesses and owners.

HONORING MR. BRUCE A. HOLM

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HIGGINS. Mr. Speaker, I would like to take this time today to honor the life and achievements of Bruce A. Holm, an internationally known biomedical researcher and crucial advocate in the effort to develop high-tech research at the University of Buffalo and throughout the region of Western New York.

Bruce dedicated his sharp intellect and spirit of entrepreneurship toward the improvement of research in the field of life sciences. During his time as executive director of UB's New York State Center of Excellence in Bioinformatics and Life Sciences, he was instrumental in the growth of the region's biotechnology industry as he skillfully attracted researchers and companies from around the world to collaborate at the Center.

Bruce was also a pioneering researcher in the biology of lung development and therapies for acute lung disease. Among his many other significant accomplishments, Bruce's collaboration with UB colleague Edmund Egan resulted in the development of a drug that has lowered the mortality rate of premature infants.

Known to his colleagues and students as an exceptional researcher and teacher, Bruce offered immeasurable contributions to the scholarly community at the University of Buffalo and the Western New York region. His passing is a tragic loss to his family, friends, and colleagues, and although his legacy will endure for years to come, today we mourn the loss of his brilliant life cut short. I ask you to stand with me in this moment as we honor the life of Bruce Holm and offer our condolences to his colleagues, friends, and family.

ADDITIONAL CONTINUING APPROPRIATIONS AMENDMENTS, 2011

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 15, 2011

Mrs. LOWEY. Madam Speaker, we all agree that we must get our fiscal house in order, which is why Democrats sought to cut more than $40 billion from the President's 2011 budget request in December. We must evaluate every program and determine whether it merits taxpayer funding.

I have significant reservations about some of the cuts included in H.J. Res. 48, particularly eliminating funding for the Public Telecommunications Facilities Program, which was created nearly 50 years ago and is the only source of ongoing infrastructure assistance for public broadcasting stations. Its competitive grants require a local match, resulting in a successful public-private partnership, and it is the only source of emergency funding for stations with facilities devastated by disasters. Funding has already been cut by more than half since 2004, and it is a mistake to eliminate it.

Instead of continuing their quest to dismantle public broadcasting, the authors of the bill should have found savings by ending taxpayer-funded subsidies to large oil companies, which fleece taxpayers of tens of billions of dollars.

However, while I may not support every cut, it is imperative that Congress do everything it can, and reach common ground whenever possible, to avoid a government shutdown. We cannot allow for the possibility of seniors going without Social Security checks or veterans losing access to the health benefits they have earned.

The 7-month continuing resolution the House passed in February is a dangerous bill that would create not a single job, hurt federal programs essential to economic growth, and compromise our security. With no better options, we must adopt this short-term continuing resolution to keep the government operating while we negotiate spending for the remainder of the fiscal year that will continue economic growth.

HONORING MS. JANET M. BEDROSIAN FOR 38 YEARS OF SERVICE AT THE BUREAU OF LAND MANAGEMENT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of the distinguished

public service career of Ms. Janet M. Bedrosian. Ms. Bedrosian has honorably served the U.S. Bureau of Land Management for nearly 38 years and will retire on April 2, 2011.

Ms. Bedrosian was born in Tennessee and moved to Grass Valley, California, as an infant, where she grew up in California's Mother Lode country and graduated from Nevada Union High School as class valedictorian.

Ms. Bedrosian attended the University of Nevada-Reno, where she earned dual degrees in journalism and English. Ms. Bedrosian, currently the Deputy State Director, External Affairs at the BLM's California State Office, began her BLM career in 1973 at the Nevada State Office as its first public affairs staff member. She also worked in the Washington, D.C. office as Assistant Public Affairs Chief before returning to California to work in the state office as a public affairs specialist and congressional liaison. Ms. Bedrosian worked with California's 54-member Washington delegation, more than 120 full-time members of California's State legislature, and key State and local governments and their staffs. During this time, she built a robust and comprehensive congressional and legislative program that remains unequalled in the BLM's history. Her understanding of government processes and her ability to develop strong relationships have been crucial to many of the BLM's and Department of the Interior's successes, particularly in California.

Issues for which Ms. Bedrosian played a key role include the coordination between elected officials, the Department of the Interior, the National Park Service, and the BLM that resulted in passage of the California Desert Protection Act—the largest piece of wilderness legislation in the contiguous United States ever to come before Congress.

Ms. Bedrosian is well respected for her knowledge of land management and her ability to handle complex issues. Due to these attributes, a former BLM Director called upon her to act as the BLM's Chief of Staff in 2007.

For her dedication, expertise, and service, Ms. Bedrosian has been honored with the two highest awards from the Department of the Interior—the Meritorious Service Award in 2007 and the Department's highest civilian honor, the Distinguished Service Award, presented to her in 2010. According to the Interior Department, ''Recipients of the Distinguished Service Award must have demonstrated extremely significant long-term contributions to Departmental programs and missions.'' These awards are signed by the Secretary of the Interior and have been presented since 1948. Ms. Bedrosian is recognized nationally as an expert, a leader, and among the best External Affairs managers the BLM has ever had.

Outside the workplace, Ms. Bedrosian enjoys politics, travel, and making cookies. But mostly, she enjoys her family: husband Tod, son Sean, and daughter Kate; and her three sisters, brother, and father, all of whom live in the Sacramento area.

Ms. Bedrosian's nearly four-decade career in public service deserves the highesi appreciation and commendation. I ask that my colleagues join me in congratulating Ms. Janet Bedrosian on a successful career and in wishing her happiness in her retirement.

HONORING MR. RALPH C. LORIGO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HIGGINS. Mr. Speaker, I rise today to honor Ralph C. Lorigo and his many years of dedicated service to Western New York.

Ralph was born on July 17th, 1947 to Ralph E. and Caroline (Juliano) Lorigo. He attended St. Lucy's School on Swan St. through the age of 12 and went on to West Seneca High School after his family moved to West Seneca in 1960. Upon graduation from high school, Ralph earned his undergraduate degree from the University of Buffalo. He would go on to attend the University of Buffalo Law School, earning his juris doctorate degree in May of 1973.

Ralph's interest in politics, which was certainly passed on to him from his mother Caroline, began in 1981 when he decided to run for Town Justice in West Seneca. Though his first bid was unsuccessful, Ralph went on to serve as a member of the Town Committee, then Town Chairman, and eventually as an Executive Board Member. In 1990, Ralph became the Erie County Conservative Vice-Chairman and in 1993 was a candidate for the New York State Supreme Court in a narrowly unsuccessful election campaign. Finally in 1995, Ralph became the Erie County Conservative Chairman and continues his work in that position to this day.

In addition to his political career, Ralph is also a dedicated member of the West Seneca Lions Club. He helped start a West Seneca Youth Court in 1984, has taught in the West Seneca Continuing Education program since the 1970's, sat on the West Seneca Continuing Education Board for several years, and has been involved in many other community programs.

Ralph is married to the former Deborah Caruana and has three adult children: son Michael (wife Devonie), son Joe (wife Jean), and daughter Jaime. Ralph and Deborah also have three grandchildren, Adrianna, Alana, and Alexa.

On a personal note, Mr. Speaker, let me say that I have had the high privilege of knowing Ralph Lorigo for more than 25 years. As an attorney and political leader, Ralph's career has been one of intense dedication to those whom he has represented. But as a husband, father and community leader, Ralph's true priorities—family, faith and community—have never failed to stand out. I ask my colleagues to join me in honoring Ralph C. Lorigo for his many years of tireless service on behalf of the Western New York community.

HONORING THE 150TH YEAR OF ITALIAN UNIFICATION

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIBERI. Mr. Speaker, it is with great pleasure that Congressman BILL PASCRELL and I rise on behalf of the Italian American Delegation to honor the 150th year of Italian Unification.

On March 17th, 2011 the Republic of Italy celebrates their 150th year of unification throughout Italy and across the United States with a series of activities turning 2011 into an ''Italian Year.''

150 years ago the Risorgimento gave birth to modern Italy, preserving the ideals of western civilization: the protection of the rights, freedoms, and liberty of individuals.

Much of what we are as Americans and what we believe in has roots in Italy. As long time allies, we share a unique partnership in the arts, sciences and politics. Our friendship is strengthened through our common values and historical ties. It has been shaped through the ideas and contributions of great figures like Andrea Palladio and Thomas Jefferson, Benjamin Franklin and Gaetano Filangieri, Giuseppe Garibaldi and Abraham Lincoln.

As co-chairs of the Italian-American delegation, we are proud to represent millions of Americans who like ourselves, are of Italian descent. Our ancestors have brought proud traditions of service with them to the United States. We still share those values today and with assistance from many Italian-American community organizations we continue to pass these traditions onto future generations.

As President Kennedy stated during the Centennial celebration of Italian Unification, ''We have the old and the new bound together and inextricably linked, Italy and the United States, past, present and we believe, future.''

We proudly recognize and celebrate this 150th anniversary of Italian Unification and the continued friendship between the United States and Italy.

A WOMEN'S HISTORY MONTH TRIBUTE TO SHIRLEY CHISHOLM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TOWNS. Mr. Speaker, during our celebration of Women's History Month, I would like to take an opportunity to honor the late Honorable Shirley Anita Chisholm. She was a trailblazer and an inspiration for many people across the country, including myself.

Shirley Anita Chisholm was born on November 30, 1924, in Brooklyn, NY to immigrant parents. She was an alumna of Girls High School, and earned her B.A. from Brooklyn College in 1946. In 1952, she went on to earn her M.A. from Columbia University in elementary education. During her time in school she became interested in and became a proud member of Delta Sigma Theta Sorority, Inc., and the NAACP.

Prior to her political career, she was an educator—a nursery school teacher from her college graduation in 1946 until 1953. From 1953 to 1959, she served as the director of Hamilton-Madison Child Care Center, and from 1959 to 1964 she was an educational consultant for the Division of Day Care in New York City.

Shirley Chisholm's political career began when she ran for the New York State Legislature in 1964. She proudly served there for four years. In 1968, she won election to the United States House of Representatives, becoming the first African-American woman elected to Congress. Congresswoman Chisholm was re-

elected six times, and retired in 1983. During her tenure, she was a founding member of the Congressional Black Caucus, and was an important advocate for women, children, and inner city residents.

Her distinguished career was marked by challenging barriers. Shirley said: ''I want to be remembered as a woman who fought for change in the twentieth century.'' We remember her today as a powerful force for change, an advocate for the most vulnerable in society, and an inspiration for many. On January 25, 1972, she became the first major-party black candidate for President of the United States of America and the first woman to run for the Democratic presidential nomination.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Shirley Chisholm on the occasion of Women's History Month.

INTRODUCTION OF THE NATIONAL GUARD TECHNICIAN EQUITY ACT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to introduce much-needed legislation to benefit one of the most deserving groups of workers in our nation. The National Guard Technician Equity Act will go a long way toward correcting many wrongs in several outdated laws that harm the men and women who serve our country.

National Guard dual-status technicians are a unique group of workers. They are civilian employees of the National Guard in all 50 states and each territory. However, as a condition of their civilian position, they also must serve in either the Air or Army National Guard. These men and women serve the National Guard in a variety of capacities, from helicopter, airplane, and tank mechanics to clerical and support workers. National Guard technicians also serve their country on the military side of their jobs—during deployments to Iraq and Afghanistan, and on state active duty in events such as Hurricane Katrina, forest fires, and floods.

The primary law that covers National Guard dual-status technicians is the Technician Act of 1968. Because of many outdated and unfair provisions in this law, technicians receive the worst of both worlds—on the civilian and military side of their jobs. My legislation, the National Guard Technician Equity Act, will correct these injustices.

First, the Technician Act requires that if a technician is no longer fit for military duty, then that person must be fired from their technician position, even if they are fully capable of performing their civilian duties. In a time in our nation with record unemployment, we should not be losing experienced, expert employees like this. My legislation would allow technicians the option of remaining in their civilian position if they have 20 years of creditable service as a dual-status technician. This not only will retain some of our best and brightest, but also will clear the way for other National Guard members to advance in the military ranks.

Second, the Technician Act bars technicians from having the same appeal rights as most other federal employees—including their counterparts in other Defense Department positions. Federal employees covered by a collective bargaining agreement have the right to file a grievance in the event of an adverse action (typically a long suspension or termination of their employment), and then proceed to arbitration; otherwise, they have the right to file a case with the Merit Systems Protection Board, a neutral federal agency. While technicians can file a grievance, they can only appeal to the Adjutant General in their state, not to any neutral third-party. My legislation will allow National Guard technicians the same right to appeal their case to a neutral party that most other federal workers have.

Third, most National Guard members are able to enroll in the TRICARE Reserve Select program, a key health benefit. However, despite the requirement that National Guard dual-status technicians must join the Air or Army National Guard, they are ineligible for TRICARE or TRICARE Reserve Select. Instead, technicians can only participate in the FEHBP program. FEHBP plans are generally significantly more expensive than TRICARE Reserve Select. My legislation takes the common-sense step of studying the feasibility of including National Guard technicians in the TRICARE or TRICARE Reserve Select programs.

Fourth, National Guard technicians also receive the worst of both worlds—military and civilian—when it comes to retirement. The FY 2000 National Defense Authorization Act included a provision to provide technicians who started work after 1996 to have ''special category'' civilian retirement. This means that they can retire somewhat earlier than most other federal workers, due to the dangerous nature of their jobs. However, technicians who were already working for the National Guard on or before 1996 were exempted from this improved retirement. My legislation will ensure all National Guard technicians—regardless of when they started work—will have the same retirement. Further, although active duty members of the military can retire after 20 years of service at any age, National Guard members, including technicians, must wait to retire until they are 60 years old for full military retirement. A provision in the FY 08 NDAA allows National Guard members to retire 3 months early for every year of service, but that provision does not go far enough. Since technicians can be fired from their civilian position if they cannot meet their military requirements, many of them depend on their civilian and military retirement if this occurs. Therefore, my legislation will ensure technicians—and all other members of the National Guard—receive a fairer military retirement by reducing the age of normal military retirement from age 60 to age 55.

Finally, my legislation corrects other injustices that harm technicians and treat them differently than their civilian and/or military counterparts. They include: requiring the federal government to pay FEHBP premiums during Emergency State Active Duty; doubling the amount of military leave for all federal employees in the National Guard; giving technicians the same right during a reduction in force that other federal workers have; giving technicians the same access to enlistment and re-enlistment bonuses and student loan repayment benefits that other National Guard members receive; and the right to receive overtime pay for overtime worked.

National Guard dual-status technicians have waited 43 years for Congress to correct these inequities and injustices. I hope my colleagues will join me in supporting this important legislation that benefits the brave men and women who so proudly serve our nation.

TO CONGRATULATE STEVE P. CHOI ON BEING NAMED THE 36TH PRESIDENT OF THE KOREAN AMERICAN ASSOCIATION OF THE WASHINGTON METROPOLITAN AREA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, as the incoming co-chair of the Congressional Caucus on Korea, it is my great honor to congratulate Steve P. Choi on being named the 36th President of the Korean American Association of the Washington Metropolitan Area.

My community, the 11th Congressional District of Virginia, is enriched by its great diversity. More than 1 in 4 residents are foreign born and 40% are minorities. Asian-Americans, particularly Korean-Americans, comprise the largest ethnic population. The National Capital Region is home to more than 80,000 Korean-Americans making this area the third largest Korean community in the United States. Fairfax County, which I represent, has a sister-city relationship with the Songpa-gu district of Seoul, Korea.

The Korean-American community contributes immeasurably to the Northern Virginia region. A large percent of businesses in the area are owned and operated by Korean-Americans, who provide a robust variety of jobs, goods, and services to local residents. The strong character and work ethic displayed in the Korean-American community are consistent with that of so many immigrant groups who have come before. Education is highly regarded and sought after, and honesty, integrity and dignity are values that are instilled at a young age and continue to develop throughout life.

The Korean American Association of the Washington Metropolitan Area plays a critical role in providing information, opportunities, and services to local Korean-Americans. Throughout my career, first as a district Supervisor, then as Chairman of the Fairfax County Board of Supervisors and now as the U.S. Congressman representing this district, I have worked closely with the Korean American Association of the Washington Metropolitan Area as well as other Korean-American groups to ensure that the needs of the community are addressed and that its voices are heard. I look forward to working with Mr. Choi as he begins his term as president of this esteemed organization so that together we can continue the progress toward achieving of our common goals.

Mr. Speaker, I ask that my colleagues join me in congratulating Steve P. Choi on being named the 36th President of the Korean American Association of the Washington Metropolitan Area and in wishing him continued success.

A TRIBUTE TO JOAN FAUVRE, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today to honor Joan Fauvre of Pasadena, California. Every year in March, in recognition of Women's History Month, we pay special tribute to the accomplishments made by our nation's most distinguished women.

Joan grew up in Louisiana and received her B.A. from the University of Louisiana, Lafayette and her M.A. from Pacific Oaks College. Her commitment to children and education became evident early, when she taught third grade in the Los Angeles Unified School District in 1976, prior to beginning a family.

In the 1980's, Joan joined the Pasadena Educational Foundation (PEF). Established in 1971, PEF is a nonprofit organization that is committed to developing partnerships and resources to enhance educational programs in the Pasadena Unified School District (PUSD). The Foundation has been incredibly successful, especially due to Joan's professional leadership and skills as a fundraiser and community builder. In 1985, Joan served on the Board of Directors, where she proved to be a valuable asset to the Foundation. In 1990, she co-chaired a planning committee, which aimed at expanding PEF's fundraising efforts. In 1994, she completed her tenure as a board member, and accepted the position of Executive Director. As a testament to the Foundation's success and Joan's able guidance, PEF has taken on some of the critically important district-wide activities that had been cut from the PUSD budget. For instance, the Foundation now runs a Summer Enrichment Program at five PUSD campuses that provides learning opportunities for over 1000 students. Furthermore, thanks to Joan's efforts and the community support that she built, all PUSD middle schools have a Robotics Program.

Joan is also a dedicated volunteer, who has committed endless hours of service to a variety of organizations, including the Pasadena-Foothill Valley YWCA, the Junior League of Pasadena, and Polytechnic Parents Group, among others. She was also an active participant on the Partners in Education Advisory Board, and was on the Board of Trustees of Pacific Oaks College and Children's School for eight years.

Upon her retirement from PEF in 2010, Joan remains a vibrant member of the community. Currently, she serves on the Board of Trustees of the Pasadena Child Health Foundation and on the Board of Directors of the California Consortium of Education Foundations. She and her husband John have three children and two grandchildren.

I ask all Members to join me in honoring a remarkable woman of California's 29th Congressional District, Joan Fauvre, for her exceptional service to the community.

HONORING CAMDEN COUNTY FREEHOLDER RILETTA CREAM, RESPECTED EDUCATOR AND ADMIRED CIVIC LEADER OF THE SOUTH JERSEY COMMUNITY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor Freeholder Riletta Cream for her contributions to New Jersey as an educator and as a Camden County Freeholder.

A native of Camden City, Freeholder Cream has devoted her life to improving Camden County. Freeholder Cream began her career in education, rising from teacher to principal during her 37 years in Camden County Schools. Since 1994 she has also worked as an adjunct professor at Rowan and Rutgers Universities instructing student teachers. On January 3, 1991, the Riletta Twyne Cream Family School opened its doors to the next generation of Camden's children.

In 1994, Riletta Cream was appointed to the Camden County Board of Chosen Freeholders, and was re-elected three times. In her capacity as Freeholder, she served as a liaison to the Departments of Buildings and Operations and Education. She also worked to restore the Camden City Council Chambers, implement the construction of two new libraries, and install computers in every classroom in the city.

Working as an Educator and Freeholder of Camden County, Riletta was a steadfast public servant. After announcing her retirement, Riletta said that her time in service has been a joy. Speaking as a former Freeholder, I share in her joy and commend her for her accomplishments. Mr. Speaker, I am proud that Freeholder Cream has served Camden as a passionate civic leader and am confident that her service will continue to set an example for all citizens of New Jersey.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF ACCESS SACRAMENTO

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Access Sacramento, Sacramento's public access station, as they celebrate the station's 25th anniversary. It is a great pleasure to recognize the station's dedication to giving a voice to individuals, events and opinions that are often not seen on television. As Access Sacramento's supporters gather to celebrate this milestone, I ask all my colleagues to join me in honoring their leadership in community reporting.

The Sacramento area was one of the last urban areas to be wired for cable television, and it was not until December 1983 that public access television came to Sacramento. Known then as Sacramento Cable, the station developed a system that would provide funding, channel space, and equipment for a wide variety of local programming. These resources were divided among a number of organizations, one of which was Access Sacramento.

Over the last 25 years, Access Sacramento has overcome each challenge it has faced, and has adapted to meet the demand of a growing and ethnically diverse community. The station has earned an international reputation for success and has welcomed visitors from Europe, Africa, and Asia to see how the organization operates. Furthermore, Access Sacramento has been recognized for their quality programs, receiving many awards, including the prestigious ''Best Public Access Television in the Nation'', which it has won twice.

Access Sacramento's success, however, is not simply measured in awards, but in their ability to provide viewers with an opportunity to hear and see important ideas and thoughts that often cannot be found on television. The organization prides itself on the thousands of unique and locally produced programs that are seen and made available through the station each year. As of this year, their annual budget has grown to exceed $650,000 with a staff of ten individuals and over 750 volunteers. The station reaches 265,000 Sacramento residents and distributes more than 5,000 videos annually. It is clear that Access Sacramento is making a difference one voice at a time.

Mr. Speaker, I am honored to pay tribute to Access Sacramento, and their continuous commitment to providing the Sacramento community with access to information that they would not have received from other media outlets. The past 25 years have been tremendously successful and I am sure they will continue to enjoy success in the future. While Access Sacramento's staff, supporters, and listeners gather together to celebrate the organization's 25th anniversary, I ask all my colleagues to join me in honoring their outstanding work in providing the community with local television and radio programming.

THE TRIANGLE SHIRTWAIST FIRE: HIGHLIGHTING THE NEED FOR WORKERS' RIGHTS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. SCHAKOWSKY. Mr. Speaker, Friday, March 25th, marks the 100th anniversary of the Triangle Shirtwaist factory fire.

