The House met at 2 p.m. and was called to order by the Speaker.

PRAYER

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

Cherry blossoms draw thousands of visitors to the Capitol city, Lord. Their silent beauty causes busy residents to stop their frenzied motion and simply gaze for a moment. Reflected in pools or clustered together on lawns, wrinkled with age, their new life displays a unified motion of gentle friendship.

Today, in our prayer, Lord, we offer voice to their song of spring and praise You and bless You for this momentary revelation of Your unique mystery and the blessing upon this Nation. Lord, this powerful gift of the Japanese people invites us to pray for our friends in their hour of need and suffering. Spring’s fragile beauty will not be manipulated or contained for very long. In and through this passing glimpse of glory, the truth of Your promise is revealed. So, we learn the importance of Your timing and the art of subtle cohesion in natural forces.

Lord, grant us patience that You will have Your way with us now and always.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BURGESS led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 17, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 17, 2011 at 6:52 p.m.:

That the Senate agreed to H. Con. Res. 30. With best wishes, I am,
Sincerely,
ROBERT F. REEVES,
Deputy Clerk.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 16, 2011.

Hon. JOHN BISHOFF,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve on investigative subcommittees of the Committee on Ethics during the 112th Congress:

Zoe Lofgren of California
Ben Chandler of Kentucky
John F. Slaibies of Maryland
Terri A. Sewell of Alabama
Paul Tonko of New York
Ben Ray Lujan of New Mexico
David N. Cicilline of Rhode Island
William R. Keating of Massachusetts
Adam B. Schiff of California

Yvette D. Clarke of New York
Best regards,
NANCY PELOSI,
Democratic Leader.

ROTARY INTERNATIONAL ASSISTS JAPAN

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

Mr. WILSON of South Carolina. Mr. Speaker, all Americans have provided sympathy for the people of Japan due to the massive earthquake and tsunami, but I was grateful to learn last week at the Lexington Rotary Club, led by President Nick Pizziuti, that the Rotary Foundation is taking direct action. Special Assistant Bill Walker of the Second District Office is a dedicated Lexington Rotarian. The Rotary Japan and Pacific Islands Disaster Fund has been established for donations online worldwide. Rotary International President Ray Klinginsmith of Kirksville, Missouri, is promoting the people-to-people assistance in the best tradition of Rotary with his creed: Building Communities, Bridging Continents. Japan is a leading Rotary nation, and it is fitting the incoming RI president-nominee to continue the relief assistance is Sakju Tanaka of the Rotary Club of Yashio, Saitama, Japan.

As a Rotarian, I appreciate Rotarians worldwide, with hundreds of new clubs in formerly Communist countries from Bulgaria to Slovakia to Russia making a difference with Service Above Self. As with Polio Plus, Rotarians can achieve humanitarian assistance which creates worldwide records for effectiveness.

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

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

Mr. YARMUTH. Mr. Speaker, in Louisville, we have a lot to be proud of—the Kentucky Derby, the Louisville Slugger, Muhammad Ali—and now the NCAA Division II Men’s Basketball Champion Bellarmine Knights.

Led by Coach Scott Davenport, the Knights finished their regular season with 24 wins, won their second consecutive conference title, and stormed through the NCAA tournament to bring home the university’s first national championship. The Knights corralled Mustangs and tamed Mavericks. And on Saturday, led by all-tourney players Jeremy Kendle and Justin Sprague’s double-double, and clutch free throws from Hobbs and Holmes, the Knights grounded a Jet and sent the Seashiders packing. The Knights are true student athletes who overcame injury and adversity bound together by trust—trust in their abilities and trust in each other. And let’s not forget the trust and support of the fans who traveled by the busload nearly 900 miles to cheer on their Knights.

Mr. Speaker, I ask that you join me today in congratulating Coach Davenport, the team, and the entire Bellarmine community on its 2011 NCAA national championship. This was a victory that made history—and on behalf of everyone in Louisville, we’re proud to call the Knights our hometown heroes and national champions.