The tragedy of the Triangle fire is not just the deaths of 146 workers—mostly young women in their teens and early twenties—but the fact that those deaths were avoidable. If the owners of the factory hadn't locked the doors to the stairwells and exits, if they had installed a stable fire escape or put in sprinklers, many of those lives would not have been painfully and tragically lost. If the owners of the factory hadn't fought long and hard against their employees' right to join a union of their choice, those workers might not have been locked in and prevented from fleeing the fire, as the owners were able to do themselves.

The depictions of the tragedy by eyewitnesses are difficult to read. The fire broke out on the Saturday afternoon, at the end of the workday. Survivor Yetta Lubitz said that the warning and the fire arrived at the same time. Within three minutes, the only unlocked exit was blocked and the fire escape soon twisted and collapsed from the heat. Within 30

minutes, 146 lives were lost, including sixty-two people who died by jumping or falling from the ninth floor.

The International Ladies Garments Workers, the National Women's Trade Union League, and other unions didn't just mourn the victims—they organized. The day after the fire, 15,000 shirtwaist workers demonstrated in support for a 52-hour week and a 20 percent pay raise. On Sunday, thousands gathered at the Metropolitan Opera House and passed a resolution calling for a Bureau of Fire Prevention and a permanent citizens' committee to push for labor reforms. Soon after, Governor Al Smith acted to create the Factory Investigating Commission, chaired by Robert Wagner, who would become a U.S. Senator and the sponsor of the National Labor Relations Act. One of its key investigator staffers was Frances Perkins, who became Secretary of Labor,

The impetus for reform came from the workers themselves. Their activism resulted in the passage of major worker protections not just new fire safety laws but laws against 7-day work weeks and child labor. The Triangle tragedy resulted in more workers having the right to union representation, collective bargaining rights, and a voice at work.

In 1961, on the 50th anniversary of the Triangle fire, ILGWU President David Dubinsky attended the memorial service and said, "We want a fitting memorial to the martyrs we honor today. No better one can be found than to increase the respect for and the safety of workers."

100 years later, those words continue to ring true. Today, we confront a coordinated effort to roll back the hard fought gains that were won not just because of the horrific nature of the tragedy that occurred but because of the organizing power of unions, workers and their supporters. Just as the Triangle Fire spurred people into action, the anti-working family agenda of Wisconsin Governor Scott Walker has mobilized millions. The message is clear: we will not go back to the days when workers had no voice, no dignity and no safety. We will not go back.

TO RECOGNIZE THE 21ST ANNUAL FAIRFAX COUNTY FOOTBALL HALL OF FAME HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Fairfax County Youth Football League and to celebrate the 21st Anniversary of the Fairfax County Football Hall of Fame.

The importance of youth sports cannot be overstated. Participation in organized sports teaches our youth many lessons that will serve them well throughout life. These invaluable lessons include sportsmanship, teamwork, honesty, a sense of belonging, and maybe most importantly, the work ethic instilled by striving for success and working to achieve a common goal. Organized youth sports also contributes to our society, studies have shown a correlation between participation in sporting activities and doing well in school. Some studies indicate that reduction in gang activity can be partially attributed to refocusing at-risk youth into organized, supervised activities such as youth sports.

I applaud the Fairfax County Youth Football League for the opportunities that they provide to all of our children to succeed and be a part of a team. I also congratulate the following students, coaches and community leaders who are being recognized at the 21st Annual Fairfax County Football Hall of Fame:

Fairfax County Football Hall of Fame 2011 Inductees: Will Montgomery (NFL Washington Redskins, Virginia Polytechnic University, Centreville High School, Southwestern Youth Association), Bill Yoast (Hammond High School, T. C. Williams High School), George Casey (Vienna Youth Incorporated).

Football Official of the Year—Youth Sports: Arnold Palmer (Fairfax County Football Officials Association).

Karl Davey Community Achievement Award: Betty Powell (Fairfax County Youth Football League).

Tom Davis Meritorious Service Award: Lee Ann Pender (Director, Office of Administrative Services, Fairfax County Public Schools).

Gene Nelson Commissioner of the Year Award: William Barry Thompson, III (Fairfax Police Youth Club).

FCFHF Awards—$1,500 Scholarships: Lisa Kinston (West Potomac High School–Cheerleading), Andrew Weidinger (Lake Braddock High School–Football), Scotty Nicoll (Westfield High School–Football), John "JP" Theodorakos (Herndon High School–Football).

High School Players of the Year: Marcus Harris (Stone Bridge High School), Anthony Taylor (Washington-Lee High School), Michael Nebrich (Lake Braddock High School), Jared Velasquez (Robinson High School), Kevin Hogan (Gonzaga High School), Dominique Terrell (At Large–Osbourn High School).

High School Coaches of the Year: Mickey Thompson (Division V–Stone Bridge High School), Mark Cox (Division VI–Battlefield High School).

Youth Players of the Year—Youth Sports: Kyle Hamrock (Braddock Road Youth Club), Jelani Shakir (Ft. Belvoir Youth Football), Zachary Braskamp (Reston Youth Football), Kyle Phox (Springfield Youth Club), Guy Myers (Manassas Youth Football), Brandon Lessard (McLean Youth Football), Garrett Snedeker (Chantilly Youth Association), Benjamin Davenport (Lee-Franconia Football), Devon Patterson (Gainesville/Haymarket Football), Jack Caldwell (Braddock Road Youth Club), David Im (Herndon Optimist Club), Glenn Rushing (Ft. Hunt Youth Football), Sean Fitzgerald (Vienna Youth Inc.), Christian Abenes (Ft. Belvoir Youth Football), Nick Donlon (Southwestern Youth Association), Hayden Burke (South County Athletic Association).

Coaches of the Year—Youth Sports: David Curtis (Alexandria Youth Football), Todd Casey (Vienna Youth Inc.), James Passmore (Herndon Optimist Club), Mike Anderson (Fairfax Police Youth Club).

Cheerleaders of the Year: KC Buckley (Vienna Youth Inc.), Annie Cowman (Vienna Youth Inc.), Tristen Davenport (Gainesville/Haymarket Football), Meghan Henry (Herndon Optimist Club), Kathleen Winkert (Dulles South Youth Sports).

Mr. Speaker, I ask that my colleagues join me in congratulating the Fairfax County Youth Football League as well as those students, coaches and community leaders who are being honored at this 2011 Hall of Fame celebration.

A TRIBUTE TO MARO KECHICHIAN 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in Honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today, I rise to commend Maro Kechichian of Burbank, whose tireless efforts have benefited her community and beyond. Ms. Kechichian was born and raised in Lebanon, where she received her early education and simultaneously became an active member of the Zavarian Student Association. With a passion for learning, Maro pursued a higher education, and received a Bachelor's Degree in Armenian Literature from St. Joseph University in Beirut, Lebanon. Prior to moving to the United States, Maro taught at Aksor Kassardjian, an Armenian school in a predominantly Armenian suburb of Beirut. She proved to be a valuable asset to the school, and was promoted to Director—a position she held for eight years.

Maro immigrated to the United States in 1984 and joined Homenetmen's Los Angeles Chapter, where she is an active member. She has served as a board member of Homenetmen Western Regional Executive Committee as a secretary for six terms. As a professional, she is a trusted team member who helps organize regional and international events, including the renowned annual Navasartian Games of Southern California.

Ms. Kechichian is a dedicated participant in all her endeavors and she brings a dynamic energy to all her activities. Maro has been elected as a Regional Executive member for Homenetmen numerous times. Her expertise with issues related to Homenetmen leads her to take frequent part in its Central meetings. These meetings take place every four years, and allow Homenetmen leaders from around the world to gather and plan upcoming nationwide activities. It is also noteworthy that Maro was a reporter for Asbarez Armenian Daily Newspaper for 20 years, and covered news from Armenia and Nagorno-Karabakh.

In 1990, Maro was appointed to a special project aimed at establishing a Homenetmen region in Armenia. She stayed in Armenia for three months and was solely committed to this effort. Ever since then, Maro not only continues supporting the region she visited, but also extends a helping hand to Nagorno-Karabakh.

Currently, Maro serves as an Executive Secretary at the Armenian Relief Society, ARS, of the Western Region, and is an advisor for Homenetmen's Los Angeles Chapter. She is also an active volunteer, and spends numerous hours helping Armenian Relief Society's Araz chapter and various fundraising committees.

I ask all Members to join me in honoring a remarkable woman of the 29th Congressional

District, Maro Kechichian, for her exceptional service to the community.

IN HONOR OF 2011 BRAIN AWARENESS WEEK

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CARNAHAN. Mr. Speaker, I rise today to commemorate Brain Awareness Week and the benefits of this informative week in educating students on brain science in my congressional district and across the country. During Brain Awareness Week, which is held March 14–20, neuroscientists around the globe educate K–12 students, senior citizens and the public at large on the wonders of the human brain. These activities include tours of neuroscience laboratories, museum exhibitions and classroom discussions on the elements of the human brain.

In my congressional district, neuroscientists at Washington University recognized Brain Awareness Week during their annual NeuroDay on March 5. Nearly 5,000 of my constituents walked through the St. Louis Science Center to learn about brain research and treatments in the area. The daylong event included exhibits called Hands-on Human Brains, The Buzz about the Electric Dish, Spying Tips from Horseshoe Crabs, The Teenage Brain on Prism Goggles, and The 6th Sense.

Today, in recognition of Brain Awareness Week, I would like to highlight a devastating neurological condition that affects millions of Americans: Multiple Sclerosis, MS. As a co-chair of the Congressional Multiple Sclerosis caucus, I understand firsthand how this devastating and chronic disease can rob people of their ability to walk, talk, or even tie their shoes. Today, MS is the most common central nervous system disease among young adults after epilepsy and is a lifetime ailment of unknown origin that affects more than 400,000 Americans. MS is diagnosed mainly in individuals between the ages of 20 and 50, with 2 of 3 cases occurring in women. Although a cause has yet to be found, MS is thought to be an autoimmune disease in which the body's natural defenses react against the myelin and nerve fibers in the central nervous system as though they were foreign tissue.

Mr. Speaker, both genetic and environmental factors are probably involved in the cause. Previous studies had suggested that MS susceptibility peaked before the age of 15; more recent, larger studies suggest that there is no exact age cutoff. Thanks to research conducted through the National Institutes of Health, NIH, and the National Science Foundation—our premier scientific enterprises—which continue to provide hope to the 50 million Americans who suffer from neurological disorders annually. For example, the NIH is leading the way to promising new treatments for MS. One NIH-funded study showed that so-called ''progenitor'' cells in the brain might be used to help regenerate areas of the brain that have lost myelin.

I urge my colleagues to join me in recognizing Brain Awareness Week and the contributions that scientists who study the brain and nervous system are making to understanding more about the onset of MS and the innovation of potential treatments that can more effectively ease the pain and suffering of individuals who grapple with this crippling illness during the prime of their lives.

CONGRATULATING PARKVIEW HIGH SCHOOL AND SIMPSON ELEMENTARY SCHOOL

HON. ROB WOODALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. WOODALL. Mr. Speaker, I proudly congratulate two schools from my district, Parkview High School and Simpson Elementary School, for having earned the prestigious 2011 Georgia School of Excellence Award.

The Georgia School of Excellence award is an annual honor awarded by the Georgia School Superintendent to the schools showing the greatest improvement or highest achievement across the state. Parkview High School and Simpson Elementary, both in Gwinnett County, tied as the 7th District school showing the highest achievement as measured by being in the top ten percent in reading and mathematics assessment scores. Each of the schools will receive a grant from Georgia Natural Gas.

I am extremely proud of the work being done at both of these schools and want to recognize Principal David Smith of Parkview High School and Principal Bron Gayna Schmit of Simpson Elementary School and their hard-working faculty and staff for their excellence in providing each and every student with a superior education and enabling each student to meet his or her full potential.

These two schools are in the Gwinnett County School District, a national leader in education and winner of the 2010 Broad Prize for Public Education, an award a competitive, nationwide award given to one school district each year that exemplifies superior overall student and administrative performance.

IN RECOGNITION OF BOY SCOUT TROOP 1818 AND CUB SCOUT PACK 1818

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Pack 1818 and Troop 1818, the Jewish Cub Scout Pack and Boy Scout Troop that are based in my neighborhood in Mantua in Fairfax. Cub Scout Pack 1818 now boasts 34 boys ranging from Grade 1 to Grade 5. Chartered by the Olam Tikvah Men's Club since 2000, Pack 1818 provides an opportunity for these boys to take in a variety of sports, crafts, and outdoor activities, like hiking and camping.

This year, Tiger Cubs include: Jacob Boyett, Elijah Fischer, Benjamin Golden, Ari Pearlstein, Nathan Rothberg, Isaac Saiger, and Matthew Wurmser. Wolf Cubs include Jacob Book, Nathan Chernys, Ben Engler, Daniel Fertel, Alex Frame, Zach Grossman, Sebastian Jones, Aidan Jupiter, Jacob Hemmerdinger, Rueben Hemmerdinger, Solomon Hutchins, Ben Neifeld, and Zachary Shmargal-Ellison. Bear Cubs include Mitchell Akawie, Samuel Goldberg, Jared Johnson, Michael Krasovsky, Ilan Nabatkhorian, Lars Rosen, and Jacob Rutzick. First year Webelos include Solomon Jones while second year Webelos include Joshua Ackerman, Kenny Book, David Chernys, Daniel Dorlester, Jordan Lamar, and Aaron Shurberg.

I am especially pleased to note that these last six boys—the second year Webelos—will transition to Boy Scouts during a ceremony this evening. Each of those boys has earned the Arrow of Light award.

After they become Boy Scouts, the number of Boys in Troop 1818 will equal 18, which in Jewish tradition corresponds to Life. Troop 1818, which is only three years old, has emerged as an important force for so many boys' lives. Troop 1818 provides opportunities to build lifelong skills and values, and make lasting friendships through weekly activities and a variety of outdoor programs. The boys have a chance to earn merit badges in such diverse areas as engineering, camping, orienteering, nuclear science, and first aid. This past year, boys from Troop 1818 got to learn CPR, build and sleep in a snow igloo, and attend the 100th anniversary National Jamboree with Scouts from around the country and world.

Troop 1818 currently includes Benjy Ackerman, Max Chernys, Jamie Frame, Josh Hone, Casey Lamar, Ezra Lapidus, Levi Meerovich, Josh Rutzick, Sam Rutzick, Ezra Postelnek, Yosef Postelnek, and Zach Watts. These boys have made significant accomplishments over the past year—earning merit badges and multiple rank advancements—which they will receive at their semi-annual Court of Honor this weekend.

Finally, I'd like to also recognize Robert Book, who founded Troop 1818 and current serves as Committee Chair for Pack 1818. An Eagle Scout himself, Robert is being recognized this weekend for his accomplishments by being presented with the Shofar Award.

Mr. Speaker, I ask my colleagues to rise and join me in congratulating these scouts and also in thanking the troop leaders, parents and families for their dedication to our youth.

A TRIBUTE TO ANITA MARTIN, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

I stand today to pay tribute to Anita Martin of Altadena, who for many years, has spent an extraordinary amount of time and energy helping our nation's veterans. Every other week, Anita and her husband of 23 years, Walter, volunteer at the VA Greater Los Angeles Healthcare System's West LA Domiciliary. They assist veterans with the necessary paperwork for benefits claims, advocate for their health care, help them find shelter, lend a

hand to homeless veterans, and act as liaisons with veterans' families and the VA Greater Los Angeles Healthcare System. In addition, the Martins raise funds, have donated clothing, computers, a washer and dryer for women veterans, arranged for a bank to provide direct deposit for the veterans at the West LA Domiciliary, and visit veterans on a regular basis.

Anita is active in several military service organizations. She is currently President of the Ladies' Auxiliary of the Military Order of the Purple Heart, Unit 1898, Junior Vice President of the Department of California's Ladies Auxiliary Military Order of the Purple Heart, and Senior Vice President of the American Legion Auxiliary, Unit 280 in Pasadena. In addition to Anita's contributions to veterans, she has volunteered extensively in Altadena for years with such organizations as the Altadena Sheriff's Station, where she ran their program for abused women, the Altadena Old Fashion Days Parade, Christmas Tree Lane Association, and Franklin Elementary and Eliot Middle Schools. Along with her husband, Ms. Martin formed a Neighborhood Watch Program in their Altadena neighborhood, provided guidance to others in forming their own Neighborhood Watch Programs, and for their leadership the Martins received the Governor's Award for Best Crime Prevention in 1992 from then-Governor Deukmejian.

Anita and Walter's business, Martin's Famous Louisiana Sausages (formerly Martin's BBQ) has donated food for years to organizations such as Sacred Heart Church, various homeless shelters, the American Legion, the Altadena Sheriff's Station, and the USO. Most recently, Anita and Walter organized a program where several economically challenged senior citizens received gift cards and shopped for food at a local grocery store, with the assistance of JROTC students.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Anita Martin, for her service to the community and especially to our nation's veterans.

HONORING GEORGE E. NORCROSS, III AND HIS COMMITMENT TO COOPER UNIVERSITY HOSPITAL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor George E. Norcross, III for his service to Cooper University Hospital and the health care community of South Jersey.

Mr. Norcross, Chairman of the Board of Trustees of the Cooper Health System, was named the "2011 Healthcare System Trustee of the Year" by the New Jersey Hospital Association.

A member of the Board of Trustees of the Cooper Health System since 1990, and Chairman since 2006, Mr. Norcross has brought significant improvements to the South Jersey health care community. Among his accomplishments are the expansion of the South Jersey and Camden Health Sciences Campus and the establishment of the Cooper Medical School of Rowan University, which plans to open its doors in 2012.

Through his strong leadership and dedication to Cooper University Hospital, Mr. Norcross has helped influence development of the surrounding neighborhoods, including new and revitalized housing, the establishment of three parks and aesthetic improvements to streets and landscaping.

In addition to his work on the Board of Trustees of Cooper University Hospital, Mr. Norcross serves as Chairman of the Annual Cooper Norcross Run the Bridge, a 10k race that supports the Larc School in New Jersey, a school for children with disabilities.

Mr. Speaker, I congratulate Mr. Norcross on his receipt of the "2011 Healthcare System Trustee of the Year" award and thank him for the service he has provided to Cooper University Hospital and the residents of South Jersey.

HONORING DARRYL VANDERVORT

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HULTGREN. Mr. Speaker, I rise today to honor the accomplishments of Darryl Vandervort of Dixon, Illinois. Darryl has served as President and CEO of Katherine Shaw Bethea Hospital in Dixon, Illinois since 1989. During his tenure, Darryl oversaw significant organizational growth, including five major hospital additions, the opening of seven satellite locations, and the formation of the 65-physician KSB Medical Group. KSB Hospital employed 394 people when Darryl was named CEO in 1989; it's now the largest employer in Lee County, with 1,112 employees. Darryl's focus has always been to provide the best possible medical treatment and patient experience. His contributions at KSB Hospital have improved the local quality of life and strengthened the local economy.

Darryl has also been a true community leader. Darryl was recognized for his exemplary commitment to community service when he was named Citizen of the Year in 1996 by the Dixon Area Chamber of Commerce and Industry. Darryl's contribution to the Sauk Valley area is a permanent reminder of his community spirit, vision, and hard work.

As Darryl Vandervort concludes his 28-year tenure at KSB Hospital, the people of the 14th Congressional district recognize his distinguished career and wish him a happy and healthy retirement.

CONGRATULATIONS TO MR. BOB MORGAN

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Mr. Bob Morgan, this year's recipient of the Greater Wilkes-Barre Friendly Sons of St. Patrick's Man of the Year Award.

Mr. Morgan was born in Carbondale, PA. He graduated from Wyoming Valley West High School and King's College. Bob is currently employed as a Financial Advisor, Assistant Vice President with PNC Investments where he specializes in providing advice on asset/liability management, retirement and wealth transfer needs for clients of the Kingston and Edwardsville branch offices of PNC. Bob and his wife, Marcella, have two children.

Bob is currently beginning his 13th term as the Treasurer for the Greater Wilkes-Barre Friendly Sons of St. Patrick. Bob has also served as President of the Society, on the Awards Committee, and on the Planning Committee for the Friendly Sons Annual Golf Tournament. Bob is a Past President, Vice President, and member of the Board of Trustees of the Wyoming Valley Serra Club. He is also a member of the St. Conrad's Young Men's Society, Plymouth Council 984 Knights of Columbus, and Bishop Hafey Assembly Fourth Degree Knights of Columbus. Bob currently serves as an officer of the Holy Redeemer Football Parents Club, and he and his wife, Marcella, served as Chairpersons of the March of Dimes Signature Chefs Auction in 2007 and 2008.

Mr. Speaker, Mr. Morgan has dedicated himself to serving our community. His avid volunteerism has helped many of his neighbors, and his continued mission to stand up for his fellow citizens should be admired. Mr. Speaker, today, I ask my colleagues to join me in congratulating Mr. Bob Morgan on receiving this year's Greater Wilkes-Barre Friendly Son's of St. Patrick's Man of the Year Award.

RECOGNIZING MARCIA CARR AS THE 2011 OKALOOSA COUNTY EDUCATIONAL SUPPORT PROFESSIONAL OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize Mrs. Marcia Carr as the 2011 Okaloosa County Educational Support Professional of the Year. I am honored to recognize her achievements and her dedication to the students and teachers of Northwest Florida.

Mrs. Carr has spent twenty years in the Okaloosa County School District, including seventeen years at Riverside Elementary School in Crestview, Florida, where she is the Media Specialist. While Mrs. Carr is responsible for organizing and managing the Media Center, her contributions at Riverside Elementary go far beyond her duties in the Media Center.

Each morning Mrs. Carr braves the elements to supervise the safety of students who walk and ride their bikes to school. Mrs. Carr's day does not end when school lets out. She helps to coordinate the after school tutoring program, providing snacks and taking attendance. When the tutoring is finished, Mrs. Carr manages the transportation for each student. She knows exactly how each student is supposed to get home, and she rides the bus route twice a week to make sure that every student arrives home safely.

Marcia Carr goes above and beyond the call of duty. In her role as the Media Specialist, she is the consummate professional. Her commitment to serving the students of Riverside Elementary is evidenced by the hours she puts in before and after school.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Marcia Carr as the Okaloosa County Educational Support Professional of the Year. Her passion for the students of Riverside Elementary is laudable and her dedication to her profession is exemplary. My wife Vicki joins me in congratulating Mrs. Carr, and we wish her all the best.

STATEMENT ON BILL TO APPROVE DEMONSTRATION PROJECTS DESIGNED TO TEST INNOVATIVE STRATEGIES IN STATE CHILD WELFARE PROGRAMS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. McDERMOTT. Mr. Speaker, today, I reintroduced legislation that would allow the Department of Health and Human Services to grant State waivers from certain Federal requirements under the foster care and adoption programs, so States can test innovative strategies to serve children better. Representative GEOFF DAVIS (R–KY) is an original cosponsor of the bill. The legislation is identical to the bill I introduced in September 2010, which passed the House last fall by voice vote. Child welfare waivers will allow interested States to test interventions that help children and families, but they are only a first step toward the comprehensive child welfare financing reform that began with the Fostering Connections Act of 2008. Additional resources and improvements are needed to ensure we provide critical services to all children and families at risk.

I look forward to working with my colleagues on both sides of the aisle to achieve this important goal.

IN MEMORY OF CLARISSA MAE ROGERS WALKER

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. ELLISON. Mr. Speaker, it is with deep sadness that I rise today to mourn the passage of my dear friend and fellow Minnesotan, Clarissa Mae Rogers Walker. Driven by a desire to change the world for the better, Ms. Walker spent her life serving many in need in the Twin Cities community.

Clarissa Walker began working as an operating room technician at the University of Minnesota Hospital. A few years later, Clarissa began working for Sabathani Community Center in 1968. It was at Sabathani that she discovered her passion for social work and she moved up the ladder in the organization because of her dedication and drive. She began as a youth supervisor, moving up the ranks to become a counselor, assistant director, acting executive director, and finally agency director of the Center.

Ms. Walker strengthened the Sabathani community by becoming involved in organizations geared towards helping the disadvantaged. For example: Ms. Walker created and led tax preparation programs which led to thousands of low-income residents receiving millions of dollars in tax refunds. This program, like so many others she influenced in her community, is still operational today. Ms. Walker was an active volunteer and board member on a number of national and local organizations devoted to social services for low income families.

Ms. Walker proved that one person can truly make a difference in a world where small deeds and individual strength can be overlooked and underestimated. Clarissa serves as an inspiration to all of us and has shown us that one person's determination to help those in need can truly change the world and the way we live in it. Her spirit of gracious fortitude will be remembered in Minnesota, and I ask that we draw on her strength and struggles in the work that we do for the American people at large.

IN HONOR OF PRIVATE FIRST CLASS ANDREW HARPER

HON. DAVID B. McKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. McKINLEY. Mr. Speaker, this past week, all of West Virginia experienced a tremendous loss. 19-year-old Private First Class Andrew Harper died from injuries he sustained while serving our country in Afghanistan. It deeply saddens me to see anyone hurt while serving our country, let alone lose their life such as Private First Class Harper did. Andrew was a dedicated hero who defended our country with the utmost dignity and I am proud to call him a West Virginian.

Andrew, a graduate from University High School, was stationed in Kandahar province when he sustained his fatal injuries during a non-combat incident. This brave young man enrolled in the Army to protect our freedom and our country's fundamental beliefs. The true heroes of our time will be these brave men and women who have stood up for America and defended our freedom.

This young man who was from Maidsville, West Virginia served our country with pride and dignity. He represented our community in that same manner. The admiration our community felt for this young man and his service are immense. Andrew's passing has left so many shocked and distraught. This brave young man's life was so very promising. There is no question that Andrew left a great legacy and his memory should be honored.

Andrew serves as a great example of the American spirit. My thoughts and prayers are with Andrew's mother, Deanna Wells of Middleburg, Florida, his father, Steven Harper of Maidsville, West Virginia, his extended family, friends, and his entire unit, the 3rd Squadron, 2nd Stryker Cavalry Regiment as they continue to protect our freedom in Afghanistan.

AMERICAN HEALTH SECURITY ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. McDERMOTT. Mr. Speaker, I believe that there should be a family doctor for every American family. That shouldn't be hard in the richest country in the world, but it's not a reality for too many Americans. There is nothing worse than having to worry about how you are going to pay for something that you absolutely need like health care.

That is why for the past century, leaders from Teddy Roosevelt, Richard Nixon, Lyndon Johnson, Bill Clinton to President Obama have tried to advance varying forms of comprehensive health care reform. At every opportunity conservatives have warned that ensuring comprehensive care would be the end of freedom and usher in a new era of socialism. Despite this alarmism, Medicare passed in 1965 and thank God for that. Seniors and others such as people suffering from diseases like End Stage Renal Disease have a low cost way of accessing high quality of care.

With the passage of the Affordable Care Act (ACA) last year, the promise of more access and fairer rules are being realized for all Americans. We have more to do, though. There has been a lot of attention made towards the supposed lack of flexibility in the ACA. States argue, correctly in my view, that they are in the best position to evaluate and address the specific needs of their communities. The ACA gives states a great deal of flexibility, but some states believe they can build on it to do even more to expand access, lower costs and raise the quality of health care. For example, in Vermont, there is a grassroots movement that has swept into the State House to move the State of Vermont towards a single payer system.

The people in Vermont are fed up with insurance companies and want more progress. They think it's ridiculous and shameful for insurance companies to post their highest profit margins ever this year while also charging higher premiums to consumers.

The American Health Security Act I am introducing today would give states the ability to increase quality and get control of costs by taking out the profiteering middle-man—insurance companies—and letting doctors focus on what they do best: treat patients. I believe this bill builds on the ACA by offering states an excellent option in moving our country towards a health care system that finally puts the patient first.

TYLER MARTINEZ TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Tyler Martinez of Alamosa, Colorado. Mr. Martinez earned the Youth of the Year award at the Boys and Girls Club of the San Luis Valley for the second year in a row.

It is rare to find a youth like Mr. Martinez who is so involved in helping less fortunate kids. The Alamosa High Junior lends his effort and time to the Boys and Girls Club, though. The fact that he was selected for the honor two consecutive years is a testament to his dedication. As a student and player on the Alamosa High basketball team, it is even more impressive that Mr. Martinez finds so much time to volunteer.

Mr. Martinez will once again enter the statewide competition for Colorado Youth of the

Year. He joins many deserving honorees across the state and will certainly be a serious contender. Mr. Speaker, it is an honor to recognize Tyler Martinez, today, and I have no doubt this young man will continue to be a leader in his community.

HAPPY ST. PATRICK'S DAY

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. McCARTHY of New York. Mr Speaker, Happy St. Patrick's Day! Originally a religious holiday, today St. Patrick's Day is largely an international celebration of Irish culture. I urge my colleagues and fellow Americans to embrace this day. Today, one in four Americans traces at least part of their ancestry to Ireland. Irish-Americans have provided the backbone of our workforce, enlivened our art and culture, defended our country, and served in this Congress and as President of the United States. Great Irish-Americans such as Eugene O'Neill and F. Scott Fitzgerald transformed American literature, innovators like Henry Ford helped revolutionize American transportation, and who can forget Presidents like Andrew Jackson, John Fitzgerald Kennedy, and Ronald Reagan, each Irish-American alike. Irish-Americans continue to contribute to our nation as they ably serve in their communities in numerous capacities. It is for all of these reasons that I support the designation of March as Irish-American Heritage Month and encourage Americans to celebrate Irish-American heritage. I'm proud to stand today with my colleagues, those lucky enough to be Irish-American, as well as those who aren't, and honor this group that has been so important to our nation on this St. Patrick's Day.

INTRODUCING THE THRIFT SAVINGS FUND IMPROVEMENT ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Thrift Savings Fund Improvement Act. This legislation expands the investment options available to congressional and other federal employees by creating a precious metals investment fund in the Thrift Savings Plan (TSP). Adding a precious metals fund to the TSP will enhance the plan's ability to offer congressional employees a wide range of investment options that can provide financial security even during difficult economic conditions.

The Thrift Savings Plan is one of the most important benefits offered to Congressional employees. A strong TSP can obviously play a key role in attracting and retaining talented individuals to serve in the legislative branch. Adding a precious metals option will strengthen the TSP. In the last year, the price of gold rose by over 23 percent and silver by over 94 percent, while the Dow Jones and S&P 500 each only rose by around 8.5 percent.

Recent gains aside, precious metals have a number of features that make them a sound part of a prudent investment strategy. In particular, inflation does not erode the value of precious metals is not eroded over time. Thus, precious metals can serve as a valuable "inflation hedge." Precious metals also maintain, or even increase, their value during times of stock market instability, such as what the country is currently experiencing. Thus, investments in precious metals can help ensure that an investment portfolio maintains its value during times of economic instability.

Federal employees could greatly benefit from the protection against inflation and economic downturns provided by prudent investments in precious metals. I therefore once again urge my colleagues to cosponsor the Thrift Savings Fund Improvement Act.

HONORING SERGEANT KRISTOPHER JAMES GOULD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the memory of Sergeant Kristopher James Gould of Frankenlust Township in Michigan. Kristopher paid the ultimate price in service to his country on February 27, 2011 in Afghanistan.

Sergeant Gould joined the Michigan Army National Guard in 2003. He served in Iraq from 2005 to 2006. He joined the US Army in 2007 and was serving his second tour of duty in Afghanistan when his unit was struck by an improvised explosive device. Kristopher was assigned to the B Company, 2nd Infantry Regiment, 1st Infantry Division, Fort Knox, Kentucky. He was a 2004 graduate of Valley Lutheran High School and his funeral was held at Bethlehem Lutheran Church on Saturday, March 12th.

James and Ann Gould, Kristopher's parents, would like to thank the Casualty Assistance Officer, Sergeant Angelina Saldana, of the Michigan Army National Guard for her assistance during this time. She escorted them to Dover Air Force Base, and coordinated the military honors with the church. Mr. and Mrs. Gould were touched by her compassion and her support of the family during this time.

Mr. Speaker, I ask the House of Representatives to stand with me in a moment of silence and remember the life of Kristopher James Gould and the service he rendered to our country. His sacrifice for the United States of America cannot be measured, and we owe him our thanks and gratitude. Please join me in offering prayers and condolences to his parents, sister and family for their loss.

STEPHEN F. MESTAS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Chief Warrant Officer Stephen F. Mestas of Pueblo, Colorado. Officer Mestas is a helicopter combat pilot who just finished his second tour of duty in Afghanistan, and his fifth tour overall. His return is a reminder of the sacrifice our soldiers and their families make to ensure our freedoms.

Officer Mestas and his unit, Alpha Troop 2–17 Cavalry, were recently deployed into some of the most dangerous territory in the world. They put their lives in danger every day so that we may live safely and freely in America. The fact that officer Mestas has been deployed five times in that pursuit is both humbling and inspiring. We are truly indebted to these brave men.

I also feel profound respect for the wives, children, parents and siblings of our American soldiers. They are put through incredible difficulties and we owe them the same gratitude.

Mr. Speaker, it is an honor to recognize Stephen Mestas, today. He and his family keep this country strong, along with all of the other men and women we charge with protecting the United States of America.

RECOGNIZING THE CONTRIBUTIONS OF OUR DAILY BREAD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize Our Daily Bread, and to congratulate them on their 26 years of service in the Northern Virginia community.

Our Daily Bread is a volunteer-based organization dedicated to providing critical services to families and individuals suffering from financial hardship. Through robust community support from local faith-based groups, community organizations, local businesses, schools and universities, Our Daily Bread has grown to provide food, financial literacy education and assistance, school supplies, and holiday cheer to thousands of people in our area.

Our Daily Bread's mission is to identify and address the unmet fundamental needs of Fairfax area residents, and to empower the community to help our neighbors maintain self-sufficiency. This mission of sustainability and self-sufficiency evolved from humble beginnings. Our Daily Bread was founded in 1984 as a temporary homeless shelter that rotated among several area churches. When Fairfax County opened a county-run shelter in the Reston area, Our Daily Bread refocused its energies on feeding the homeless and opened a soup kitchen to serve those most in need. Recognizing the difficulties faced by those patrons unable to benefit from this service, Our Daily Bread again reinvented itself first by delivering sandwiches made by volunteers and later to delivering supplemental groceries directly to homeless families who were living in motels along Route 50 in Fairfax.

Our Daily Bread has a history of being dynamic in the face of changing demographics. Beginning in the 1990's and largely fueled by the high cost of rental housing, a new urgent need emerged. Families who were not homeless, families in which one or both parents were often juggling multiple jobs, were finding themselves unable to meet their basic needs and were just one crisis away from homelessness. Our Daily Bread rose to meet this challenge and began a program offering emergency financial assistance in the form of a modest one time grant of up to $350.00. More recently, Our Daily Bread expanded their services to provide financial mentoring, a back to

school program and holiday meals and gifts. It is a testament to talent and commitment of the volunteers, staff, and supporters who make Our Daily Bread's what it is today; an organization with the foresight and readiness to take on new problems, while continuing to deliver on core initiatives.

Today, Our Daily Bread provides critical services to the elderly, the working poor, the disabled and the homeless in the Fairfax area. In 2010, Our Daily Bread provided food assistance to 425 families, an 18% increase from the previous year. In addition, 333 families benefited from financial assistance and over 385 families took part in financial literacy training and mentoring, a 73% increase over last year. 4,584 families were served by the holiday program, and 337 children received supplies for school. Over half of those assisted by our Daily Bread's program were children.

Mr. Speaker, I ask that my colleagues join me in paying tribute to Our Daily Bread for their commitment to the community. I would also to express my sincere gratitude to the volunteers and staff who contribute their time and energy and also to the Fairfax area business community for the support they provide to this worthwhile cause.

A TRIBUTE TO MAUREEN WALSH, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today I pay tribute to Maureen Walsh of Glendale. Along with a successful career in marketing and press relations, from which she is now retired, Maureen has always found time in her life to volunteer. A native New Yorker, when she moved to Glendale in 1988, she became active on the Women's Committee of the Glendale Symphony Orchestra, where she worked on a program that brought music to students in Glendale schools.

For the last several years, Maureen has been enthusiastically involved with the Cabrini Literary Guild in Glendale. The Cabrini Literary Guild is a philanthropic organization organized in 1943, whose mission is to raise funds to support various charities in the Glendale area, such as Loaves & Fishes, YWCA of Glendale, literacy programs, as well as to promote a Writing Award Program with the high schools in the Catholic Diocese of Los Angeles. A member since 1994 and a board member since 1995, Maureen has held the offices of Membership Chair, Writing Awards Chair, Secretary, Treasurer and President. Currently she is First Vice President in charge of programs at the association's monthly meetings and is a participant in the Guild's annual fundraisers.

Maureen joined Providence Saint Joseph Medical Center's Guild in 1999 and went on their board shortly afterward. The Guild's mission is to financially support the Medical Center with its fundraising by making annual pledges—profits from the Gift Gallery and the Guild's annual benefits help make it possible for the Guild to provide these monetary pledges. Maureen has served as First Vice President and Press Chairman of the Guild, and has acted as Chair or Co-Chair of the annual fundraising events, and is currently involved in the operations of the Gift Gallery.

One of Ms. Walsh's most rewarding activities at the Medical Center is her participation in the Pets with Purpose program. She accompanies her poodle/bichon mix dog, Beau, a participant for nearly five years, as he "makes his rounds" visiting patients in the medical center two Saturdays a month. Maureen is delighted to have the opportunity to help impact the patients' lives and to see the happiness that Beau's visits bring.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Maureen Walsh, for her service to the community.

TRIBUTE TO NATHANIEL PETERSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a South Carolinian who works every day to make his community a better place for all its residents. Nathaniel Peterson is a well-respected community leader in the Myrtle Beach area and is especially effective as Worshipful Master of Silver Star Lodge No. 333. I believe Mr. Peterson is deserving of our appreciation.

Nathaniel Peterson was born and raised in New York City. He studied at the State University of New York at Buffalo. He worked for nearly a decade with New York City Human Resources Administration/EVR as a Fraud Investigator before relocating to North Myrtle Beach. He currently serves as a financial counselor at Grand Strand Regional Medical Center/Hospital Corporation of America, a position that reflects his dedication to helping others.

When he came to North Myrtle Beach in 2003, Mr. Peterson saw opportunities to be of benefit to the community. He immediately joined Silver Star Lodge No. 333, and within four years was elected Worshipful Master. During his three and half years as the Lodge's leader, Mr. Peterson has organized various events which provide assistance, as well as, recognize individual achievements within the community.

His giving spirit has prompted Mr. Peterson to sponsor a holiday toy drive and initiate outreach programs for families in need. He continues to sponsor the Lodge's annual food drive. He is also responsible for developing the "The 100 Men in Black Unity Service." This program honors men of all creeds regardless of lodge affiliation.

Mr. Peterson believes in giving back to his community, and looks for opportunities to honor others who are doing good works. He has recognized clergy, senior citizens, widows/widowers, teachers, and government officials within the community for their commendable services.

He is also passionate about providing opportunities to young people. In addition to recognizing students for their outstanding academic achievement, Mr. Peterson began an annual scholarship program in 2009. Each year, the scholarship program assists a graduating high school student achieve his or her dream of going to college.

Wherever there is a need in the community, Mr. Peterson helps to find a way to address it. He recently encouraged members of his Masonic lodge to join him in restoring the home of an elderly woman and her disabled son in the Popular community. He is also a sponsor of the March of Dimes and the Paul Chester Children's Hope Foundation.

Besides his tremendous work with the Silver Star Lodge No. 333, Mr. Peterson is also affiliated with the Holy Royal Arch Masons (Harry T. Ross Chapter No. 54); John 0' Floyd Consistory No. 189; A.E.A.O.N.M.S. Shriner Kaaba No. 89; Member of the Order of the Eastern Star Moonlight Chapter No. 168; Knights of Pythagoras Youth Organization JT. Chestnut Council No. 46; and Kappa Alpha Psi Fraternity, Inc. (Conway/Myrtle Beach Alumni)

Mr. Peterson and his wife, Erica, are the proud parents of five beautiful children, which include two sets of twins; Brittany and Briana, 21, Brandon, 16, and Jared and Jordan, 12.

Mr. Speaker, I ask you and our colleagues to join me in applauding the community service of Nathaniel Peterson. To all who know him, Mr. Peterson is an encouraging, inspiring, and persistent individual who works tirelessly to improve the quality of life for others. His leadership is a guiding light in the Myrtle Beach community.

JAMES VASQUEZ AND CHRIS WEAVER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize James Vasquez and Chris Weaver for their accomplishments at Pueblo Community College. Both were awarded Rising Star Awards, which are given to students demonstrating leadership and academic excellence.

Mr. Vasquez is president of the Pueblo Community College associated student government, and participates in a number of other extracurricular activities. Most notably, he led the school's Thanksgiving food drive, which helped 206 students in need. During that semester he also maintained a 3.2 GPA as a single parent.

Mr. Weaver also held an exemplary GPA and served as vice-president of the associated student government, under Mr. Vasquez. He also represents the school government at the State Student Advisory Council and was named the board's legislative liaison to the Colorado Commission on Higher Education.

Mr. Speaker, I am proud to recognize James Vasquez and Chris Weaver for their accomplishments in higher education. There is no doubt they will continue to be leaders in their communities.

HONORING THE LIFE OF ALFRED EMIL KLINGENFUS

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, on March 10, 2011, Alfred ''Al'' Klingenfus of Crestwood, Kentucky passed away after a lifetime of humbly serving the people of Oldham County.

Mr. Klingenfus was born in 1918 in Crestwood, and graduated from Crestwood High School.

In addition to being a lifelong dairy farmer, he served for decades on the Oldham County Agricultural Stabilization and Conservation Service Committee and the Oldham County Zoning Appeals Board. He also played a key role in establishing the Oldham County Water District.

In 2008, Mr. Klingenfus was named one of the county's ''Living Treasures'' by the Oldham Era newspaper and the Oldham County Historical Society.

He was the loving husband of his wife, Etta, for more than sixty-six years, the father of five sons, the grandfather of eleven, and the great-grandfather of twelve.

Our thoughts and prayers are with Al's extended family and his many friends as they mourn his loss and celebrate his life.

IN RECOGNITION OF U.S. ARMY MAJOR GENERAL (RETIRED) ROBERT C. GASKILL AND U.S. MARINE CORPS MASTER GUNNERY SERGEANT (RETIRED) JOHN W. JONES JR.

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the Prince William County Chapter of the National Association for the Advancement of Colored People (NAACP) and its 2011 ''Salute to Veterans'' Freedom Fund Banquet. U.S. Army Major General (Retired) Robert C. Gaskill and U.S. Marine Corps Master Gunnery Sergeant (Retired) John W. Jones Jr. will receive special recognition at the banquet for their service to our nation.

The NAACP was established in 1909 to eliminate racial prejudice and remove barriers of racial discrimination that prevent equal opportunity for all members of society. The Prince William County Chapter seeks to implement outreach initiatives, educational programs and victim services that address issues of discrimination in the local community. The local chapter hosts an annual Freedom Fund Banquet to raise funds to support the chapter's activities. This year, the program will honor veterans of the United States armed forces.

It is my honor to join the Prince William County Chapter of the NAACP in giving special recognition to two veterans and residents of Prince William County, Major General Gaskill and Master Gunnery Sergeant Jones.

General Gaskill was born in Yonkers, N.Y., on April 12, 1931, to John and Armania Gaskill. The Gaskill family later moved to Arlington, Va. General Gaskill completed Reserve Officer Training as a Distinguished Military Graduate, and received a bachelor of science in business administration from Howard University in 1952. He was commissioned into one of the last all-black battalions in the United States Army. General Gaskill had a distinguished and decorated career in the Army before his retirement in 1981, to which he credits the support of his late wife Erotida Gaskill. General Gaskill is a Life Member of the NAACP, member of Unity in the Community, and an elder at his church.