MR. PRESIDENT, AMERICA NEEDS ANSWERS

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

Mr. BURGESS. Mr. Speaker, last night, the President took to the airwaves and talked to the Nation about the international efforts that America is leading in Libya. This comes almost 2 weeks after the President gave his approval for the United States to be involved in the action in Libya. The President discussed the United States’ interest in the conflict, the limited involvement of the United States military, and the role of other countries. What the President failed to deliver was a clear articulation on what is America’s role in this conflict. Putting our men and women in harm’s way while not knowing the specifics of how and why is not just unacceptable, it is dangerous.

Mr. President, you need to be more forthcoming. The American people need more information. The American people certainly deserve answers. The explanation last night was disappointing, and we find ourselves even more frustrated as specific information was not provided. What is the exit strategy? What is the endgame? What are our goals? How are we going to ensure that the next government of Libya is not even more hostile than the current regime?

The President does need to follow through with his actions. We need to have the resolve to see this through. The President waited too long to address the Nation. Certainly, the Congress needed to be involved. And certainly the American people needed to be involved.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1079) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

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 “Airport and Airway Extension Act of 2011”.

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2011” and inserting “May 31, 2011”.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4210(h)(1)(A) of the Internal Revenue Code of 1986 is amended by striking “March 31, 2011” and inserting “May 31, 2011”.

(2) PROPERTY.—Clause (ii) of section 4210(h)(2)(A) of such Code is amended by striking “March 31, 2011” and inserting “May 31, 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9902(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking “April 1, 2011” and inserting “June 1, 2011”;

and

(2) by inserting “or the Airport and Airway Extension Act of 2011” before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9505(e) of such Code is amended by striking “April 1, 2011” and inserting “June 1, 2011”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 49107 of title 49, United States Code, is amended by striking the 2 paragraphs designated as paragraph (8) and inserting the following:

“(8) $2,466,666,667 for the 8-month period beginning on October 1, 2010.”.

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47116, and 47117 of title 49, United States Code, for the 8-month period beginning on October 1, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2011 were $2,466,666,667; and

(B) then reduce by 20 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47106(c) of such title is amended by striking “March 31, 2011,” and inserting “May 31, 2011.”.

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(7) of title 49, United States Code, is amended by striking “April 1, 2011,” and inserting “June 1, 2011.”.

(b) Section 44302(c)(1) of such title is amended—

(1) by striking “March 31, 2011,” and inserting “May 31, 2011,”; and

(2) by striking “June 30, 2011,” and inserting “August 31, 2011.”.

(c) Section 44303(b) of such title is amended by striking “June 30, 2011,” and inserting “August 31, 2011.”.

(d) Section 47107(3) of such title is amended by striking “April 1, 2011,” and inserting “June 1, 2011.”.

(e) Section 47115(j) of such title is amended by striking “April 1, 2011,” and inserting “June 1, 2011.”.

(f) Section 47141(f) of such title is amended by striking “March 31, 2011,” and inserting “May 31, 2011.”.

(g) Section 49108 of such title is amended by striking “March 31, 2011,” and inserting “May 31, 2011.”.

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking “April 1, 2011,” and inserting “June 1, 2011.”.

(i) Section 188(b) of such Act (117 Stat. 2518) is amended by striking “April 1, 2011,” and inserting “June 1, 2011.”.

(j) The amendments made by this section shall take effect on April 1, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes. The Chair recognizes the gentleman from Wisconsin.

MR. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5
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legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 1079.

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

There is no objection. Mr. PETRI. Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD the exchange of letters concerning H.R. 1079 between the Committee on Ways and Means and the Committee on Transportation and Infrastructure.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,

Hon. John Mica,
Chairman, Committee on Transportation and Infrastructure, 2155 Rayburn House Office Building, Washington, DC.