Sergeant Jones was born in Memphis, Tenn., on September 3, 1930, to Mattie and John W. Jones, Sr. Sergeant Jones' mother passed away when he was nine, and he was raised by Laura Belle Jones, his father's second wife. In 1956, Sergeant Jones joined the United States Marine Corps. While in the Marine Corps, Sergeant Jones went to night school to complete his high school degree and enrolled in college courses. His service in the Corps included tours in the 1958 Lebanon Crisis and the Vietnam War. Sergeant Jones is married to the former Anne Tankins of Quantico. He is active in the NAACP and volunteers in his church, First Mount Zion Baptist Church, where he serves as Deacon Emeritus and sings in the choir.

Mr. Speaker, I ask that my colleagues join me in recognizing the Prince William County Chapter of the National Association for the Advancement of Colored People and its 2011 ''Salute to Veterans'' Freedom Fund Banquet. I extend my personal appreciation to Major General U.S.A. (Retired) Robert C. Gaskill and Master Gunnery Sergeant U.S.M.C. (Retired) John W. Jones, Jr. for their service and sacrifice on behalf of our country.

EDI SHELDON TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Edi Sheldon of Walsenburg, Colorado. Ms. Sheldon worked for several years in the Huerfano County Chamber of Commerce and Economic Development Committee before serving as mayor of Walsenburg.

Ms. Sheldon grew up in the small town of Walsenburg before moving to Alamosa with her husband, Frank. In Alamosa, she worked on the local newspaper that her husband published. After his death, she spent a number of years publishing her own magazine in Denver.

She eventually returned to Walsenburg and became very active in the local government. She worked as the secretary for the Huerfano County Chamber of Commerce. Ms. Sheldon also sat on the local hospital board for two years. In 2005 she won her mayoral bid in the small town, and worked tirelessly advancing Walsenburg's economic interests and the prominence of her city. The commitment she had to building her community through public service is inspiring.

Mr. Speaker, it is a pleasure to recognize Edi Sheldon today. Her public service was exemplary and her presence can still be felt in the community.

A TRIBUTE TO EMILY MAYORGA, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in Honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

I stand today to pay tribute to Emily Mayorga of Alhambra. A successful career woman, Emily has also always been a superb and selfless volunteer. From a very young age, Emily wanted to make a positive impact in her community. As a teenager, she volunteered at her Catholic church, and assisted her mother in numerous important projects. At the age of twelve, Emily began teaching Sunday school at the church. By, she had launched a program designed to teach adults in the church to read and write.

Emily was also committed to receiving a higher education. Upon graduating from high school, she attended California State University, Los Angeles, where she graduated with a Bachelor of Science in Business Administration. She continued her education at the University of Phoenix in Pasadena, and received a master's degree in Organizational Management.

Ms. Mayorga's career took shape at an early age. Her perseverance led her to attain various positions at the West San Gabriel Valley YMCA. What began as a summer job soon escalated into Emily holding the title of Associate General Director. After spending over two decades at the YMCA, she was hired as the Manager of Volunteers at the American Red Cross. Three years later, she was promoted to Human Resources Director. After working for the American Red Cross for four years, Emily was hired to work for the U.S. Department of Commerce/U.S. Census Bureau for one year as Assistant Manager for Recruiting. Ms. Mayorga supervised nearly twenty full-time employees, where her team recruited and tested over nine thousand individuals in the San Gabriel Valley for the 2010 Census.

Emily's accomplishments in the community are many. Ms. Mayorga joined the Soroptimist Club of Alhambra-San Gabriel-San Marino over a decade ago, and has served as President twice. From 1995 to 2000, Emily served as a spokesperson for the San Gabriel Valley United Way, and became a Board Member of the Alhambra Educational Foundation from 2004 to 2007. Currently, Emily serves as a delegate for the Soroptimist Club and as an Auxiliary Board Member for the Alhambra Retirement Community. Moreover, she is also a tireless volunteer for the Tzu-Chi Foundation and the Alhambra Public Library.

I ask all members to join me today in honoring an outstanding woman of California's 29th Congressional District, Emily Mayorga, for her exceptional service to the community.

A TRIBUTE TO SERGEANT RICHARD ''DICK'' SULLIVAN, USMC

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HUNTER. Mr. Speaker, I rise today to pay tribute to a fellow United States Marine, Mr. Richard ''Dick'' Sullivan, who died at the age of 79 on Thursday, February 3, 2011, from complications of lung cancer. Mr. Sullivan was part of a generation of Marines that, still to this day, all Marines continue to uphold as some of the greatest ever to wear a uniform and call themselves leathernecks.

Mr. Sullivan grew up in Colorado Springs, CO, and enlisted in the Marine Corps at 17 years of age. Sergeant Sullivan bravely served his country as a machine gunner in the Korean War, alongside the other Marines of 1st Marine Division, 3rd Battalion, 5th Marine Regiment, George Company. With George Company, Sergeant Sullivan fought in Seoul, Inchon, and the historic Battle of Chosin Reservoir—where Marines faced incredible odds and demonstrated amazing tenacity and grit against a formidable enemy.

Just like many of the Marines that survived the Chosin Reservoir campaign, Mr. Sullivan considers those 17 days of fighting as the most important days of his service to the nation. In the period between November 27th and December 13, 1950, the United National troops, which were nicknamed the Chosin Few under the command of Major General Edward Almond, were surrounded by as many as 100,000 Chinese troops.

Fighting in extremely cold temperatures that reached −35 degrees below Fahrenheit, Sergeant Sullivan engaged the enemy on frozen ground and persevered frostbite, limited supplies and weapon malfunctions. The military historian Patrick K. O'Donnell highlights the valor of George Company in his book ''Give Me Tomorrow,'' by detailing how a small group of Marines, against all odds, made five separate stands against enemy units despite being severely outnumbered.

During a critical point in combat, George Company put together a task force to break through to Haguaru-ri. George Company went down an 11-mile stretch of road, which became a shooting gallery. The Chinese had the high ground and started peppering vehicles with machine guns, bazookas and mortars. Many of their 150 vehicles were destroyed and over half the company was either captured or killed.

Mr. Donnell states in his book that if the task force would not have taken the initiative to advance their position to Haguaru-ri, then the 1st Marine Division would not have been able to consolidate at Chosin Reservoir. There is a good chance the United States would have lost the Korean War.

Thanks to George Company, the 1st Marine Division did consolidate their forces and managed to decimate 10 Chinese infantry divisions in its fighting withdrawal eastward to the North Korean port of Hungnam. The fighting withdrawal of the 1st Marine Division from the Chosin Reservoir is considered one of the greatest moments in the history of the Navy, the Marine Corps and the British Royal Marines.

Mr. Sullivan was honorably discharged from the United States Marine Corps on August 1, 1952.

Over the next four decades, Mr. Sullivan worked for Ronson Hydraulic Units and Sargent Aerospace. After retirement, Mr. Sullivan was very active in Arizona's Leisure World. He renewed his love of golf playing at Heron Lakes with the men's club on Mondays, the Donut League on Wednesdays, with friends on Thursdays at the Nine Hole, and always played on Saturdays. In the final year of his life, chemotherapy treatments never kept him from indulging in his favorite sport of golf. Even while he served on Leisure World's Architectural Committee for a number of years, his heart was always with other Marines who lived in Leisure World. He was instrumental in keeping the celebration of the United States Marine Corps birthday on November 10th by being involved with an annual dinner, a welcome back party in September and a barbeque at the close of the season in April.

Although he only spent four years in the Marine Corps, his mind and body were always with the United States Marines. He was proud of the fact that wherever he went, he would always meet up with another Marine, giving and receiving the recognizable hello of those who served in the Corps. He is survived by his wife, Sydele E. Milgrim and his sons Rick Sullivan of Mesa, AZ and Stuart Sullivan of Redmond, WA.

Mr. Sullivan is truly an inspiration, embodying the honor and tradition of the Marine Corps and its motto of Semper Fidelis. And I ask that my colleagues join me in paying tribute to such a fine American, who we all owe a debt of gratitude.

ANNA MAE RAEL-LINDSAY TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, it is important for me to stand in tribute and praise the ongoing educational career of Anna Mae Rael-Lindsay. Mrs. Rael-Lindsay continues to enlighten and enrich the lives of others through her relentless dedication to her students, Trinidad State Junior College, and southern Colorado.

Anna Mae Rael-Lindsay was born and raised in the San Luis Valley, and her large tightly knit family put a premium on education and hard work. After graduating from Adams State College, Mrs. Rael-Lindsay started in Rocky Ford Public Schools, and never looked back from there. Never losing sight of her roots, it was not long before Mrs. Rael-Lindsay was back in the San Luis Valley, teaching at the Trinidad State Junior College's Alamosa Campus. Anna Mae Real-Lindsay is now the director of the learning resource center at TSJC's Alamosa Campus, which specializes in adult basic education, general education development tests, and English as a second language classes. This allows her the chance to stress the importance of a complete education to countless students who might not otherwise understand all the opportunities that a degree provides. For her decades of hard work, Anna Mae Rael-Lindsay has rightfully earned the honor of Trinidad State's Employee of the Year.

Mr. Speaker, Mrs. Rael-Lindsay is an inspirational educator who has dedicated her professional life to improving the lives of those around her, and the livelihood of her community. It has been an honor to rise in tribute to the scholarly career of Anna Mae Rael-Lindsay.

HONORING DR. ELNORA HAMB, DR. BARBARA SHAW, DR. JAMESINA EVANS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I would like to recognize the work and legacy of three phenomenal women for their service to the organizations that they serve and their efforts to eliminate health disparities in their communities. Dr. Elnora Hamb, International President of the Women's Missionary Council, The Christian Methodist Episcopal Church (CME); Dr. Barbara Shaw, International President of the Women's Home and Overseas Missionary Society, The African Methodist Episcopal Zion Church (AMEZ); and Dr. Jamesina Evans, International President, Women's Missionary Society, The African Methodist Episcopal Church (AME) simultaneously served in their respective roles for eight years and collectively served over seven million members worldwide—including members in the U.S. Virgin Islands.

These women and their respective organizations serve as examples of how community champions are helping our country to achieve health equity. Seeing the deleterious effect of health conditions such as HIV and cervical cancer on their congregants, these women took unprecedented action to help eliminate health disparities in their community. As a result of the transformative leadership of these women, each organization entered into an innovative partnership with the Balm in Gilead, Inc. to address the health concerns of black women, focusing attention on issues disproportionately impacting the community, and developing the organizational capacity of each denomination to utilize its existing structures to deliver HIV services and other programs addressing health disparities that have long disproportionately affected African American communities. This partnership represents the first time that any black church denomination has partnered with a national technical assistance organization to implement and deliver public health strategies to the African American community.

The leadership of these phenomenal women has resulted in thousands of women and men receiving education and interventions in areas of HIV/AIDS, cervical cancer, and other health disparities. For example, each Missionary Society has established an office of a National Health Director whose purpose is to coordinate health promotion and disease prevention throughout the denomination. Further each Missionary Society has utilized their information organs to distribute critical information on HIV, cervical cancer, and other health issues which has reached readers worldwide. Additionally, each Missionary Society offers HIV testing and workshops on-site at their annual leadership trainings and many of their affiliated

local churches offer HIV testing as a regular activity nationwide. As a result, the visionary leadership of these women undoubtedly has saved thousands of lives through these health interventions.

Finally, it does not escape me that I am honoring these three great women during Women's History Month whose theme, "Our History is Our Strength," pays tribute to the millions of women who helped create a better world for the times in which they lived as well as for future generations. These women are continuing the tradition of the great women who came before them by standing up and taking action to address one of the pressing issues of our day and to improve the health of African Americans today and in the future. Unfortunately, many of the women who are deserving of recognition remain un-named and unknown. We cannot let the same occur to these three trailblazing women. Thus, it is my honor on behalf of the women of this body, the Congressional Black Caucus and the entire Congress of the United States to recognize the tremendous work and leadership of Dr. Elnora Hamb, Dr. Barbara Shaw and Dr. Jamesina Evans and thank them for their selfless service to their congregants and their transformative work to eliminate health disparities in the African American community.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CAPUANO. Mr. Speaker, I missed a vote on Monday and I wish to state for the RECORD how I would have voted had I been present:

Rollcall No. 175—"yes."

Rollcall No. 176—"yes."

ED SAJBEL TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ed Sajbel of Pueblo, Colorado. Mr. Sajbel is an integral part of Pueblo's art community and will showcase his work in an "introspective Retrospective" display this spring. Though the display is a testament to Mr. Sajbel's artistic abilities, his greatest success has been nurturing a strong artistic community in Pueblo and the aspiring artists of the area.

From an early age, Mr. Sajbel loved to draw, a hobby that quickly earned him recognition. After a brief furlough in the U.S. Coast Guard, he returned to Pueblo to attend Pueblo Community College. He eventually transferred to the University of Northern Colorado to become a teacher, which allowed him to pursue his career in art while also guiding youngsters with a similar passion. Mr. Sajbel went on to teach at Colorado State University-Pueblo for over thirty years. His success can be measured by the exponential growth of Pueblo's artistic community.

Mr. Sajbel did not limit his guidance only to the classroom. He created and served on a number of boards and councils in Pueblo meant to foster the growth of the arts, including the Colorado Arts and Humanities Council. He also developed grants for artists in the area and put on shows featuring their work.

Mr. Speaker, the impact that Ed Sajbel has had on the arts in his community is profound and it is an honor to recognize him today. There is no doubt that he will continue to inspire young artists while he pursues his own creative passion.

IN RECOGNITION OF THE 21ST ANNUAL MARTIN LUTHER KING YOUTH ORATORICAL CONTEST

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the 21st Annual Martin Luther King Youth Oratorical Contest hosted by the Prince William Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and its Education Foundation.

Dr. Martin Luther King, Jr. left an indelible mark on the way Americans engage in civil dialogue. Despite the violence perpetrated against the Civil Rights Movement, Dr. King responded with oratory and nonviolent resistance to condemn the injustice of social inequality. His legacy is one of tolerance and steadfast commitment to principled and peaceful communication.

The MLK Youth Oratorical contestants pay tribute to Dr. King's legacy with their ability to exercise the strength of the spoken word. This is a skill inseparable from their character and will serve them well as they tackle leadership opportunities and build personal relationships.

I congratulate and applaud the following contestants of the 21st Annual Martin Luther King Youth Oratorical Contest:

MIDDLE SCHOOL CONTESTANTS

Hannah Wied—Pennington School

Jacob Gonzalez—Parkside Middle School

Jawuanna McAllister—Stonewall Middle School

HIGH SCHOOL CONTESTANTS

Seth Opoku-Yeboah—Osbourn Park High School

Alice Gyamfi—C.D. Hylton High School

Attiqah Syeda—Gar-Field High School

Mr. Speaker, I ask that my colleagues join me in commending Delta Sigma Theta Sorority, Inc. for recognizing the benefit that Dr. King's teachings bring to the development of our youth. We lay the foundations of a more tolerant society when we nurture the ability to engage and communicate with one another in a way that respects our common humanity.

A TRIBUTE TO NANETTE FISH, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today I pay tribute to Nanette Fish of Temple City, an extraordinary woman of California's 29th congressional district. A 26-year Temple City resident, Nanette's passion for volunteerism is evident in the countless organizations to which she has donated her time and energy and she has made the city of Temple City a better place to live.

Nanette began volunteering with Temple City's schools in the early 1990s, when her children were young. She served on the Executive Boards of the local PTAs, the Temple City Youth Football Board, the Temple City High School Ramrodders Football Executive Board, and the Temple City American Little League Board. In addition, Ms. Fish was a "Team Mom" for Temple City Youth Cheer, AYSO Soccer, Junior Varsity Girls Basketball, Junior Girls Softball and Youth Football, served as Chairperson and Member of the Cloverly Elementary School Site Council, volunteered for 5 years on the High School Grad Nite Committee, and was a Western Association of Schools and Colleges' Parent/Community Committee member for Temple City High School. In 2010, she received the Temple City Unified School District's Temple City High School VIP Volunteer Award.

Currently, Ms. Fish, employed as the Temple City Camellia Festival Director, finds time to volunteer for several organizations including the Pasadena Tournament of Roses Association, Saint Luke Catholic Church and the Temple City Chamber of Commerce, where she serves on the Miss Temple City Pageant Committee, and the chamber's Golf Tournament Committee. In 2009 and 2010 she received the chamber's Community Service Award. In addition, Nanette is a Temple City Parks and Recreation Commissioner and enjoys participating in various fundraising walks for cancer awareness.

Nanette and her husband, Kevin, have been married for 26 years and have 2 children, Cameron and Lainie.

I ask all Members to join me today in honoring an outstanding woman of my district, Nanette Fish, for her selfless service to the community.

INTRODUCTION OF THE DISTRICT OF COLUMBIA NATIONAL GUARD HOME RULE ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. NORTON. Mr. Speaker, today, I introduce a bill that would give the mayor of the District of Columbia authority over deploying the D.C. National Guard, after consultation with the Commanding General of the D.C. National Guard, with the President retaining final authority. In local emergencies, including natural disasters and civil disturbances unrelated to national or homeland security, the mayor of the District of Columbia should have the same authority that governors exercise over the National Guard in their states. Each governor, as head of state, has the authority to mobilize the National Guard to protect his or her state, just as local militia did historically. The National

Guards in the 50 states operate under dual federal and local jurisdiction. Yet only the President and the Commanding General of the D.C. National Guard currently have the authority to deploy the D.C. National Guard for local and national purposes, respectively. Today, the most likely need for the D.C. National Guard here would be for natural disasters and to restore order in the wake of civil disturbances. The mayor, who knows the city better than any federal official and who works closely with federal security officials, should be able to call on the D.C. National Guard for local natural disasters and civil disturbances, after consultation with the Commanding General of the D.C. National Guard. The President should be focused on national matters, including homeland security, not local D.C. matters. Homeland security authority, with respect to the D.C. National Guard, would remain the sole province of the President, along with the power to nationalize the D.C. National Guard at will. It does no harm to give the mayor this authority for civil disturbances and natural disasters. However, it could do significant harm to leave the mayor powerless to act quickly. If it makes sense that governors would have control over the mobilization and deployment of their National Guard, it makes equal sense for the mayor of the District of Columbia, with a population the size of a small state, to have the same authority.

The mayor of the District of Columbia, as head of state, should have the authority to deploy the D.C. National Guard in instances that do not rise to the level of homeland defense activities. My bill requires that the mayor only deploy the D.C. National Guard after consultation with the Commanding General of the D.C. National Guard. The bill is another important step toward completing the transfer of full self-government powers to the District of Columbia. Congress itself began with the passage of the Home Rule Act of 1973, when it delegated most of its authority to the District of Columbia. The bill follows that model.

I urge my colleagues to support the bill.

HONORING AND RECOGNIZING THE HEROES OF THE BATTLE OF CRETE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. MALONEY. Mr. Speaker, today I am reintroducing legislation to honor and recognize the heroes of the Battle of Crete and commend the PanCretan Association of America for preserving and promoting the history of Crete and its people.

During the Battle of Crete in May 1941, Allied forces and the people of Crete joined together to fight against an advancing Nazi army. Although unsuccessful in defeating the Nazi invaders, this coalition of forces inflicted enormous casualities to the airborne Nazi assault, resulting in more than 3,700 German troops killed and the destruction of multiple transport aircraft. In addition to these losses, the Allied forces were able to hold off the Nazi victory long enough to ensure that the German army would face a harsh and destructive winter as it proceeded to Russia.

This resolution observes the memory of the brave men and women who perished and honors the living that fought in the Battle of Crete.

TRIBUTE TO THE NOVI WILDCATS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to acknowledge the Division 1 State Champion Ice Hockey team from Novi High School. On March 12, 2011 the Novi Wildcats won the first state championship in the team's 13 year history with a 4–0 shutout over the Orchard Lake St. Mary's Eaglets.

Following a successful regular season in the Central Division of the Kensington Conference in the Kensington Lakes Athletic Association the Wildcats claimed both the division and conference titles before narrowly dropping the KLAA crown to the Lakes Conference champion, Howell by a slim 4–3 margin.

Novi's first pre-regional game, played at Plymouth's Compuware Arena, produced a 6–0 win against South Lyon and paved the way to play long time rival Detroit Catholic Central in their 2nd pre-regional matchup. The Wildcats squeaked by the Shamrocks in a hard fought contest, winning 4–3. Moving on to regional competition the Wildcats savored the chance to avenge the earlier loss KLAA nemesis Howell. This time Novi iced the Highlanders 3–0, happy to let Howell have the KLAA trophy as the Wildcats pursued the bigger prize.

Head Coach Todd Krygier's skaters advanced to quarterfinal action at Perani Arena in Flint. This matchup pitted brother against brother as Todd Krygier's Wildcats decimated younger brother Bryan Krygier's Clarkston Wolves, 9–1. Coach Krygier along with Assistant Coaches Jim Lewis and Travis Malott brought the Green and White back to Compuware to face off against Lake Orion in the semi-final round. The Wildcats didn't allow the Dragons a goal and came away with a 3–0 win.

Advancing to the championship, Novi met the storied Orchard Lake St. Mary's on the ice for the first time ever. The Wildcats convincingly rose to their final challenge and soared to a 4–0 victory raising the Division 1 trophy in triumph.

Mr. Speaker, with a regular season record of 24–5–1, the Wildcats carried an astounding 171 goals while giving up only 61 and a playoff run of 6–0 with 29 Goals compared to 4 for their opponents, the 2011 Novi Wildcats deserve to be recognized for their determination, achievement and spirit and I am very proud of their effort. I ask my colleagues to join me in congratulating the Wildcats for obtaining this spectacular title and honoring their devotion to our community and country.

TRIBUTE TO THE PEOPLE OF THE CITY OF CHAMBERSBURG, PENNSYLVANIA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SHUSTER. Mr. Speaker, I rise today to honor the people of the City of Chambersburg, Pennsylvania. They well deserve recognition for their generous and humane extension of a helping hand to their sister city, Gotemba, Japan.

Our thoughts and prayers go out to all those in Japan who are coping with the aftermath of a truly tragic disaster. We stand in support of our friends and allies in Japan who are doing everything they can to recover from the devastating earthquake and tsunami.

In my district, the Mayor of Chambersburg, Pennsylvania, Pete Lagiovane, announced this week that his city will offer assistance to their sister city in the wake of the earthquake and tsunami that has devastated Japan. While fortunately the people of Gotemba were not as severely impacted as those in the northeast part of Japan, they are dealing with heavy hearts for their friends, families, and countrymen as well as serious disruptions to their power supply and transportation system.

Mayor Lagiovane has offered assistance in a joint effort to assist Gotemba in providing relief to the victims of the earthquake and tsunami. He put forward the idea of starting a local relief fund with the proceeds going to Gotemba to disburse as they see fit.

Chambersburg and Gotemba have been sister cities for 50 years. Their relationship started when a Japanese student at Penn Hall and Wilson College returned home after World War II. The student wanted to maintain a bond with Chambersburg, so she and her son came back and conducted several meetings with the city council and established a sister city relationship in 1960. The two cities have exchanged visits every 5 years since then.

The spirit of sisterhood and love between these two cities—separated by thousands of miles and a vast ocean—encapsulate the attitude we should all have toward our fellow man. I commend Chambersburg for their selfless attitude and generosity.

WISHING THE UW MEN'S BASKETBALL TEAM THE BEST OF LUCK

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. McDERMOTT. Mr. Speaker, today is St. Patrick's Day—a day that is universally associated with good luck. Calling on my Irish heritage, I would like to convey continued good luck to the University of Washington men's basketball team. This past weekend they won the Pac–10 Championship and tomorrow they seek to continue their run in the NCAA tournament when they open against the University of Georgia.

Good luck and go Dawgs.

HONORING NATIONAL EXCHANGE CLUB 100TH ANNIVERSARY

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HENSARLING. Mr. Speaker, today I recognize the outstanding service The National Exchange Club provides the citizens of Dallas County, Texas.

The National Exchange Club, a service organization with 700 clubs and approximately

22,000 members throughout the United States and Puerto Rico will celebrate its 100th anniversary on March 27, 2011. For 100 years, its volunteer efforts have supported the needs of the country and of local communities, making it the country's oldest American service organization operating exclusively in this country.

I would like to specifically recognize the clubs in the Fifth Congressional District of Texas—Garland Noon Exchange, Mesquite Noon Exchange, Rowlett Noon Exchange, and Lake Highlands Exchange. Members of these clubs give countless hours to the prevention of child abuse, youth projects, and other community service projects. Exchange Club members also promote the American spirit through their core values of family, community, and nation.

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 Exchange Clubs.

I am pleased today to recognize the Exchange Clubs for their contributions to Dallas 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.

IN HONOR OF JIM MANNASSERO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. FARR. Mr. Speaker, I come to the House floor today to raise a glass of scotch in memory of Jim Mannassero, who died late last year following a brief illness. Jim was a giant among giants in the Salinas Valley's $4 billion produce industry. He was involved for decades in vegetable production at all levels and was admired as a true leader by colleagues and competitors alike. So while you may have never heard of Jim Manassero, I can guarantee that every member of Congress has eaten something that Jim helped to grow.

Those fortunate enough to know Jim will remember his gravely voice—a voice that he never hesitated to use to tell it as he saw it. Jim was always free with his opinions and observations, but he never let those opinions stray from his own deep knowledge and wisdom. When Jim spoke, you always knew that there was thought behind his words, even if those words came with a kick in the pants. He never left you in doubt about where you stood with him. But Jim's leadership and authority didn't come from being loud or pushy, it came from unfailing honesty and deep integrity. So while you may not have agreed with Jim, you always trusted him. Jim's friends will also remember his sense of style, with one pant leg tucked into his boot and accessorized whenever he could with a glass of scotch.

Jim worked for D'Arrigo Bros. of California for thirty two years, serving as Vice President of California Operations for the last 25. He was a member of Class I of the prestigious California Ag Leadership Program. He was the current Chairman of the Monterey County Agriculture Advisory Group which counsels the Monterey County Board of Supervisors on issues facing the agricultural industry. He was a founding member, and past President, of the Salinas River Coalition, where he worked with other Salinas Valley land owners to reduce the flood risk to Salinas Valley Communities and the surrounding farmland. Since 1979, Jim served as a member of the California Lettuce Research Board, serving as the organization's Chairman from 1997 to 1999. Jim served as Chairman of the Board of the Grower-Shipper Association in 1985–1986. Just last year he was the recipient of the Association's highest honor, the E.E. "Gene" Harden Award for Lifetime Achievement in Central Coast Agriculture. The additional boards, commissions, organizations and committees on which Jim served are too numerous to mention but, it is enough to say that Jim did the work of a dozen people. The United States is a better place for Jim's efforts.

Mr. Speaker, Jim leaves behind his wife, Ginny, his two children, Victoria and Paul, and one grandson, Julian. I know that I speak for the whole House in extending to them and to Jims friends and colleagues our deepest condolences.

HONORING SHEVCHENKO AND ALDRIDGE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. KAPTUR. Mr. Speaker, March is a month when Ukrainians worldwide pay tribute to Taras Shevchenko, whose monument here in Washington, D.C. bears testament to his prescient writings, prophetic visions for human dignity, and aspirations for the worth of each individual. It is with deepest respect for his life after purchase out of serfdom, and that of his friend Ira Aldridge, purchased out of slavery; that the very idea of liberty took flame out of the repressive conditions Of their forbears. Their lives deserve recognition and revelation, decade after decade, so the world remembers and honors those whose paths cleared the way for our own.

[From the U.S.-Ukraine Foundation Update, Mar. 8, 2011]

HONORING A FRIENDSHIP BONDED IN DEFENSE OF HUMAN RIGHTS FROM ST. PETERSBURG, RUSSIA TO WASHINGTON, DC

(By Robert A. McConnell)

While February is Black History Month, a month when attention is given specifically to the contribution of Afro-Americans to our country, our society, and culture, March is the month that Ukrainians worldwide honor Taras Shevchenko. For Ukrainian-Americans, both months are a time of reflection on a very special and unique friendship between one of Ukraine's greatest historical figures, Taras Shevchenko, and a famously talented black American, Ira Aldridge.

Although both men died in the 1860s, one in Russia and the other in Poland, and though both are little known to the general public in America, both of their images are present in the capital city of the United States. A mere two and a half miles apart here in Washington DC stand monuments to Taras Shevchenko and to Ira Aldridge. The first was born a Ukrainian serf who was purchased out of bondage in order for his immense talents to blossom; the second was born a Negro in New York who, because of the color of his skin, had to leave his country to find the full glory of his God-given talent.

At the corner of 22nd and P streets in Northwest Washington stands the figure of Taras Shevchenko, a monument to the man, his writing, his profound commentaries on human dignity, pleas of help for the plight of the downtrodden and his aspirations for his country, struggling under tsarist repression. Engraved in the granite is his hope for Ukraine: "When shall we get our Washington, to promulgate his new and righteous law?" On the other side of the city stands The Ira Aldridge Theatre on the Howard University campus, constructed in memory of a great thespian talent and as a symbol of challenges overcome, paths revealed for other talents to follow.

Portraits of both men hang in that theater, portraits painted by Taras Shevchenko and donated to Howard University in 1967 from the archives of the Ukrainian Academy of Arts and Sciences in the United States.

Born a serf in Ukraine, Shevchenko was destined for a lifetime of servitude. Yet when his owner left Ukraine for St. Petersburg, Russia, he took the young Shevchenko along. In St. Petersburg, Shevchenko's artistic talents were revealed. In 1838, the city's artistic circles succeeded in raising 2,500 rubles to purchase Shevchenko's freedom. Once free, he became a student at the Imperial Academy of Arts and his artwork and poetic writing flourished. His poems glorified Ukraine and demanded freedom and justice for all oppressed nations and classes of people.

Shevchenko returned to Ukraine in 1845 to find great injustices. His poems criticized the tsarist regime and chided the aristocracy's oppression of the peasants. For these expressions, he was arrested and deported from Ukraine to exile in a remote part of Asian Russia, incarcerated in a military penal facility and, by the decree of the Tsar, denied writing and drawing materials. Despite the Tsar's orders and the incarcerations terrible cost to his health, Shevchenko secretly composed some of his most powerful works while imprisoned and in political exile. Moreover, at the same time, Shevchenko's Ukrainian and Russian friends, including Count and Countess Fyodor Tolstoy, worked to secure his freedom again. Finally, ten years after his arrest, Shevchenko was released. Forbidden to return to Ukraine, he returned to St. Petersburg, where he soon met the American Ira Aldridge.

Although Aldridge had been born in New York, as his immense talents became apparent, he found his opportunities limited due to the significant discrimination against blacks. He chose to emigrate to England in 1824 and began acting in small London theatres. Receiving notice and praise, he was soon performing in England's finest theatres and began to tour outside London. By 1852, Aldridge, the first black to act in white roles in Shakespeare's plays, left for his first European tour. Receiving acclaim everywhere he traveled, he returned to London a theatric hero.

In 1858, Aldridge accepted an invitation from the Russian Imperial Theatre to perform in St. Petersburg. Shevchenko attended the opening performance and the two men were introduced.

There are numerous letters and notes commenting upon their meeting and friendship. One of Tolstoy's daughters, Katherine, served as an early translator between Aldridge and Shevchenko and wrote about the experience and their friendship. Shevchenko attended Aldridge's performances. Aldridge visited Shevchenko's studio and posed for the artist. They visited one another often and spent time in the same social circles, one that included many artists, performers, intellectuals.

Their friendship was unique since they had in common not only the creativity of their

personalities and their love of the arts, but their shared experiences of social oppression and their dreams of a better future for their people. Though free, famous, with powerful friends, living in the world of Russian aristocracy, neither seemed able to forget his past, the plight of his people.

Those who wrote about their friendship noted that they often sang together. Aldridge greatly appreciated the sorrowful and melodic Ukrainian songs that captured the unfortunate plight of the people of Ukraine. Shevchenko, in turn, loved the songs of the Negro South, no doubt to great extent for the same reasons.

When Aldridge returned to England, he took with him a portrait of Shevchenko by a Russian artist. Aldridge returned to Russia several years later but by then Shevchenko had passed away. Between 1861 and 1866, Aldridge made several tours of the tsarist empire including three trips to Ukraine, to Shevchenko's homeland, trips that had been denied to the great poet, artist, and patriot. Ira Aldridge never returned to the United States, however, he did live to know of President Lincoln's Emancipation Proclamation and the end of the Civil War.

Both of these men, historic giants in their artistic fields and in their messages about the struggles of mankind for dignity and the perseverance of individuals, died on foreign soil far from their homelands. Aldridge's body remains in Poland. Eventually, Shevchenko's body was returned to Ukraine from Russia. Their unique friendship remains a story for the ages; it is fitting that among the monuments to their lives and contributions there are the two in Washington, DC, just two and a half miles apart. A friendship that brought them together thousands of miles from here, eventually finds them in the capital of Aldridge's native land, respected and honored, with Shevchenko's question still unanswered: when will Ukraine get its ''new and righteous law?''

IN RECOGNITION OF THE RECIPIENTS OF THE 2011 DALE CITY CIVIC ASSOCIATION COMMUNITY AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the recipients of the 2011 Dale City Civic Association Community Awards.

The Dale City Civic Association was founded in 1967. Citizens formed the organization to give a voice to community initiatives and collective action in Dale City. Today, the organization's purpose is to represent the interests of the residents of Dale City in a manner that benefits the entire community. Members do this with robust beautification efforts, land use advocacy and volunteer responses to community needs.

The Association hosts an annual awards banquet to honor individuals and organizations that show an exceptional devotion to their community and public service. It is my honor to enter into the CONGRESSIONAL RECORD the names of the recipients of the 2011 Dale City Civic Association Community Awards:

High School Teacher of the Year: Major William Brannen.

Middle School Teacher of the Year: Amy Crotty.

Elementary School Teacher of the Year: Terri Faulkner.

John D. Jenkins Youth Citizen of the Year: Alexis Simpson.

Youth Environmental and Conservation Scholarship: Shaila Bills.

Kathie Feeney Nurse of the Year: Gail D. Russell.

Prince William County Police Department, Police Officer of the Year: Officer Dave Endrizzi.

Dale City Volunteer Fire Department, Officer of the Year: Captain Linda Wortham.

Dale City Volunteer Fire Department, Emergency Medical Service Provider of the Year: Sergeant. Dennis Oden.

Dale City Volunteer Fire Department, Firefighter of the Year: Firefighter Tinashe Banda.

Dale City Volunteer Fire Department, Cadet of the Year: Michael Cajayon.

Prince William County Department of Fire and Rescue, Emergency Medical Service Provider of the Year: Lieutenant Chris Eddy.

Prince William County Department of Fire and Rescue, Firefighter of the Year: Technician I Andrew Marsh.

Deputy Sheriff of the Year: Deputy Timothy Angels, Master Deputy Wayland Thompson.

Catherine Spellane Citizen of the Year: Susan Canfield.

Kathleen K. Seefeldt Community Service Award: Timothy J. Rupert.

Ernestine S. Jenkins Lifetime Volunteer Award: Lillian Garland.

Business of the Year: DEP Copying and Printing Center.

Mr. Speaker, I ask that my colleagues join me in commending the winners of the 2011 Dale City Civic Association Community Awards for their dedication to building and maintaining a healthy community. Each recipient has made an impact on Dale City, and with these awards we hope to show them that their contributions have not gone unnoticed.

A TRIBUTE TO DR. ANA MARIA GRACE, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today, I pay tribute to Dr. Ana Maria Grace of South Pasadena. As a physician, Dr. Grace has dedicated her career to helping individuals and patients in need, in addition to assisting them in attaining a better understanding of various medical conditions.

Dr. Grace discovered her passion for helping others at an early age. Upon receiving a Bachelor of Science in biochemistry from California State University, Fullerton, she went on to attend medical school at the University of Wisconsin. Ana completed her residency at the University of Southern California and the University of Arizona.

Currently, Dr. Grace is an attending physician at two locations. She works in the Cecilia Gonzalez De La Hoya Cancer Center at White Memorial Medical Center, WMMC, and at the Radiation Oncology Services at Albert C. Mak, M.D., Inc. In addition to being a dedicated physician, Ana simultaneously has various roles within her profession. She is currently a member of the WMMC Cancer Committee, serving as the committee's chairperson since 2008, and Director of WMMC's Cancer Center.

Dr. Grace's primary focus has been senior citizens and the Spanish speaking population. As a committee member of WMMC's Senior Center, Dr. Grace has helped with setting outreach and service goals which have included making presentations to senior citizens regarding cancer awareness, screening and prevention. With her Spanish speaking skills, Dr. Grace has also been able to communicate medical information about common malignancies to the public, with the ultimate goal of reducing the risk for cancer and emphasizing early diagnosis. On Spanish news stations such as Univision, Telemundo, and Azteca Dr. Grace has discussed various topics such as cancer awareness, and the effects of secondhand smoking.

The list of Dr. Grace's public presentations is impressive. Since 2005, in addition to appearing on television interviews, Ana has lectured at nursing homes and at health fairs where she has spoken about lung cancer, breast cancer, and colon cancer awareness and prevention. Dr. Grace also holds professional society memberships with the Los Angeles Radiological Society, American Medical Association, and Glendale Adventist Medical Center Cancer Committee, among others.

I ask all Members to join me today in honoring an extraordinary woman of California's 29th Congressional District, Dr. Ana Maria Grace, for her exceptional service to the community.

2011 BRAIN AWARENESS WEEK

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. RUNYAN. Mr. Speaker, I rise today to commemorate Brain Awareness Week (BAW) and the benefits of this informative week in educating students on brain science in my congressional district and across the country. Brain Awareness Week, launched in 1996, brings together the Society for Neuroscience, the Dana Alliance for Brain Initiatives and 2400 other organizations in 76 countries which share a common goal of improving public awareness of brain and nervous system research.

During Brain Awareness Week, which is being held March 14–20, neuroscientists around the world educate K–12 students, senior citizens and the public at large on the wonders of the human brain. These activities include tours of neuroscience laboratories, museum exhibitions and classroom discussions on elements of the human brain. In my congressional district, Shawnee High School in Medford Township will recognize Brain Awareness Week during their 6th annual Brain Day on March 24. High school students enrolled in the psychology course will be displaying interactive exhibits and explaining functions of the brain to their community. Today, in recognition

of Brain Awareness Week, I would like to highlight a devastating neurological condition that affects millions of Americans: Alzheimer's disease.

As a former board member of the Delaware Valley Alzheimer's Association, I know firsthand the burden Alzheimer's disease places on families in my congressional district, our healthcare system and our local and national economies. Alzheimer's disease is not only an emerging problem in the United States, but around the globe. As the world population grows and life expectancies rise, the number of people suffering from age-related neurological diseases like Alzheimer's may skyrocket. According to the National Institutes of Health, experts suggest that between 2.6 million and 5.1 million Americans 65 years and older may suffer from the disease, with annual treatment costs estimated to exceed $100 billion. However, research is paving the way to promising new treatments, providing hope for millions.

With age as the biggest risk factor for Alzheimer's disease, health officials estimate that due to the aging of the population, its prevalence could triple by 2050 if progress is not made. These forecasts make unraveling the mystery of Alzheimer's disease all the more important. While scientific research has brought us a long way, we still have a long way to go. Every day, neuroscientists are working to better understand and to treat this debilitating and terrible disease.

Mr. Speaker, is Alzheimer's disease preventable? Neuroscientists are not sure. But because it typically strikes later in life, they recognize that even delaying disease onset by several years would greatly limit the harmful effects of its reach. Achieving this goal will require the efforts of a global community of scientists and clinicians, sensitive to both similarities and unique needs of patients around the world. For this reason, I ask my colleagues to join me in recognizing Brain Awareness Week and the outstanding contributions the field of neuroscience is making to uncover the mysteries of brain-based diseases such as Alzheimer's disease.

VIRGINIA DESIGNATES ANNUAL ''CANCER PREVENTION DAY''

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. WOLF. Mr. Speaker, I rise today to call to my colleagues' attention recent action in the Virginia General Assembly to designate February 4, 2011, and in each succeeding year, as ''Cancer Prevention Day'' in Virginia.

The Virginia Senate joint resolution introduced by Senator Jill Holtzman Vogel, who represents many constituents from the 10th congressional district, reads:

''Whereas, cancer is the leading cause of death around the world; and

''Whereas, during the 10-year period from 1995 to 2004, the rate of new cancer cases in Virginia increased by 10 percent; and

''Whereas, the most common cancers in Virginia—prostate, lung, and colorectal for men and breast, lung, and colorectal for women—are also among the most preventable; and

''Whereas, the 2008–2012 Virginia Cancer Plan developed by the Virginia Cancer Plan Action Coalition contains specific goals and strategies related to prevention in the hopes of reducing the rates of cancer in Virginians; Now, therefore, be it

''*Resolved* by the Senate, the House of Delegates concurring, that the General Assembly designate February 4, in 2011 and in each succeeding year, as Cancer Prevention Day in Virginia.''

I applaud Senator Vogel for her efforts to raise awareness in the Commonwealth on the fight against cancer, and also salute our mutual constituent Bill Couzens of Middleburg, founder and president of the nonprofit Next Generation Choices Foundation and the Less Cancer Campaign, who worked with Senator Vogel in the effort to secure passage of the resolution in the state legislature. As she noted, ''The more energy and resources that we direct toward awareness, education and prevention, the more lives we save.''

QUILEUTE TRIBE TSUNAMI PROTECTION ACT

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. DICKS. Mr. Speaker, today I am introducing the Quileute Tribe Tsunami Protection Act. This legislation will provide Park Service land to the Quileute Tribe to enable the re-location of many facilities outside the tsunami zone. The tragic events in Japan that we have sadly witnessed over the last week illustrate the need for this legislation.

The threat of tsunamis is a harsh reality that the Quileutes face every day. The Tribe lives on a one-square mile reservation along the Pacific coast of the Olympic Peninsula in Washington State. It is a spectacularly beautiful place. Many of you, or at least your children or grandchildren, recognize the Quileute Tribe from the Twilight series of novels and movies.

But there is nothing romantic about the tsunami threat. Much of the Tribe's infrastructure, including a day care center, the elder center, government offices and Quileute Tribal members', homes are in the direct path of a potential tsunami. In addition, the Tribe faces a nearly annual flood threat from the Quillayute River.

The purpose of this legislation is to help the Quileutes move their people and buildings to safer land. The Olympic National Park would transfer land that is out of the tsunami zone to the Tribe for the development of new infrastructure.

The legislation also settles a long-standing dispute between the Olympic National Park and the Tribe over the northern boundary of the Reservation. The resolution of this dispute benefits the Tribe, the Park Service and the general public. The bill also guarantees access for the public to some of the most beautiful Washington State beaches, and will designate as wilderness thousands of acres currently in the Olympic National Park.

I want to thank the Quileute Tribe, National Park Service Director Jon Jarvis and Olympic National Park Superintendent Karen Gustin for their hard work over many years to resolve this dispute and provide safer land for the Tribe.

I ask my colleagues to consider the present danger to the Quileute Tribe and to support this bill.

IN HONOR OF ARMY CORPORAL LOREN MILES BUFFALO

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. ROSS of Arkansas. Mr. Speaker, I rise today to honor a true American hero who died in service to this great country. On March 9, 2011, U.S. Army Corporal Loren Miles Buffalo was killed in Kandahar Province, Afghanistan, in support of Operation Enduring Freedom. According to initial reports, Cpl. Buffalo died of injuries sustained when an improvised explosive device detonated near his dismounted patrol.

Cpl. Loren Buffalo, 20, of Mountain Pine, Arkansas, was assigned to B Troop, 1st Squadron, 75th Cavalry Regiment, 101st Airborne Division, Fort Campbell, Kentucky. His mother resides in Ward, Arkansas, and his father resides in Mountain Pine, Arkansas.

Cpl. Buffalo joined the Army in May 2009. He had a passion for learning and for music and was always willing to help those around him. From playing his guitar to organizing the delivering of presents for the Salvation Army, Cpl. Buffalo left a lasting impact on everyone he met. As a dedicated soldier and as a great American, he made this nation a better and safer place to call home. He will be deeply missed by all who knew him.

When we think of inspiring leaders and American patriots, each of us should look to the too short life of Cpl. Buffalo for guidance. He risked everything to defend freedom and serve this nation and we will always be grateful for his selfless sacrifice. My thoughts and prayers go out to his parents and the rest of his family and friends during this very difficult time.