Dear Chairman Mica:

I am writing concerning H.R. 1079, the “Airport and Airway Extension Act of 2011,” which is expected to be scheduled for floor consideration the week of March 29, 2011.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code of 1986 that is referenced in the bill. This bill would amend the Internal Revenue Code of 1986 by extending the current Airport and Airway Trust Fund (AATF) expenditure authority and Federal excise taxes to May 31, 2011. In order to expedite H.R. 1079 for floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to its jurisdictional prerogatives on this or similar legislation. In that regard, I would note that the Committee on Ways and Means recently favorably reported H.R. 1034, the “Airport and Airway Trust Fund Financing Reauthorization Act of 2011,” which would provide a similar, but longer-term reauthorization, through September 30, 2014, of the AATF expenditure authority and associated excise taxes.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1079, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Sincerely,

DAVE CAMP,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
HOUSE OF REPRESENTATIVES,

Hon. Dave Camp,
Chairman, Committee on Ways and Means, 1102 Longworth House Office Building, Washington, DC.

Dear Chairman Camp:

Thank you for your letter regarding H.R. 1079, the “Airport and Airway Extension Act of 2011.” The Committee on Transportation and Infrastructure recognizes the challenges on Ways and Means has a jurisdictional interest in H.R. 1079, and I appreciate your effort to facilitate consideration of this bill.

I concur with you that forgoing action on H.R. 1079 does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar bills in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

Finally, I appreciate your decision to forgo further consideration on H.R. 1034, the “Airport and Airway Trust Fund Financing Reauthorization Act of 2011,” which would provide a longer-term reauthorization of the Airport and Airway Trust Fund expenditure authority and Federal excise taxes. This bill was sequentially referred to the Committee on Transportation and Infrastructure.

I will include our letters on H.R. 1079 in the Congressional Record during House Floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

John L. Mica,
Chairman.

Mr. Speaker, I yield such time as he may consume to the principal author of the bill and the chairman of the Transportation Committee, our colleague from the State of Florida, John Mica.

Mr. MICA. Mr. Speaker and my colleagues, this is an extension of what would be known as the “aviation bill.” I come to this task for one extension under the leadership of the new majority in Congress. I also come to the floor to explain the history of how we got here today with 17 extensions.

In 2001, I had the honor and privilege of being named the chair of the Aviation Subcommittee. Not knowing what the future would hold, of course, all of our lives changed on September 11, 2001, and mine did, too.

In 2004, we had a 4-year authorization: The Federal Government must provide authorization and set the policy for the operation of our Nation’s aviation system and for the FAA, which is the primary and lead agency. The bill that we passed in 2003 sets forth the policy and the funding for all the projects and everything eligible for Federal participation. It authorizes all the programs. When we did that again in 2003, we did a 4-year bill.

In 2007, the conference helped author and that we brought before the Congress—again after the fateful days of 2001, after the tragedy, and again after the difficulty the aviation industry saw from 2001 to 2003—the bill that expired in 2007, the 4-year bill, was extended some 17 times. That is shameful and irresponsible that we find ourselves in a situation where we haven’t passed policy.

Now, why is this important? Most of the emphasis in this Congress should be on getting people back to work. If we have people working, most of our problems are solved. The States would have revenue, and the Federal Government would have revenue. Yet it’s absolutely amazing, when you have the aviation industry, which accounts for 9.2 percent of our gross domestic product and activity in the United States—9.2 percent—that the Federal Government and Congress did not have in place a long-term policy and blueprint, which is forth in that authorization legislation. So 17 times we’ve come to the floor, and there have been these short-term extensions of the bill that we passed originally in 2003 and that expired in 2007. That’s the situation we find ourselves in.

Now, several weeks ago, we did pass in the Transportation and Infrastructure Committee a long-term 4-year bill but the Senate has acted on another body, and they’ve passed a bill. If it had been just our committee, we probably could have had the bill up a little bit quicker, but we do rely on several other committees to add input into this process. We have the Science, Space, and Technology Committee, which just before we left last week completed their portion of the bill. We have the Ways and Means Committee, which also has part of the financial responsibility, the Ways and Means’ responsibility, in the legislation for the extension, and they finished their work.