Today, I ask all Members of Congress to join me as we honor the life and legacy of Army Corporal Loren Miles Buffalo, as well as each man and woman in our Armed Forces, and all of those in harm's way supporting their efforts, who give the ultimate sacrifice in service to this great country. We owe them our eternal gratitude.

THE HOME AFFORDABLE MODIFICATION PROGRAM TERMINATION ACT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to H.R. 839, the Home Affordable Modification Program Termination Act.

The Home Affordable Modification Program is designed to help struggling homeowners avoid foreclosure by providing homeowners with financially responsible and affordable loans.

The program provides incentives to loan investors and servicers in consideration for the loan modifications, and incentives for homeowners to continue to make on-time payments.

At the end of January, there were 539,493 homeowners with permanent Home Affordable Modification Program loan modifications.

New permanent Home Affordable Modification Program modifications have averaged around 29,000 per month over the last six months of 2010.

This program saves homeowners on average 527 dollars per month.

If this bill is passed it would deny modification loans to more than a half million homeowners at risk of foreclosure.

I encourage my colleagues to stand up for homeownership in your districts and vote against this irresponsible bill.

A TRIBUTE TO DR. SUSAN C. PARKS, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today, I pay tribute to Dr. Susan C. Parks. As an educator and current Superintendent of the San Gabriel Unified School District, Susan has assisted in educating hundreds of students in the 29th Congressional District. A native Angelino, she spent her early years in Los Angeles City schools, where she proved herself to be a quick learner. Early on, Susan realized that many people held inherent beliefs that girls could not accomplish certain feats simply because they were girls. Determined to prove them wrong, Susan applied herself throughout high school and, as a result, received numerous scholarship offers. Thereafter, Dr. Parks decided to attend the University of Southern California (USC), where she was named a Trustee Scholar.

At USC, Susan Parks witnessed the struggle of the civil rights movement, encouraging her desire to promote peace throughout the world. After the Watts riots, Susan volunteered to help a pre-school recover and found that she had the potential to change the world by teaching young children. After graduating from USC Magna Cum Laude, she began teaching in Los Angeles where she strived to one day become a principal and eventually superintendent. She became the principal at Walnut Grove Elementary School and, after the passage of Proposition 13, she provided leadership to begin Hollow Hills Elementary School, a magnet school that achieved tremendous success. Her experience proved invaluable as she went on to hold positions as a Deputy Superintendent in Simi Valley, the Superintendent of Schools in the Baldwin Park Unified School District, and, in 2006, as the Superintendent of the San Gabriel Unified School District.

Today, Dr. Parks continues to work tirelessly for the students in San Gabriel schools and has taken large steps to give students in the 29th Congressional District the same opportunities for a superb education that she has enjoyed. She and her husband, Gary Parks, have three children and six grandchildren.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Dr. Susan C. Parks, for her service to the community and to our nation's children.

IN RECOGNITION OF THE PRINCE WILLIAM MINISTERIAL ASSOCIATION'S COMMUNITY APPRECIATION AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to recognize the recipients of the Prince William Ministerial Association's Community Appreciation Awards.

The Prince William Ministerial Association brings together church communities across ethnic, social and sectarian boundaries to celebrate their common faith and promote fellowship and action in the Prince William community. In keeping with that mission, the Association is awarding the First Annual Community Appreciation Awards to individuals who have made significant contributions to the areas of education, public safety and community activism in Prince William County.

It is my honor to enter into the CONGRESSIONAL RECORD the names and accomplishments of the recipients of the Prince William Ministerial Association's Community Appreciation Awards.

Police Officer of the Year: Master Police Officer John Lavely (Ret.) served 24 years in the Prince William County Police Department, including 13 years as a School Resource Officer.

Edward Kelly Teacher of the Year: Paulette Jones has taught at Gar-Field High School for 20 years and has dedicated her time to creating and sustaining a program that helps students perform community-based service projects and engage in self esteem-building activities.

Sheriff's Deputy of the Year: Deputy Thomas C. "T.C." Williams is being recognized for his service to the citizens of Prince William County and his ability to set a positive example for the community's troubled youth.

Firefighter of the Year: Deputy David Wood has served as a volunteer firefighter in Prince William County since April 26, 1976, and is an active member of the Coles District Volunteer Fire Department in his current capacity as Deputy Fire Chief.

Community Volunteer of the Year: Ernestine S. Jenkins is a dedicated community activist. She serves as the 1st Vice President of the Dale City Civic Association, Chairman of the Dale City 4th of July Parade Committee, Education Co-Chairman of the Bel Air Woman's Club; life member and Past President of VFW Post 1503 Ladies Auxiliary; charter member of Disabled American Veterans Chapter 48; Sun Shine Chairman of the Dale City Volunteer Fire Department; life member of American Legion Post 364 Ladies Auxiliary; Vice Chairman for Project Mend-A-House; and a member of the Finance Committee for Bethel United Methodist Church.

Vernon Williams, Jr. Young Person of the Year: Steven Blakely is a senior at Osbourn Park High School and captain of his school's swim team. Mr. Blakely created the "Foster Care Children's Gift Fund" to help the Department of Social Services purchase Christmas presents for foster children. During the past four years, the program has raised $55,000 to help children in our community.

Mr. Speaker, I ask that my colleagues join me in commending the recipients of the Prince William Ministerial Association's Community Appreciation Awards. I extend my personal appreciation to the recipients for their contributions to effect positive change in our community.

INTRODUCTION OF BIPARTISAN LEGISLATION TO GRANT HOLOCAUST RAIL VICTIMS JUSTICE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. MALONEY. Mr. Speaker, today I am reintroducing bipartisan legislation along with my colleagues Representatives ILEANA ROS-LEHTINEN, JERROLD NADLER, TED DEUTCH, LUIS GUTIERREZ, MAURICE HINCHEY, ALLEN WEST, GARY ACKERMAN, ELIJAH CUMMINGS, CHRIS VAN HOLLEN, and DEBBIE WASSERMAN SCHULTZ that will finally grant holocaust rail victims justice in their lifetimes.

During World War II, more than 75,000 Jews and other "undesirables" were transported from France to Nazi death camps aboard trains operated by the Societé Nationale des Chemins de fer Francais ("SNCF"). Among those transported to death camps on SNCF trains were American airmen shot down over France. SNCF operated the trains as a commercial venture and were paid per head, per kilometer to deliver thousands to their ultimate deaths.

In the 66 years since the end of World War II, SNCF has never made restitution or reparations to its victims, and recently went so far as to tell a member of the California Assembly that "SNCF will never pay the survivors anything" and that the company "would rather not do business in California" than pay reparations.

Hundreds of known survivors and family members of those who have perished live in the United States today—although the number of living survivors is rapidly growing smaller—and litigation seeking to hold SNCF accountable for its actions during World War II has been ongoing for over ten years. SNCF has unfortunately thus far succeeded in cloaking itself in the veil of foreign sovereign immunity and thus evaded jurisdiction in United States courts.

This legislation would simply preclude, in this one limited instance, the defense of foreign sovereign immunity from being raised. As the facts make clear, this is not the type of situation foreign sovereign immunity was intended to cover.

I urge my colleagues to cosponsor this legislation that would finally hold SNCF accountable for its wartime actions and provide survivors with what is likely their last opportunity for justice in their lifetimes.

TO HONOR JOHN M. GILLIS, RECIPIENT OF THE HENRY W. BOSWORTH, JR. MEMORIAL CITIZENSHIP AWARD

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. KEATING. Mr. Speaker, I rise today to honor a distinguished and revered public servant of Quincy, Massachusetts, Mr. John M. Gillis. John has served as a Norfolk County commissioner since 1992, but has been an active member of the Massachusetts community for many decades.

A lifelong resident of the Quincy area, John attended Adams Elementary School, Quincy Point Junior High School, and Quincy High School. Motivated by service to his country, he enlisted in the Marines during World War II and fought bravely in the Battle of Saipan. John then enrolled at Northeastern University and received his accounting degree in 1953.

John's exemplary background in public service spans from his dedication as a Quincy firefighter stationed at Central Headquarters following World War II to his post as City Clerk in Quincy. Of his nearly four decades as clerk, John asserts they were his best in city government because he was able to champion the ''little guy.''

In recognition of his commitment to the common good, John will be the honored recipient of the Henry W. Bosworth Jr. Memorial Citizenship Award— aptly named in memory of Quincy Sun founder Henry Bosworth, John's long-time friend—on March 27th. I extend to John my most heartfelt congratulations, and I urge my constituents and all Americans to follow his example of service and leadership.

HONORING TOM BRYSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in congratulating Tom Bryson upon his retirement as President and CEO of WJRT–TV. Tom retired on February 28th with over 25 years of service.

After graduating from the University of Missouri's School of Journalism, Tom worked with Group W Radio in Washington, DC covering Dr. Martin Luther King, Jr.'s ''I Have a Dream'' speech. Over the years he has worked for various stations throughout the United States before accepting a position at WJRT–TV and has called it home for the past 25 years. Tom has accepted several leadership roles within the Michigan broadcasting industry including President of the MAB Board of Directors, and Chairman of the MAB Foundation. He was inducted into the Michigan' Broadcasting Hall of Fame in 2007 and received the 2010 Lifetime Achievement Award from the Michigan Association of Broadcasters.

Communities served by WJRT are better because of his dedicated service. He has provided guidance and direction to several organizations including: United Way of Genesee County, the Food Bank of Eastern Michigan, the School of Health Professions and Studies for the University of Michigan-Flint, Goodwill Industries of Mid-Michigan, Genesys Charity Classic, Kiwanis Club of Flint, the Flint Salvation Army, the Flint Area Chamber of Commerce, the Genesee Focus Council, and the Genesee County Convention and Visitors Bureau. Tom and his wife, Mary, have three daughters and four grandchildren.

Mr. Speaker, I would like to congratulate Tom Bryson and wish him a happy retirement. He has been a great influence on Flint and on me personally. I am a better person because of Tom Bryson. I wish him the best in the future and thank him for his service to our community.

HONORING WES LEONARD

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to honor Wes Leonard, the Fennville Blackhawks Basketball Team, and the entire community who came together in the aftermath of tragedy that has been followed by our entire nation.

The Blackhawks finished their season this Monday, capturing a Class C District Championship trophy before their season ended with a 23–1 record.

But theirs was no ordinary run for a high school state basketball title.

Their star player, Wes Leonard, collapsed and tragically passed away after scoring the game-winning basket for his team on March 3, the final game of the regular season.

With that basket, Wes Leonard led his team to a perfect winning record during his junior year. According to all who knew him, this 16-year-old student exhibited the character, discipline, and affability that made him both respected and loved within the Fennville Community. His school superintendent described him as ''the quintessential all-American kid.'' While attending Wes's family visitation, I was struck by how many members of rival school teams in their letter jackets came to pay their respects to Wes, the team he led, and his family. More than 1,500 people attended his funeral service at Christ Memorial Church in Holland. These facts are sure testaments to what this young man meant to the Fennville community.

In a massive outpouring of support from his community and even people across the nation and world, fans came out in record numbers to cheer on the Blackhawks, who played their first District playoff game on March 7, just three days after Wes's death. Even in this chamber, as I wore this orange ribbon in Wes's memory and in support of the team, colleagues and strangers who asked about its meaning knew the story of Wes and the Blackhawks and asked me to pass along condolences and encouragement.

Sellout crowds packed the Hope College DeVos Fieldhouse to witness the team's playoff games in person, and scores more followed along online and saw highlights on such programs as SportsCenter on ESPN.

The Blackhawks played on honorably through it all, and I want to congratulate them on an outstanding, admirable, and courageous finish to their season. The true mark of character is how one responds to adversity. These young men have shown unbelievable character.

Mr. Speaker, I ask this House to join me in honoring this team and commending all who rallied around them. I would like to express condolences on behalf of myself and the people of the 2nd District to the family, friends and teammates of Wes Leonard. And I would like to honor this young man for his leadership that was an inspiration to all who knew him.

A TRIBUTE TO CAROL NAOMI TANITA, 29TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR—2011

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the accomplishments made by our nation's most distinguished women during the month of March.

Today, I stand to laud the tireless efforts of Carol Naomi Tanita of Monterey Park. Born in the Boyle Heights region of Los Angeles, Carol grew up committed to her education. Upon graduating high school with honors, she attended the University of Southern California, where she attained her bachelor's and master's degrees in the field of education, and earned her specialist credential in bilingual cross-cultural education in Japanese.

Carol has maintained an active spirit for all her passions in life, and continues to be involved with the community as a tireless volunteer and parent. She served as a member of the PTA of Brightwood and Repetto Elementary Schools for 12 years, and received numerous awards, including the title of Parent of the Year at Repetto Elementary School for her exemplary service.

In 2007, Ms. Tanita was presented with the Community Service Award by the Alhambra Educational Foundation. Her continuous efforts were always appreciated, as she repeatedly received the Honorary Service Award and Continuing Service Award at Mark Keppel High School. Upon the graduation of her children, Carol continued to be active with the PTSA and the Mark Keppel Alliance. As a result of her unwavering commitment, she was awarded the Golden Oak—the highest award the California PTA gives for outstanding service to schools and communities. During 20 years of committed service, Carol has surpassed 9,000 volunteer hours.

Ms. Tanita also serves the community beyond the realm of education. For two years, she served on the F.A.C.E.S.'s Board at Pacific Clinics and the Family Advisory Council at the Eastern Los Angeles Regional Center, which serves individuals with developmental disabilities. Currently, Carol dedicates her time to Parents In Community Inclusion (PICI), a group which mentors families and educators in creating an inclusive community for special needs individuals.

Carol served as a parent volunteer for the Boy Scouts of America as well, when her son Nicholas enrolled as a Cub Scout. Over the years, she served as the Parent Committee

Chair, Treasurer, and now is the District Finance Chair for the Mission Amigos District of the San Gabriel Valley Council Boy Scouts of America, which serves the cities of Monterey Park, Alhambra, San Gabriel, Rosemead, El Monte and South El Monte.

I ask all Members to join me today in honoring an outstanding woman of California's 29th Congressional District, Carol Naomi Tanita, for her outstanding service to the community.

TO HONOR AND CELEBRATE THE LIFE OF BRIGADIER GENERAL ALVIN D. UNGERLEIDER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to honor and celebrate the life of a true American hero, Brigadier General (RETD) Alvin D. Ungerleider who recently passed away at the age of 89.

General Ungerleider honorably served our country in uniform for 36 years, beginning when he was drafted in November, 1942. He received his commission and was assigned to the 115th Regiment, 29th Infantry Division of the National Guard. On D-Day, June 6, 1944, at the age of 22, then Lieutenant Ungerleider led 50 men into battle on the beaches of Omaha.

The Invasion of Normandy changed the course of World War II and of history. During the intense fighting in the opening days of the Normandy invasion, Lt. Ungerleider was wounded twice. He reluctantly left the battlefield for only two weeks to recover from his wounds, and then returned to continue fighting throughout France and into Germany. He led his men through minefields and joined the battles to free the town of St. Laurent-sur-Mer and the city of Brest from Nazi occupation.

Nearly one year later, during the spring of 1945, Lt. Ungerleider received orders to capture part of an industrial complex and liberate Dora-Mittelbau, a slave labor concentration camp that was a subcamp of Nordhausen prison. In April, 1945, after taking heavy fire from the Nazi soldiers guarding the prison, Lt. Ungerleider and his men liberated the camp. Years later, General Ungerleider said that although he had become battle hardened, nothing had prepared him for what he encountered at Nordhausen. To quote General Ungerleider, "We thought we had entered the gates of hell."

At Nordhausen, he and his men freed approximately 300 prisoners, most of whom he described as "living skeletons." He and his men shared the small amount of food that they had with the prisoners. Lt. Ungerleider then led them in reciting Kaddish, the Jewish prayer for the dead. Only then did the prisoners accept that the horror of the Nazi death camp had ended.

General Ungerleider continued serving our country in the United States Army for several more decades, in times of both war and peace. He commanded an armored tank unit during the Korean War and a Tactical Unit during the war in Vietnam, where he spent his free time working with a Vietnamese orphanage. Later in his military career, he commanded the Aberdeen Proving Grounds and eventually retired in 1978.

In recognition of his distinguished military service, General Ungerleider received three Legion of Merit awards, the Four Chaplains Award, 2 Bronze Stars for bravery and meritorious service, and a Purple Heart. While commanding at Aberdeen, he established Equal Opportunity programs, and he was recognized by the Secretary of the Army and the NAACP for these innovations. The Brigadier General also received decorations from the Korean and Vietnamese governments, and he is one of only 99 Americans to be awarded the French Legion of Honor for his role in D-Day and the eventual liberation of France.

On June 6, 1994, in commemoration of the 50th Anniversary of D-Day, General Ungerleider was selected to escort President Clinton at the American Cemetery at Colleville-sur-Mer in Normandy France. There he walked alongside the President and together they laid a wreath to honor all who fought and died to liberate Europe.

As committed as General Ungerleider was to serving our country, he was equally committed to his family, Jewish faith, and community. He was a loving and devoted husband to Ruth Golden Ungerleider for more than 66 years, a dedicated father to Neil, Ilene and Daniel, and a doting grandfather to his grandchildren. In 1955 while still on active duty stationed in Monterrey, CA, he started that city's very first Jewish Sunday School. He worked with the Jewish Welfare Board to find new homes in America and Palestine for displaced Jews. The National Holocaust Museum recognizes the 29th Infantry as Liberators due to the efforts of General Ungerleider and the men he led in Europe.

He was also active in his temple, Olam Tikvah, and served for 8 years as an administrator, helping to build the membership of the temple and increase its involvement in the community.

I would like to personally thank Mr. Bruce Waxman, an officer of Vietnam Veterans of America Chapter 227 and a member of Congregation Olam Tikvah, for bringing the extraordinary contributions of General Ungerleider to my attention.

Mr. Speaker, I ask that my colleagues join me in honoring the life of Brigadier General Alvin D. Ungerleider and in expressing our deepest condolences to his family and friends. Often we hear a person described as a hero, but rarely does that moniker fit as well as it does in this case. General Ungerleider dedicated his life to serving his country, his family, his faith, and his community. He rightfully earned the appreciation and respect of all Americans for his lifetime of honorable service to our nation, as well as the gratitude of many others around the globe who owe their lives and their quality of life to this true American hero.

RAISING AWARENESS ABOUT BLOOD THINNERS AND POTENTIAL RISKS TO PATIENTS

HON. BEN CHANDLER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. CHANDLER. Mr. Speaker, I rise today in memory of a constituent of mine, Shannon Elizabeth Mudd from Mt. Sterling Kentucky, who died due to complications from treatment she received by medical personnel who were not aware of an underlying medical condition and the use of blood thinners. Shannon was 17 years old and today would have been her 19th birthday. Mr. Speaker, this tragedy should prompt us to look more closely at protecting people who use anti-coagulant drugs to treat blood clots and deep vein thrombosis (DVT). It is my hope that more awareness and better labeling might help prevent what happened to Shannon from happening to other patients on anti-coagulant drugs.

Shannon was diagnosed on September 4, 2009 with neuroendocrine carcinoma, a rare form of cancer, and was beginning to respond well to new treatments when a visit to her doctor revealed she had deep vein thrombosis (DVT), or a blood clot, in her chest. Rather than put Shannon through an invasive procedure, her doctor instead prescribed an anti-coagulant drug used to treat DVT. Like any anti-coagulant drug, the medication included a warning that there was a risk of severe bleeding associated with it. However, the medication warning did not alert her to the risk associated with internal bleeding that could become life threatening if a minor injury were left untreated.

When Shannon received some encouraging news about her cancer prognosis, she went to lunch with her father to celebrate. While at the restaurant, Shannon fell and hit her head. Because her father was not informed of the danger of internal bleeding associated with the drug Shannon had been taking, paramedics were not made aware of her history with the anti-clotting medication. Since it appeared it was a minor injury, Shannon was not taken to the hospital. Later that day, Shannon complained of dizziness and exhibited signs of a stroke. Her father called 911 and Shannon was flown to the University of Kentucky Medical Center where emergency physicians began treating her for massive brain hemorrhaging. By this time, little could be done for Shannon and she slipped into a coma. Shannon passed away almost a month later and just 5 weeks shy of her 18th birthday.

In memory of her daughter, Shannon's mother, Angela Visone Mudd, took up the cause of educating the public about the risk of traumatic brain injury associated with anti-coagulant drugs and minor head injury. Ms. Mudd developed bands for patients taking these medications to wear, communicating the risk of internal or external bleeding to medical personnel in the event of an accident.

Shannon was taken from her family much too soon. I applaud Shannon's mother and her many supporters for their courage and efforts to help other families avoid the same tragic set of circumstances that ultimately led to Shannon's death a year ago. Mr. Speaker, it is my hope that through sharing Shannon's story, more tragedies like this can be prevented and more lives saved.

SPOKANE VALLEY REMEMBERS BOB McCASLIN

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today in remembrance of my friend Bob

McCaslin, an outstanding leader for the Spokane Valley, who sadly passed away on March 13. Bob was one of my colleagues in the Washington State Legislature—a place where he proudly served for thirty years—and I can personally testify that he was one of our most well-liked, well-respected members. He will be dearly missed.

A U.S. Navy veteran of World War II, Bob McCaslin graduated from Washington State University, worked for Kaiser Aluminum and later owned a real estate firm. He was first elected to the State Senate in 1980 and was re-elected easily every four years, sometimes with only token opposition. While there, he opposed most tax increases and supported most efforts to shrink state government.

He also earned a reputation for being ''the master of a well-timed story or joke,'' as Senate Minority Leader Mike Hewitt recently told our local newspaper, the Spokane Spokesman-Review. ''Bob was always the one who, when things were going badly in caucus, could get things calmed down. He'd tell a little story.''

At the start of this year's session, Bob was the longest serving Republican State Senator. However, Bob resigned his seat in January due to ill health. He continued serving, however, as a Spokane Valley city councilman. News of his passing was greeted with sadness by the Spokane Valley community and also by his many friends in Olympia and throughout Washington State—regardless of party.

Bob McCaslin was a great leader and his passing is a great loss for Eastern Washington. I ask my colleagues to join me in honoring Bob's memory and to keep his family in their thoughts and prayers.

THE MARINE DEBRIS ACT REAUTHORIZATION AMENDMENTS OF 2011

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of the bipartisan the Marine Debris Act Reauthorization Amendments of 2011 which was introduced earlier today by my friend and colleague Congressman SAM FARR, from California. I sponsored similar legislation in the 111th Congress and I commend Congressman FARR for recognizing the importance of this legislation and his efforts toward its reintroduction.

Marine debris comes in many forms and from many sources, each posing as a threat to birds, fish and other wildlife, while also affecting navigational safety, and polluting our beaches. Once passed, this legislation will serve to reduce the adverse impacts marine debris has on our marine ecosystem, the economy, and public safety. NOAA's existing Marine Debris Program supports important projects throughout the country, including beach cleanups, derelict fishing gear location and removal, and educational campaigns. Oftentimes these projects will enlist the assistance of out-of-season fishermen and other members of coastal communities. The program helps to locate and track marine debris to avoid threats to navigational safety. This reauthorizing language would serve to streamline these programs by avoiding any overlaps or conflicts with other federal agencies.

NOAA's Marine Debris Program directly benefits the environment and the economy of coastal communities throughout the nation. Our fisheries, recreation, and tourism industries are dependent on clean beaches and healthy marine ecosystems.

Guam would greatly benefit from the passage of the Marine Debris Reauthorization as it would give states and local communities the additional tools we need to effectively protect our marine environments and wildlife. Again, I would like to thank Representative FARR for introducing this legislation, as well as Rep. DON YOUNG, Rep. DANA ROHRABACHER, Rep. DONNA CHRISTENSEN, and Rep. PEDRO PIERLUISI for joining me as original cosponsors. I encourage my colleagues to support this important piece of legislation.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. COHEN. Mr. Speaker, I was detained from voting on Wednesday, March 16, 2011. If present, I would have voted ''yea'' on the following rollcall votes: rollcall 183, rollcall 184, rollcall 185, rollcall 186, and rollcall 187.

I would have voted ''nay'' on the following rollcall vote: rollcall 188.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. LEE. Mr. Speaker, today I missed rollcall vote number 175 on H.R. 793, and rollcall vote number 176 on agreeing to H. Con. Res. 27. Had I been present, I would have voted ''aye'' on both votes.

IN HONOR OF GREG DAVIS, CEO OF DAVIS BROADCASTING, INC.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a great organization and two friends of long-standing, Greg and Cheryl Davis. Davis Broadcasting began Twenty-Five years ago with a vision and determination to make the world a better place to live. But, to understand where Davis Broadcasting is today, you have to understand the man behind the vision.

Greg Davis was born in Fort Smith, Arkansas. He received his Bachelor of Arts Degree in Biology from Lane College in Jackson, Tennessee, and went on to faithfully serve in the United States Army. He later furthered his education and received his Masters Degree from Eastern Michigan University.

The scripture says in proverbs that: ''Trust the lord with all your hear heart, and lean not on your own understanding; In all your ways acknowledge him and he shall direct your path.'' Greg Davis has always kept God in the forefront of his life. God directed his path to find a life partner who stood with him in his life's work. And that in turn led to birth of his three children: Geniece, Michelle, and Greg, Jr.

God also directed his path from a Community School Director in Michigan to a 37-year career in T.V. and Radio Broadcasting. He began his career in broadcasting, spending 12 years in marketing and sales management. His television career took him from Flint Michigan to Chicago, New York, Los Angeles, San Francisco, and Detroit; concluded in Cincinnati, Ohio as General Sales Manager of Multimedia Broadcasting.

He started Davis Broadcasting, Inc. in June of 1986 by acquiring radio stations in Columbus and Augusta, Georgia. Most people would have been happy with these two stations, but Mr. Davis wanted to expand his presence in radio by reaching diverse audiences all across the country. He went on to purchase stations in Macon, Georgia, Columbus, Georgia, Atlanta, Georgia and Charlotte, North Carolina. In 2000, he sold the radio stations in Charlotte and Augusta to expand his operations in the Columbus community that he has grown to love.

His radio stations touch the lives of all people from all walks of life. The different music genres that his stations encompass include urban contemporary, gospel contemporary, music focused on the Hispanic population and sports. His station WFXE–FM, better known to all of us as Foxie 105 has remained as the number one Arbitron rated radio station in the Columbus media market for 24 of the 25 years it has existed.

Finally, Greg and Cheryl Davis and Davis Broadcasting have given back to their community with service on numerous community boards. The Company also puts on annual events such as the Family Day in the Parks and the Needy Children's Christmas party, which provides three to four thousand needy children with a gift at Christmas. They truly understand the words of Shirley Chisholm when she said that, ''Service is the rent that we pay for the space that we occupy here on this earth.''

Mr. Speaker it gives me great pleasure to stand before you to honor the legacy of Greg and Cheryl Davis and the 25-year legacy of Davis Broadcasting—a legacy that endures, and whose best days are yet to come.

HONORING REV. DR. HENRY THOMAS SIMMONS

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. MEEKS. Mr Speaker, I rise today to honor and recognize a respected leader in my community, Rev. Dr. Henry Thomas Simmons, who is celebrating twenty years of dedicated service to the St. Albans Congregational Church in my district.

Since March 1, 1991. Dr. Simmons has served as Senior Minister of the St. Albans Congregational Church in St. Albans, New York. Under his visionary leadership the congregation has grown from 400 to 1,200 active

members who share mutual labors sponsoring just over fifty ministries for congregants and the community. In addition to his role as an ordained minister, Dr. Simmons has played an important continuous role as a father, husband, and grandfather. Dr. Simmons continues to serve as an advocate for his community by committing to serving his members within the church as well as the wider St. Albans community, which encompasses a variety of Queens' diverse population.

Dr. Simmons began his public service as an ordained minister of the gospel as Associate Minister with the Peoples Congregational United Church of Christ in Washington, DC, from 1973–1977. In August 1977 he was called to serve as Senior Minister of the Mayflower Congregational Church in Detroit, Michigan. After six years of leading that congregations' renewal as a vital urban church, Dr. Simmons was elected in 1983 as Secretary for Racial, Ethnic, and Minority Church Development for the United Church Board for Homeland Ministries in New York City. For eight years he assumed primary staff leadership for the denomination's evangelism efforts in new and urban church renewal for African American, Latino, American Indian, and Pacific Islander-Asian American churches before moving to Queens, NY.

Dr. Simmons has served as Chair of the Board of Directors of the United Church of Christ Justice and Witness Ministries; Chair of the United Church of Christ Search Committee for General Minister and President; and President of the Southeast Queens Clergy for Community. Empowerment, Inc, now known as Clergy United for Community Empowerment. Among the awards and honors Dr. Simmons has received are citations for outstanding ministerial leadership from the Michigan State Legislature, the Detroit city Council, the New York City Council, and honorary Doctor of Divinity degrees for contributions to racial and social justice from the Ursinus College and Huston-Tillotson College.

Through his leadership, Dr. Simmons continues to represent wisdom and strength for the entire congregation of St. Albans Congregational Church. I am sure Dr. Simmons has faced many joys and challenges during his twenty year tenure at St. Albans Congregational Church, and I wish him continued success throughout the remainder of his time there. I applaud Dr. Simmons for all he has accomplished and for his unrelenting commitment to God, his family, public service, and the community of St. Albans.

HONORING CESAR CHAVEZ'S BIRTHDAY

HON. MARTIN HEINRICH

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HEINRICH. Mr. Speaker, I rise today to pay tribute to a true American hero and a remarkable public servant, Cesar Chavez. Chavez is revered by people across our nation as a humble activist who led a monumental fight to improve labor conditions for migrant farm workers. His nonviolent crusade for social change was inspired by the hardship and injustices that he witnessed growing up as a farm worker. As a result of that upbringing, he led a movement to achieve fair wages, worker protections, human rights and human dignity among the most underrepresented in our society. He was awarded the Presidential Medal of Freedom for those efforts, and today, almost two decades after his passing, he continues to inspire young people to dedicate their own lives in service to others. In his words, ''the end of all education should surely be service to others.'' His impact is timeless and cannot be understated. On behalf of my constituents in New Mexico's First Congressional District, I am proud to honor him before my colleagues in Congress.

CELEBRATING NOWRUZ

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. HONDA. Mr. Speaker, I rise today to commemorate Nowruz, the traditional Iranian New Year, and take the opportunity to celebrate Iranian Americans' contributions to America. I wish Iranian Americans and the people of Iran a prosperous new year.

Nowruz originated in ancient Persia, and dates back more than 3,000 years. Nowruz means a ''New Day'' which occurs on the vernal equinox and celebrates the arrival of spring. It symbolizes a time of renewal and community, and it harkens the departure from the trials and tribulations of the previous year and brings hope for the New Year.

Nowruz is celebrated by nearly 300 million Iranians and other peoples all over the world, including in the United States, Iran, and other countries in Central Asia, South Asia, Caucasus, Crimea, and Balkan Regions. It is also celebrated by more than 1 million Iranian Americans of all backgrounds, including those with Muslim, Jewish, Christian, Baha'i, Zoroastrian, and non-religious backgrounds.

Nowruz embodies the tradition that each individual's thinking, speaking, and conduct should always be virtuous, and the ideal of compassion for our fellow human beings regardless of ethnicity or religion, and symbolizes a time of renewal and community.

In 539 B.C., Cyrus the Great established one of the earliest charters on human rights, which abolished slavery and allowed for freedom of religion, and this marker in Iranian history has had significant impact on the respect for human rights that Iranian Americans carry today.

Iranian Americans continue to make contributions in all sectors of American public life, including government, military, and law enforcement officials, who proudly serve to uphold the Constitution of the United States and to protect all people in the United States.

The United States is a melting pot of ethnicities and religion and Nowruz contributes to the richness of American culture and is consistent with our founding principles of peace and prosperity for all.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. LEE. Mr. Speaker, today I missed rollcall vote No. 181 on H. Res. 170. Had I been present, I would have voted ''no'' on this vote.

CONGRATULATING TIFFANY FLYNN ON HER 25TH ANNIVERSARY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. KILDEE. Mr. Speaker, I rise today to celebrate the 25th anniversary of my District Chief of Staff, Tiffany Flynn. Twenty five years ago today, I hired Tiffany as a receptionist in my Flint office. Tiffany, who grew up in Lapeer, Michigan and graduated from Lapeer West High School, worked her way up in my district office to eventually become my District Chief of Staff. She now oversees my district staff and manages my offices in Flint, Saginaw, and Bay City.

Tiffany is a reliable and focused manager. She has been instrumental in helping foster growth and revitalization throughout my district. Tiffany played a critical role in ensuring that the Flint Main Post Office Processing and Distribution Center and the Social Security Administration office remained downtown. She also played a leading role in the redevelopment of downtown Flint. Tiffany has not only been a great asset to my office, but also to the people of mid-Michigan.

Even after her workday is done, Tiffany continues to give back to her community by participating in a number of local activities and charities. Tiffany has been a member of the Rotary Board of Directors and is now president-elect of the Rotary Club of Flint. She works with the United Way and Muscular Dystrophy Association and supports the Boys & Girls Club of Greater Flint and the YWCA. Tiffany is also active in Women in Leadership, the League of Women Voters and in 2008 she received the ATHENA award by the Women's Business Council of the Genesee Regional Chamber of Commerce for mentoring and inspiring young women.

Today, I want to thank Tiffany for her years of service, hard work and dedication to my office and to the people of mid-Michigan. Throughout the years, she has made a significant impact on my office and the lives of my constituents. I have been very fortunate to have had Tiffany on my staff for the last 25 years.

CELEBRATING OUIR LOCAL HEROES

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. WOLF. Mr. Speaker, it is my honor to salute the Dulles Regional Chamber of Commerce and the fine people being recognized at

its annual awards gala, So Proudly We Hail—Celebrating Our Local Heroes.

The Dulles Regional Chamber is located in one of the top technology corridors in the nation and is the largest chamber in Fairfax County. Each year it recognizes first responders in the region who have gone above and beyond the call of duty.

This year's honorees are Capt. Kathleen Stanley with Fairfax County's International Urban Search and Rescue and the late Sgt. Phillip Farley with the Herndon Police Department.

Capt. Stanley has served the citizens of Fairfax County for nearly 20 years, most recently in Battalion 401 which serves the Reston/Herndon area of Fairfax County. In 2010, she deployed with the county's Urban Search and Rescue team to Haiti, where she served for the entire deployment as a medical specialist, often administering care to patients critically injured in the earthquake.

Sgt. Farley is being recognized for his contributions from 2001 to 2010 to the Herndon Police Department. Because of his efforts, the Herndon Police Department is one of the first law enforcement agencies in northern Virginia to implement a seamless transition in its electronic records management, computer aided dispatch and mobile computer terminals to enable effective communication and records management solutions. Sgt. Farley also was instrumental in the research and testing of the department's transition from revolvers to automatic weapons. In addition, he introduced scenario-based training to coincide with annual range training.

In addition to recognizing local first responders, the chamber invited and saluted seven service men for their contributions to our country. They are: Chief Warrant Officer 5 Bradley Garfield, U.S. Marine Corps; 1st Sgt Michael Barrett, U.S. Marine Corps; Gunnery Sgt. Alain Frederique, U.S. Marine Corps; Gunnery Sgt. Josue Magana, U.S. Marine Corps; Staff Sgt. Hugh Davis, U.S. Army Reserve, retired; Technical Sgt. Christopher Frost, U.S. Air Force, and Sgt. John Eubanks, U.S. Marine Corps.

Mr. Speaker, please join me in recognizing the accomplishments of these honorees. We owe them all our thanks.

TRIBUTE TO MASTER SERGEANT DAN CALDARALE

HON. JON RUNYAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. RUNYAN. Mr. Speaker, I rise today to honor Master Sergeant Dan Caldarale and recognize his safe return home on Sunday, March 20, 2011 from his tour in the Middle East.

Dan began his career in the Army National Guard in the summer of 1981 at basic training in Ft. Benning, Georgia. During his 30 years of service to our country, he served as both active duty and Army Reserve. Currently, Dan is an Inspector General Investigator with the Army National Guard.

In addition to his career as a Master Sergeant, Dan has served as a local patrolman and crash investigator for over 16 years. He graduated from the Police Academy in 1995 and has served as a member of the North Hanover Township Police Department since May of 2007. Through both his national and local positions, it is clear that public service is a top priority in Dan's life and one that he values deeply.

Today I join Dan's friends and family, and most notably his wife Erica, a former Army National Guard Soldier of 13 years, and their sons, Matthew and Ryan, in welcoming home this great American hero. The United States of America is truly a safer place because of Dan's dedicated and honorable service.

Mr. Speaker, I ask that you and our colleagues join me in recognizing Master Sergeant Dan Caldarale and offering our sincerest appreciation for his successful tour of duty and his safe return home.

TRIBUTE TO DIVISION 1 ICE HOCKEY COACH OF THE YEAR, TODD KRYGIER

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. MCCOTTER. Mr. Speaker, today I rise to acknowledge the Michigan High School Athletic Association's Division 1 Ice Hockey Coach of the Year, Todd Krygier. A native of Chicago Heights, Illinois and resident of Novi, Michigan, Coach Krygier led his Novi High School skaters to their first state championship in the team's 13 year history.

As a left winger with the University of Connecticut, Todd Krygier was selected to the 1987 NCAA East Second All-American Team after scoring 48 points in 28 games for the Huskies. He was drafted by Hartford in the 1988 Supplemental Draft and played parts of two seasons with the Whalers before being traded to the Washington Capitals in 1991 and then to the Mighty Ducks of Anaheim in 1994. Having been reacquired by the Capitals during the 1995–96 season, Coach Todd Krygier brings the unique perspective of having closed out his 543 game NHL career by playing in the 1998 Stanley Cup Finals. Krygier went on to play two seasons with the Orlando Solar Bears of the IHL before retiring in 2000.

This season Coach Krygier and the Wildcats reached the pinnacle by dethroning perennial contender Orchard Lake St. Mary's, 39–24, earning their first state championship. Todd Krygier led his team to a 30–5–1 record including a 6–0 playoff run that saw the Wildcats score 29 goals to their opponents' total of 4. Five of Coach Krygier's players were selected to All State teams, four First Team and one Second Team, while another player was selected for Honorable Mention.

It is worth mentioning Coach Todd Krygier also earned family honors this year by leading his Novi Wildcats to a 9–1 win over younger brother, Bryan Krygier's Clarkston Wolves in the state quarterfinals; also, Bryan Krygier's assistant coach is their father, Roman Krygier.

Mr. Speaker, after earning his first state championship and being selected as the Michigan High School Athletic Association's 2010 Division 1 Ice Hockey Coach of the Year, Todd Krygier deserves to be recognized for his dedication to the young men of Novi High School. In recognition of his effort and the honor bestowed upon him, I ask my colleagues to join me in congratulating Novi Hockey Coach Todd Krygier, his wife Kim and their children Brock, Natalie, Grace, Cole and Christian on Todd's accolades and in honoring his devotion to our community and country.

URGING TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PATRIARCHATE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. MALONEY. Mr. Speaker, today I am reintroducing legislation urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate.

In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities. Turkey, which began accession negotiations with the EU on October 3, 2005, has failed to recognize the Ecumenical Patriarchate's international status as the spiritual home of the world's oldest and second largest Christian Church including more than 300 million Orthodox Christians worldwide. Moreover, the Government of Turkey has limited to Turkish nationals the candidates available to the Holy Synod of the Greek Orthodox Church for selection as the Ecumenical Patriarchate and reneged on its agreement to reopen the Theological School at Halki, thus impeding training for the Orthodox clergy in Turkey.

This resolution calls on Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate by granting it the right to train clergy of all nationalities, not just Turkish nationals, and respecting the human rights and property rights of the Ecumenical Patriarchate. Additionally, the resolution encourages Turkey to continue the achievement of processes and programs to modernize and democratize its own society and prove that it is ready to meet the criteria set forth by the Copenhagen European Council prior to its accession into the EU.

INTRODUCTION OF THE MAJOR GENERAL DAVID F. WHERLEY, JR., DISTRICT OF COLUMBIA NATIONAL GUARD RETENTION AND COLLEGE ACCESS ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Ms. NORTON. Mr. Speaker, today I introduce a bill, the Major General David F. Wherley, Jr., District of Columbia National Guard Retention and College Access Act, NGRCA, to permanently authorize funding for a program that provides grants for higher education tuition to members of the D.C. National Guard. The NGRCA authorizes an education incentive program, recommended by the late

Major General David F. Wherley, Jr., and his successor, Major General Errol Schwartz, who suggested that education grants would be useful in stemming the troublesome loss of members of the D.C. Guard to other units, in part because surrounding states offer such educational benefits to their Guards. I am grateful that the Appropriations Committee has provided funds in some years, most recently in 2010. Authorizing funding is necessary to ensure that D.C. National Guard members receive the same treatment and benefits as other National Guard members, especially those in states which provide the higher education benefits we seek for D.C. National Guard members. The Guard for the Nation's Capital has a severely limited ability to compete for the pool of regional residents, who find membership in the Maryland and Virginia Guards more beneficial. A competitive tuition assistance program for the D.C. National Guard will provide significant incentives and leverage to help counteract declining enrollment and level the field of competition. The D.C. National Guard is a federal instrument that is not under the control of the mayor of the District of Columbia, which we are trying to change for local emergencies. The federal government supports most other D.C. National Guard functions and should support this small benefit as well.

The small education incentives in my bill would not only encourage high-quality recruits, but would have the important benefit of helping the D.C. National Guard to maintain the force necessary to protect the federal presence, including Members of Congress and the Supreme Court, and visitors if a terrorist attack should occur. I am pleased to introduce the bill based on the advice of Guard personnel, who best know what is necessary.

It is especially important for the D.C. National Guard to be able to attract the best soldiers, given the unique mission it has to protect the federal presence here, in addition to D.C. residents. This responsibility distinguishes the D.C. National Guard from all other National Guards. The D.C. National Guard is specially trained to meet its unique mission.

I urge my colleagues to support the bill.

CONGRATULATING JAN GONG

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mrs. McCARTHY of New York. Mr. Speaker, I rise today to recognize my constituent Jan Gong and congratulate her as she is named a finalist in the Intel Science Talent Search 2011. The Intel Science Talent Search is America's most prestigious science competition for high school seniors. Jan is one of only 40 finalists nationwide.

Jan's project, ''The Effect of High Glucose Levels On Morphine Signaling in Mytilus Edulis: Novel Implications for the Treatment of Obesity and Diabetes,'' studied the addictive nature of sugar by using blue mussel as an animal model and found that high levels of glucose can regulate morphine receptors and cause morphine release, suggesting that sugar can be addictive. She also found that high levels of glucose can greatly increase the release of nitric oxide (NO), whose metabolites can contribute to vascular damage, but that naloxone, which counteracts the effects of morphine, and L–NAME, a NO synthase inhibitor, can block the effect of glucose on NO release.

As a student at Garden City High School, Jan has participated in numerous science research programs including, Columbia University Science Honors Program, Johns Hopkins Center for Talented Youth (CTY), Research Science Institute and Intel Science Talent Search. In addition, Jan has perfect SAT score, is first in her class of 275 at Garden City High School where she is captain of both the math team and the varsity fencing team, president of the Latin Honors Society, and principal cellist in the chamber orchestra. She has been recognized by the National Honor Society, American Chemistry Society, and Latin Honors Society and is a National Merit Scholarship Semifinalist.

As a senior member of the Education and Workforce Committee, I am truly impressed by Jan's accomplishments. I am pleased to see that Jan values not only her education, but also service and volunteerism within her community. In her spare time, Jan volunteers at the Winthrop University Hospital, arranges concerts at nursing homes and helps her fellow students as a peer tutor. Jan also expresses a deep affinity for the arts as an accomplished cellist. She has performed as the Principal Cellist with the Metropolitan Youth Concert Orchestra and has received perfect scores for five consecutive years during her participation with the New York State Scholastic Music Association.

Mr. Speaker, it is with pride and admiration that I offer my congratulations to Jan Gong and commend her dedication to education and science.

CORRECTION

Daily Digest

HIGHLIGHTS

Senate passed H.J. Res. 48, Additional Continuing Appropriations.