We do need a little bit more time to come to conference, and I pledge an open conference. In the past, legislation has been decided behind closed doors. I hope this to be an open process. This extension will run us through May 31, I believe, of this year, the end of May, and it is my hope that the first bill that we can get done will be done with this one extension for, again, authorizing all of our aviation programs for the Nation.

So that’s the situation we find ourselves in. We need to pass this legislation because the current 17th extension expires at the end of this week, and we must have this in place to make certain that we can even function in any manner, even though we don’t have all the details of new legislation in place, which I pledge to do in the next 60 days.

With that explanation, I would like to thank the chairman of the Aviation Subcommittee, the gentleman and our leader on aviation issues, Mr. PETRI.

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

Mr. Speaker, I rise in support of H.R. 1079, the Airport and Airway Extension Act of 2011.

As you heard, this is the 18th short-term extension for FAA programs. With the enactment of a long-term FAA reauthorization in sight, as the chairman has just mentioned—and we all look forward to that—I want to thank my colleague, Mr. PETRI, for bringing this forward before the close of the 111th Congress.

Without the enactment of this bill, the FAA’s funding, programs, and expenditure authority would lapse on March 31. This clean and straightforward extension will keep the FAA operating at current funding levels for another 2 months, through May 31. It will give Congress time to work out the longer-term issues. You want to be clear: While I support this short-term extension bill, I have serious concerns about H.R. 658, the long-term
FAA reauthorization bill, which I expect the House may try to take up this week.

In fiscal year 2010, the FAA’s major programs were funded at approximately $16 billion. H.R. 658, the FAA Reauthorization and Reform Act of 2011, contains a major reauthorization that would reduce the FAA’s annual funding to approximately 2008 appropriation levels, $14.9 billion, for the remainder of 2011 and then each year through fiscal year 2014. H.R. 658 would effectively cut, roughly, $1 billion annually and almost $4 billion total below current funding levels for FAA’s budget over the next 4 years. These proposed cuts will have dire consequences on our Nation’s infrastructure, jobs, and the economy.

Mr. Speaker, in February, the House Aviation Subcommittee held a hearing for industry stakeholders to testify about FAA reauthorization. In response to a question that I posed, witnesses representing the aerospace industry, general aviation manufacturers, general aviation pilots, airports, air traffic controllers, and FAA managers all testified that Congress could not cut $1 billion annually from the FAA’s budget without harming safety-sensitive programs or harming the industry. At the same hearing, Ms. Marion Blakey, the FAA administrator under President George W. Bush, stated: “The prospect is really devastating to jobs and to our future.”

Every $1 billion of Federal investment in infrastructure creates or sustains approximately 35,000 jobs. Yet H.R. 658 would cut the airport improvement grants for runway construction and safety enhancements by almost $2 billion. Cuts to airport improvement grants alone would cost the Nation 70,000 jobs.

So let’s be clear about one thing: The FAA reauthorization bill that will be considered later this week will not create jobs; it will destroy them. Although much work is ahead of us, I’m optimistic that Congress will be able to enact a long-term bill and we will not be considering a 19th short-term extension this summer. For the present, however, this particular extension, this bill before us today, I support, and I urge my colleagues to support it.

Mr. PETRI. I would just like to observe to my colleague, we will have plenty of opportunity to defend and debate the overall reauthorization later this week. The reauthorization bill is broad, it is vast, it is comprehensive, and it is controversial. We may differ on some portions of it, but one of the major features of the reauthorization is to put in place a strengthened framework and benchmarks for NextGen; and as that new technology is deployed, almost every expert testifying before the committee has said it will markedly increase the efficiency and safety of the aviation industry and reduce fuel use by some 25 percent, helping the environment and our import situation as well.

In any event, I would like to mention that the current reauthorization extension, the short-term extension before us, has bipartisan support. I would urge my colleagues in both parties to support it.

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

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 1079.

The question was taken; and (two-thirds being in the affirmative) the motion was adopted.

Mr. PETRI. I move that the House suspend the rules and pass the bill, H.R. 839.

The motion was agreed to.