Senate agreed to H. Con. Res. 30, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S1771–S1878

Measures Introduced: Forty-nine bills and five resolutions were introduced, as follows: S. 604–652, and S. Res. 104–108. **Pages S1826–28**

Measures Reported:

Special Report entitled "Report of the Select Committee on Intelligence, United States Senate, Covering the Period January 3, 2009, to January 4, 2011". (S. Rept. No. 112–3)

Special Report entitled "History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources during the 111th Congress". (S. Rept. No. 112–4)

S. 193, to extend the sunset of certain provisions of the USA PATRIOT Act, with amendments. **Pages S1825–26**

Measures Passed:

Additional Continuing Appropriations: By 87 yeas to 13 nays (Vote No. 44), Senate passed H.J. Res. 48, making further continuing appropriations for fiscal year 2011. **Pages S1788–S1800**

190th Anniversary of the Independence of Greece: Committee on Foreign Relations was discharged from further consideration of S. Res. 51, recognizing the 190th anniversary of the independence of Greece and celebrating Greek and American democracy, and the resolution was then agreed to. **Pages S1874–75**

Elections in Belarus: Senate agreed to S. Res. 105, to condemn the December 19, 2010, elections in Belarus, and to call for the immediate release of all political prisoners and for new elections that meet international standards. **Pages S1875–77**

100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week: Senate agreed to S. Res. 106, recognizing the 100th anniversary of the Triangle Shirtwaist Company fire in New York City on March 25, 1911, and designating the week of March 21, 2011, through March 25, 2011, as the "100th Anniversary of the Triangle Shirtwaist Factory Fire Remembrance Week". **Page S1877**

National Association of Junior Auxiliaries Day: Senate agreed to S. Res. 107, designating April 4, 2011, as "National Association of Junior Auxiliaries Day". **Pages S1877–78**

Adjournment Resolution: Senate agreed to H. Con. Res. 30, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S1878**

Measures Considered:

SBIR/STTR Reauthorization Act—Agreement: Senate continued consideration of S. 493, to reauthorize and improve the SBIR and STTR programs, taking action on the following amendments proposed thereto: **Pages S1780–88**

Pending:

McConnell Amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change. **Pages S1780, S1782**

Vitter Amendment No. 178, to require the Federal Government to sell off unused Federal real property. **Page S1780**

Inhofe (for Johanns) Amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments. **Page S1780**

Cornyn Amendment No. 186, to establish a bipartisan commission for the purpose of improving

oversight and eliminating wasteful government spending. **Page S1780**

Paul Amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011. **Page S1780**

Sanders Amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act. **Page S1780**

Hutchison Amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits. **Page S1780**

Coburn Amendment No. 184, to provide a list of programs administered by every Federal department and agency. **Page S1780**

Pryor Amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns. **Page S1781**

Landrieu Amendment No. 244 (to Amendment No. 183), to change the enactment date. **Pages S1781–82**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 3 p.m., on Monday, March 28, 2011. **Page S1878**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during the adjournment of the Senate, the Majority Leader, Senator Rockefeller, and Senator Webb be authorized to sign duly enrolled bills or joint resolutions. **Page S1878**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S1878**

D'Agostino Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m., on Monday, March 28, 2011, Senate begin consideration of the nomination of Mae A. D'Agostino, of New York, to be United States District Judge for the Northern District of New York; that there be one hour for debate, equally divided in the usual form; that upon the use or yielding back of time, Senate vote on confirmation of the nomination, without intervening action or debate; and that no further motions be in order. **Pages S1874, S1878**

Nominations Confirmed: Senate confirmed the following nominations:

By a unanimous vote of 97 yeas (Vote No. EX. 45), Amy Berman Jackson, of the District of Columbia, to be United States District Judge for the District of Columbia. **Pages S1800–02, S1878**

Michael Vickers, of Virginia, to be Under Secretary of Defense for Intelligence. **Pages S1874, S1878**

Nominations Received: Senate received the following nominations:

Richard C. Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2015.

Anthony Bryk, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Lisa O. Monaco, of the District of Columbia, to be an Assistant Attorney General.

Myrna Perez, of Texas, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2011.

Myrna Perez, of Texas, to be a Member of the Election Assistance Commission for a term expiring December 12, 2015.

Gineen Maria Bresso, of Florida, to be a Member of the Election Assistance Commission for a term expiring December 12, 2013. **Page S1878**

Messages from the House: **Page S1823**

Measures Referred: **Page S1823**

Executive Communications: **Pages S1823–25**

Executive Reports of Committees: **Page S1826**

Additional Cosponsors: **Pages S1828–29**

Statements on Introduced Bills/Resolutions: **Pages S1829–54**

Additional Statements: **Pages S1821–22**

Amendments Submitted: **Pages S1854–73**

Authorities for Committees to Meet: **Pages S1873–74**

Privileges of the Floor: **Page S1874**

Record Votes: Two record votes were taken today. (Total—45) **Pages S1800, S1802**

Adjournment: Senate convened at 9:30 a.m. and adjourned, pursuant to the provisions of H. Con. Res. 30, at 6:40 p.m., until 2 p.m. on Monday, March 28, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1878.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: FOOD AND DRUG ADMINISTRATION

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Food and Drug Administration, after receiving testimony from Peggy Hamburg, Commissioner, Food and Drug Administration, Department of Health and Human Services.

APPROPRIATIONS: GOVERNMENT ACCOUNTABILITY OFFICE, GOVERNMENT PRINTING OFFICE, CONGRESSIONAL BUDGET OFFICE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2012 for the Government Accountability Office (GAO), the Government Printing Office (GPO), and the Congressional Budget Office (CBO), after receiving testimony from Gene L. Dodaro, Comptroller General, Government Accountability Office; William J. Boarman, Public Printer, Government Printing Office; and Douglas Elmendorf, Director, Congressional Budget Office.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Committee concluded a hearing to examine the Department of the Air Force in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Michael B. Donley, Secretary, and General Norton A. Schwartz, USAF, Chief of Staff, both of the Air Force, Department of Defense.

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine military construction, environmental, and base closure programs in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Dorothy Robyn, Deputy Under Secretary for Installations and Environment, Katherine G. Hammack, Assistant Secretary of the Army for Installations and Environment, Jackalyne Pfannenstiel, Assistant Secretary of the Navy for Energy, Installations and Environment, and Terry A. Yonkers, Assistant Secretary of the Air Force for Installations, Environment and Logistics, all of the Department of Defense.

TROUBLED ASSET RELIEF PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Troubled Asset Relief Program (TARP), focusing on evaluating returns on taxpayer investments and the status of programs and implementation of the Government Accountability Office recommendations, after receiving testimony from former Senator Ted Kaufman, Chair, Congressional Oversight Panel; Timothy G. Massad, Acting Assistant Secretary for Financial Stability, and Neil Barofsky, Special Inspector General, Troubled Asset Relief Program, both of the Department of the Treasury; and Thomas J. McCool, Director, Applied Research and Methods, Government Accountability Office.

NOMINATION

Committee on the Budget: Committee concluded a hearing to examine the nomination of Heather A. Higginbottom, of the District of Columbia, to be Deputy Director of the Office of Management and Budget, Executive Office of the President, after the nominee, who was introduced by Senator Kerry, testified and answered questions in her own behalf.

FEDERAL RESEARCH AND DEVELOPMENT INVESTMENT

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine investing in Federal research and development, after receiving testimony from John P. Holdren, Director, Office of Science and Technology Policy, Executive Office of the President of the United States; Patrick D. Gallagher, Under Secretary of Commerce for Standards and Technology; Subra Suresh, Director, National Science Foundation; and Waleed Abdalati, Chief Scientist, National Aeronautics and Space Administration.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Kathryn D. Sullivan, of Ohio, to be an Assistant Secretary of Commerce, Frances M.D. Gulland, of California, to be a Member of the Marine Mammal Commission, Ann D. Begeman, of Virginia, to be a Member of the Surface Transportation Board, Mario Cordero, of California, to be a Federal Maritime Commissioner, Philip E. Coyle III, of California, to be an Associate Director of the Office of Science and Technology Policy, Rebecca F. Dye, of North Carolina, to be a Federal Maritime

Commissioner, and routine lists in the National Oceanic and Atmospheric Administration Commissioned Corps, and Coast Guard.

GLOBAL INVESTMENT TRENDS IN CLEAN ENERGY TECHNOLOGIES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine current global investment trends in clean energy technologies and the impact of domestic policies on that investment, after receiving testimony from Ethan Zindler, Bloomberg New Energy Finance, Washington, D.C.; Kelly Sims Gallagher, Tufts University Fletcher School, Medford, Massachusetts; Will Coleman, Mohr Davidow Ventures, Menlo Park, California; and Neil Z. Auerbach, Hudson Clean Energy Partners, Teaneck, New Jersey.

CLEAN AIR ACT AND JOBS

Committee on Environment and Public Works: Subcommittee on Clean Air and Nuclear Safety with the Subcommittee on Green Jobs and the New Economy concluded joint hearings to examine the ''Clean Air Act'' and jobs, after receiving testimony from Mayor Richard P. Homrighausen, City of Dover, Ohio; Barbara Somson, United Auto Workers, and W. David Montgomery, Charles River Associates, both of Washington, D.C.; Paul J. Allen, Constellation Energy, Baltimore, Maryland; and James Yann, Alstom Power, Knoxville, Tennessee.

UPRISINGS IN THE MIDDLE EAST

Committee on Foreign Relations: Committee concluded a hearing to examine popular uprisings in the Middle East, focusing on the implications for U.S. policy, after receiving testimony from William J. Burns, Under Secretary of State for Political Affairs.

IMPROPERLY PAID FEDERAL ASSISTANCE

Committee on Homeland Security and Governmental Affairs: Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs concluded a hearing to examine recouping improperly paid Federal assistance in the aftermath of disasters, after receiving testimony from Elizabeth Zimmerman, Deputy Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency, and Matt Jadacki, Assistant Inspector General for Emergency Management Oversight, both of the Department of Homeland Security; and Michael A. Chodos, Deputy General Counsel, and Peggy E. Gustafson, Inspector General, both of the Small Business Administration.

FEMA

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine catastrophic preparedness, focusing on if FEMA is ready for the next big disaster, after receiving testimony from Craig Fugate, Administrator, Federal Emergency Management Agency, and Richard L. Skinner, former Inspector General, both of the Department of Homeland Security; and William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office.

PATIENT PROTECTION AND AFFORDABLE CARE ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine health insurance exchanges and ongoing state implementation of the ''Patient Protection and Affordable Care Act'', after receiving testimony from Steven B. Larsen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Utah State Representative David Clark, Santa Clara; Sandy Praeger, Kansas Insurance Commissioner, Lawrence, on behalf of The National Association of Insurance Commissioners; and Joshua Sharfstein, Maryland Department of Health and Mental Hygiene, Baltimore.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of James Michael Cole, of the District of Columbia, to be Deputy Attorney General, Department of Justice, and Edward Milton Chen, to be United States District Judge for the Northern District of California.

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: 67 public bills, H.R. 1144–1210; and 9 resolutions, H. Res. 176–184, were introduced. **Pages H1982–85**

Additional Cosponsors: **Pages H1988–89**

Reports Filed: Reports were filed today as follows:

H.R. 471, to reauthorize the DC opportunity scholarship program, and for other purposes, with an amendment (H. Rept. 112–36);

H.R. 899, to amend title 41, United States Code, to extend the sunset date for certain protests of task and deliver order contracts (H. Rept. 112–37);

H.R. 3, to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes, with an amendment (H. Rept. 112–38, Pt. 1);

H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, with an amendment (H. Rept. 112–39, Pt. 1); and

H.R. 358, to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act, with an amendment (H. Rept. 112–40, Pt. 1). **Page H1982**

Speaker: Read a letter from the Speaker wherein he appointed Representative Poe to act as Speaker pro tempore for today. **Page H1909**

Providing for the expenses of certain committees: The House agreed to H. Res. 147, to provide for the expenses of certain committees of the House of Representatives in the One Hundred Twelfth Congress. **Page H1911**

Directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan: The House failed to agree to H. Con. Res. 28, to direct the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Afghanistan, by a yea-and-nay vote of 93 yeas to 321 nays with 1 voting ''present'', Roll No. 193. **Pages H1920–53, H1967–68**

The resolution was considered pursuant to the order of the House of March 16, 2011.

Prohibiting Federal funding of National Public Radio: The House passed H.R. 1076, to prohibit Federal funding of National Public Radio and the use of Federal funds to acquire radio content, by a recorded vote of 228 ayes to 192 noes with 1 voting ''present'', Roll No. 192. **Pages H1953–67**

Rejected the Sutton motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay of 184 yeas to 235 nays, Roll No. 191. **Pages H1965–67**

H. Res. 174, the rule providing for consideration of the bill, was agreed to by a recorded vote of 236 ayes to 181 noes, Roll No. 190, after the previous question was ordered by a yea-and-nay vote of 233 yeas to 179 nays, Roll No. 189. **Pages H1911–20**

Senate Message: Message received from the Senate today appears on page H1969.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H1919, H1920, H1966–67, H1967, and H1967–68. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 5:55 p.m., pursuant to H. Con. Res. 30, the House stands adjourned until 2 p.m. on Tuesday, March 29, 2011.

Committee Meetings

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FY 2012 Budget Requests. Testimony was heard from Gary Gensler, Chairman, Commodity Futures Trading Commission.

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on FY 2012 Budget Request. Testimony was heard from Gary Locke, Secretary of Commerce.

Committee on Appropriations: Subcommittee on Defense held a hearing on Afghanistan. Testimony was heard from GEN David H. Petraeus, Commander, International Security Assistance Force (ISAF) and Commander, U.S. Forces-Afghanistan (USFOR–A); and Michele Flournay, Under Secretary of Defense for Policy. CLOSED HEARING.

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on FY 2012 Budget. Testimony was heard from Vivek Kundra, Chief Information Officer, Office of Management and Budget; David Powner, Director, Information Technology Management, GAO; and

Steven Kempt, Commissioner, Federal Acquisitions, GSA.

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Geological Survey FY 2012 Budget Oversight. Testimony was heard from the following Geological Survey officials: Marcia McNutt, Director, Suzette Kimball, Deputy Director; and Carla Burzyk, Director, Office of Budget, Planning, and Integration.

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on FY 2012 Budget Oversight. Testimony was heard from Michael Bromwich, Bureau of Ocean Energy Management, Regulation and Enforcement; Gregory J. Gould, Director, Office of Natural Resources Revenue, and Deborah Gibbs Tschudy, Deputy Director, Office of Natural Resources Revenue.

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Improper Payments. Testimony was heard from Daniel R. Levinson, Inspector General, Department of Health & Human Services; Kathleen S. Tighe, Inspector General for the Department of Education; Patrick O'Carroll, Jr. Inspector General, Social Security Administration; Elliot P. Lewis, Assistant Inspector General of Audit; Carolyn Colvin, Deputy Commissioner of Social Security; Deborah Taylor, Director of the Office of Financial Management, Centers for Medicare & Medicaid Services; Thomas P. Skelly, Director, Budget Service and Acting Chief Financial Officer; and Gay Gilbert, Administrator, Office of Unemployment Insurance Employment and Training Administration.

Committee on Armed Services: Full Committee held a hearing on Law of War Detention and the President's Executive Order Establishing Periodic Review Boards for Guantanamo Detainees. Testimony was heard from William J. Lynn III, Deputy Secretary, DOD; and Jeb Johnson; General Counsel, DOD.

Committee on Armed Services: Subcommittee on Military Personnel hearing on military personnel. Testimony was heard from Clifford L. Stanley, Under Secretary of Defense for Personnel and Readiness; LTG Thomas P. Bostick, USA, Deputy Chief of Staff, G–1; VADM Mark E. Ferguson III, USN, Chief of Naval Personnel, Deputy Chief of Naval Operations; Lt. Gen. Darrell D. Jones, USAF, Deputy Chief of Staff for Manpower and Personnel; and Lt. Gen. Robert E. Milstead, Jr., USMC, Deputy Commandant for Manpower and Reserve Affairs.

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on soldier and marine equipment for dismounted operations. Testimony was heard from David M. Markowitz, Director, Capabilities Integration, Prioritization, and Analysis, USA; BG (P) Peter N. Fuller, USA, Program Executive Officer, Soldier/Commanding General, Soldier Systems Center; Brig. Gen. Frank L. Kelley, USMC, Commander, Marine Corps Systems Command; and Brig. Gen. Daniel J. O'Donohue, USMC, Director, Capabilities Development Directorate, Combat Development & Integration.

Committee on the Budget: Full Committee held a hearing on Fulfilling the Mission of Health Retirement Security. Testimony was heard from public witnesses.

Committee on Education and the Workforce: Full Committee held a hearing on Education Regulations: Roadblocks to Student Choice in Higher Education. Testimony was heard from public witnesses.

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "The Implementation and Sustainability of the New, Government-Administered Community Living Assistance Services and Supports (CLASS) Program. Testimony was heard from Kathy Greenlee, Assistant Secretary, Administration on Aging; and public witnesses.

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Oversight of DOE Recovery Act Spending." Testimony was heard from Gregory Friedman, Inspector General, Department of Energy; Steve Isakowitz, Chief Financial Officer, Department of Energy; and Franklin Rusco, Director, National Resources and Environment, GAO.

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing on the American Energy Initiative: focus on oil supplies, gasoline prices, and jobs in the Gulf of Mexico.Testimony was heard from public witnesses.

Committee on Financial Services: Subcommittee on Domestic Monetary Policy and Technology held a hearing entitled "The Relationship of Monetary Policy and Rising Prices". Testimony was heard from public witnesses.

Committee on Foreign Affairs: Full Committee held a hearing on the Global Nuclear Revival and U.S. Nonproliferation Policy Testimony was heard from

Gene Aloise, Director, Natural Resources and Environment Team, GAO; and public witnesses.

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing on the Colombia and Panama Free Trade Agreements: National Security and Foreign Policy Priorities. Testimony was heard from Christopher A. Padilla, former Under Secretary for International Trade, U.S. Department of Commerce; and James R. Jones, former Congressman.

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Response, and Communications held a hearing entitled ''Ensuring Effective Preparedness, Response, and Recovery for Events Impacting Health Security.'' Testimony was heard from Alexander G. Garza, M.D., Assistant Secretary for Health Affairs, Chief Medical Officer, Department of Homeland Security.

Committee on House Administration: Subcommittee on Elections held a hearing on Election Assistance Commission Operations and 2012 Budget Request. Testimony was heard from the following Election Assistance Commission officials: Donetta Davidson, Commissioner; Gineen Bresso, Commissioner; Thomas Wilkey, Executive Director; Alice Miller, Chief Operating Officer; and Annette Lafferty, Chief Financial Officer.

Committee on the Judiciary: Full Committee held a markup on H.R. 1021, to prevent the termination of the temporary office of bankruptcy judges in certain judicial districts; it was ordered reported with an amendment; and H. Con. Res. 13, the ''Reaffirming 'In God We Trust' as the official motto of the United States and supporting and encouraging the public display of the national motto in all public buildings, public schools, and other government institutions'' was ordered reported without amendment.

Committee on Natural Resources: Full Committee held a hearing on Harnessing American Resources to Create Jobs and Address Rising Gasoline Prices: Domestic Resources and Economic Impacts. Testimony was heard from Richard G. Newell, Administrator, Energy Information Administration; Brenda Pierce, Energy Resources Program Coordinator, Geological Survey; Gene Whitney, Manager, Energy Research, Congressional Research Service; Frank Rusco, Director, Natural Resources and Environment, GAO; and public witnesses.

Committee on Oversight and Government Reform: Full Committee hearing entitled ''The Freedom of Information Act: Crowd-Sourcing Government Oversight.'' Testimony was heard from Miriam Nisbet, Director, Office of Government Information Services, National Archives and Records Administration; Daniel Metcalfe, Executive Director, Collaboration on Government Secrecy, Retired Founding Director, Office of Information and Privacy, Department of Justice; and public witnesses.

Committee on Science, Space, and Technology: Held a markup on H.R. 970, the Federal Aviation Research and Development Reauthorization and ordered the bill reported with amendment.

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Federal Regulatory Overreach in the Railroad Industry: Implementing the Rail Safety Improvement Act. Testimony was heard from Elton Gallegly, State Representative, California; Jo Strang, Associate Administrator, Office of Safety, Federal Railroad Administration; and public witnesses.

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on Department of Veterans Affairs FY 2012 Budget for the Veterans Benefits Administration, National Cemetery Administration, and Related Agencies. Testimony was heard from Bruce E. Kasold, Chief Judge, United States Court of Appeals for Veterans Claims; Ronald E. Walters, Acting Deputy Under Secretary for Memorial Affairs, National Cemetery Administration , Department of Veterans Affairs; Michael Walcoff, Acting Under Secretary for Benefits, Veterans Benefit Administration, Department of Veterans Affairs; and public witnesses.

Committee on Ways and Means: Subcommittee on Trade held a hearing on pending trade agreements with Colombia. Testimony was heard from Miriam Sapiro, Deputy U.S. Trade Representative, Office of the United States Trade Representative; Robert D. Hormats, Under Secretary for Economic, Energy & Agricultural Affairs, Department of State; Thomas C. Dorr, President & Chief Executive Officer, Grains Council; former Under Secretary for Rural Development, Department of Agriculture; Peter F. Romero, President and Chief Executive Officer, Experior Advisory, LLC, former Assistant Secretary for Western Hemisphere Affairs, Department of State, former

U.S. Ambassador to Ecuador; GEN Barry R. McCaffrey, USA (Retired), President, BR McCaffrey Associates, LLC, former Director of the Office of National Drug Control Policy, former Commander of the U.S. Southern Command; and public witnesses.

Permanent Select Committee on Intelligence: Held a hearing on Intelligence Authorities. Testimony was heard from departmental officials.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 18, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House Committees

No committee meetings are scheduled.

Next Meeting of the SENATE

2 p.m., Monday, March 28

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of S. 493, SBIR/STTR Reauthorization Act. At 4:30 p.m., Senate will begin consideration of the nomination of of Mae A. D'Agostino, of New York, to be United States District Judge for the Northern District of New York, and vote on confirmation of the nomination at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Tuesday, March 29

House Chamber

Program for Tuesday: To be announced.

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