Mr. POE of Texas. Mr. Chairman, I rise in support of the HAMP Termination Act of 2011. Pursuant to House Resolution 170 and rule XVIII, the Chair declares the House in the committee of the whole. The Clerk read the title of the bill. The bill is considered read the first time.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 839.

Mr. Chairman, many of my own constituents, like homeowners around the country, were lured into HAMP with the rug pulled out from under them: the most hazardous failing of the program. Mal failure. In fact, HAMP has hurt more homeowners than it has helped. The program has completed about 540,000 mortgage modifications. Another 740,000 unlucky homeowners had the rug pulled out from under them: their modifications were cancelled. Even the Government Accountability Office, GAO, commented that “more borrowers have had their trial modifications cancelled than have received permanent modifications.”

Earlier this month, on March 2, the Financial Services Subcommittee on Insurance, Housing, and Community Opportunity received testimony from the Special Inspector General for the Troubled Asset Relief Program, SIGTARP, Neil Barofsky. He exposed the most hazardous failing of the program, noting that “there have been countless published reports on HAMP participants who end up worse off for having engaged in a futile attempt to obtain the sustainable relief that the program promised. Failed trial modifications often leave borrowers with more principal outstanding on their loans, less home equity, depleted savings, and worse credit scores.” He continued by saying that “worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their ‘modified’ mortgages and that they are unable to pay, thus resulting in the very loss of their homes that HAMP was meant to prevent.”

Mr. Chairman, I rise in support of the HAMP Termination Act of 2011, because it is a farsighted step that will save the Treasury a significant amount of money and will help homeowners who have been lured into HAMP.

This week. The reauthorization bill is considered read the first time.
HAMP has been plagued by problems from the start and is beyond mere reform. Numerous oversight bodies, including the GAO, have cited time and time again that Treasury has failed to respond to recommendations to “increase the transparency, accountability, and effectiveness of the mortgage assistance program.” Last year, the Congressional Oversight Panel, or COP, noted that “because Treasury’s authority to restructure HAMP ended on October 3, 2010, the program’s prospects are unlikely to improve substantially in the future.”

COP also stated that “billions of taxpayer dollars will have been spent to delay rather than prevent foreclosures.” It is clear that the administration has no intention of fixing the numerous problems in its flagship foreclosure program, a fact which has not gone unnoticed by the public.

Americans for Tax Reform submitted testimony for our March 2 hearing, stating that “HAMP has been the U.S. Treasury and Department of Housing and Urban Development’s primary spending plan for combating foreclosures, and the program has been a costly failure.”

Headlines around the country agree. A recent Washington Times article said that “Obama’s helping hand hoodwinks homeowners. Aid can be worse than nothing.” A recent Wall Street Journal article was entitled “Housing Market Masochism; the latest bad idea to raid banks and delay a home-price recovery.”

We need to break down the barriers that have delayed the housing market recovery, including expensive and ineffective programs that have hurt so many homeowners. Unfortunately, programs like HAMP were set up in haste and have done little to restore stability in the market.

We need to stop funding programs that don’t work with money that we don’t have. Out-of-control Federal spending is hurting our economic recovery. Our Nation faces a $14.2 trillion national debt, and economists agree that reducing government spending will create a more favorable environment for private sector job growth. That’s exactly what unemployed Americans and homeowners need: a job and a paycheck, not a handout or other failed taxpayer-funded government programs.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to a member of the committee, the former mayor of Somerville, Massachusetts (Mr. CAPUANO). Mr. CAPUANO. I thank the gentleman for yielding.

Mr. Chairman, this is a program that I’m the first to admit has not lived up to what our hopes were. This program we had hoped could help several million people. Thus far we’ve only helped about 550,000 people. I fully admit that this program, like all the other foreclosure programs, could use a healthy dose of reconsideration and improvement, and I’m happy to work with that.

But to simply repeal all of these programs is to walk away from individual homeowners, walk away from neighborhoods. This program I’m the first to admit has not lived up to what our hopes were. This program has helped. Yet we’re going to walk away.

Every single State in this Nation has homeowners who have been helped. In Illinois, 29,000 homes have been saved; in North Carolina, 12,000 homes in my own State, 12,000 homes and counting.

Again, I’m not going to defend the specifics or every single aspect of this program that has been put together, and I am happy to work with anyone to make it better to help more people to keep their homes, keep their families together. But to simply walk away without offering an alternative means we don’t care; this Congress doesn’t care if you lose your home, period. Well, I understand that that’s what some people want to say. They’re entitled to do that. They’re duly elected and have the power and authority to do that. But I just can’t imagine they could look at the individual constituents they represent or the data and say to their face, we don’t care.

And if you feel that strongly about it, then you should not just repeal the program prospectively; you should repeal it retroactively and tell the 550,000 people whose homes have been saved, We didn’t mean it, it was a mistake, we didn’t support it then, and as far as we’re concerned, you can leave your home tomorrow.

Now, I understand if that makes me a bleeding-heart liberal according to some people; so be it. Call me anything you name you want. But if you have the courage and the audacity to look at your own constituents and tell them forget it, you don’t care, I would encourage you to do so. Mrs. Blackett to yield 5 minutes to the gentleman from North Carolina (Mr. MCHENRY), the sponsor of this bill.

Mr. MCHENRY. I thank the gentlewoman for yielding.

The HAMP Termination Act, which is the legislation before us today, ends what I believe to be a failure of a government program. Not just a failure to help those 3 to 4 million homeowners that the Treasury originally set out to assist, and they’ve fallen well short of it—just over 500,000 mortgage modifications have taken place in the 2 years it’s been in existence. Not only has it been a failure in terms of the metrics they set up to achieve the goal; it’s also a failure for the very people who entered into the program and yet are pushed out.

Now, I want my colleagues to understand what this government program does. Mr. Chairman, the HAMP program, the Home Affordable Mortgage Program, helps folks in who are having trouble making their mortgage payments. They bring folks in, and they will give them a verbal modification for their mortgage.

And let me quote from the Special Inspector General for TARP, Mr. Neil Barofsky, who is a very independent-minded individual. He said that people who apply for modifications via HAMP form “an army of folks that have, in my opinion, been drawn into failed trial modifications that have left them with more principal outstanding on their loans, less home equity, or a position further underwater, and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their modified mortgages that they are unable to pay, thus resulting in the very loss of their home that HAMP is meant to prevent.”

“Treasury’s claim that every single person who participates in HAMP gets a ‘significant benefit’ is either hopelessly out of touch or a cynical attempt to define failure as success.”

Those are the words of the Special Inspector General designated to oversee this program and to report to Congress and the public on the success or failures of Federal programs and ways to fix them.

Now, in the 2 years of this program and over 1½ years of criticism of this program, the Treasury has refused to fix it. My colleagues on the other side of the aisle have not offered legislation to fix modifying payments in the majority. So we’re left with what is required today, which is to root out this Federal program that spends our taxpayer dollars, yet hurts more people than it helps.

Mr. Chairman, if my constituents from Hickory said, “We’ve been in the HAMP program since February of 2010 and still have no answer. We’re being charged..."
late fees and we were reported to the credit bureau. We’ve been underwater since April and on trial payments for 6 months, which was only supposed to be 3 months. We have not yet received an answer.

This is a Federal program. If the private sector were doing this, there would be lawsuits. If the private sector were doing that, my friends on the other side of Congress in particular would be filing legislation to make sure they were unable to do that.

In the beginning of this program, we didn’t have any service. That means there were no people out there to help those that were trying to apply. But we have seen encouraging signs in the economy; yet we are still on a long path towards economical recovery. Many of my constituents are still facing hardship, including trying to keep their homes.

When the housing crisis hit, the private sector responded by turning their backs on those that needed the help. As a result, Congress stepped in and created housing programs to hold the industry accountable and to help these families weather the worst housing crisis that we have seen in generations.

Now, thanks to the leadership of the President and the Democratic-controlled 111th Congress, we are seeing more and more servicers adopting their own programs, largely based on the eligibility criteria within the programs such as HAMP.

The past few weeks my colleagues on the other side of the aisle have brought bills to the floor to terminate these housing assistance programs to hold the industry accountable and to help these families weather the worst housing crisis that we have seen in generations.

Most of the homeowners got in trouble because the private sector is the one that got them in the problems.

I disagree with that and point to constituents who have reached out to my office for help. We use our servicers were not being responsive.

The bill before us totally terminates the HAMP program; however, it provides assistance to the homeowners in a trial or a permanent modification.

My amendment, which was not made in order, would have expanded that provision to include homeowners who, on or before March 1 of this year, submitted the required paperwork or had made a verified request to their servicers seeking that modification.

My district office has heard from dozens and dozens of my constituents who have been waiting for up to 16 months. They reach out to my office at the point of total frustration due to the lengthy response time when they have submitted the required paperwork. I shudder to think what the response rate would have been without this program in place.

It’s very disheartening that my colleagues on the other side of the aisle would like to shut down these distressed homeowners before they have even a chance to qualify for the assistance.

The HAMP program was by no means perfect. Everybody agrees on that. Nor was it meant to be permanent. We all agree on that. Instead, it was meant to hold the mortgage service industry accountable and responsive to those that needed the assistance.

At a time when our housing market is still very fragile and foreclosures continue to occur in record numbers, instead of terminating these programs, we should be trying to improve them.

During the markup in committee, when we were improving, we asked our colleagues, all right, let’s not terminate it; let’s try and fix some of the things that are not right.

The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman an additional minute.

Mrs. McCARTHY of New York. Mr. Chairman, let me say something first. In the beginning of this program, we didn’t have any service. That means there were no people out there to help those that were trying to apply. But we have seen encouraging signs in the economy; yet we are still on a long path towards economical recovery.

Many of my constituents are still facing hardship, including trying to keep their homes.

Chairman, let me say something first. The HAMP program was by no means perfect. Everybody agrees on that. Nor was it meant to be permanent. We all agree on that. Instead, it was meant to hold the mortgage service industry accountable and responsive to those that needed the assistance.

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The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman an additional minute.

Mrs. McCARTHY of New York. Supporting efforts to terminate these housing assistance programs means turning your back on your own constituents.

Mr. Chairman, we have our disagreements. There’s no two ways about it. But with that being said, to judge a program from the beginning when we couldn’t get servicers, now we are getting servicers, now we are getting people to be responsive on getting people to stay in their homes.

And think about it: All these homes that are not modified, where are they supposed to go? In New York, you can’t find an apartment, so what are we doing, making more people homeless?

It was not the fault of the homeowner. It was the fault of the servicers to make the modifications necessary, for the private sector to shoulder the bulk of the burden that they can’t handle it. And so public officials need tools to help out, and HAMP is one of the best tools we have.

The real question here is whether you believe there is an appropriate role for government at all to help homeowners facing foreclosure through no fault of their own. It’s okay to use taxpayers funds to bail out the banks, but my friends on the other side don’t want to use a small amount to help homeowners.

Mrs. BIGGERT. I yield myself 30 seconds.

The gentleman from Delaware talks about his State. Let me just say that...
in Illinois, if we look back quarter by quarter, HAMP permanent modifications, for example, in the second quarter of 2010 were 167,000; but the proprietary were 331,883. The next quarter, 97 HAMP and 346,910. And it goes on. And I think that's something one keeps in mind, that the private sector can do it better.

The CHAIR. The time of the gentlewoman has expired. Mrs. BIGGERT. I yield myself another 30 seconds.

The private sector, out of 4.1 million modifications, 3.5 million of those were private sector, and the rest of the 550. And that doesn't include the 750,000 modifications that were made by HAMP that were canceled. I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield myself 90 seconds to say that that is an extraordinary bit of illogic; we have just heard. The private sector, nothing in the existence of HAMP in any way retards people from going to the private sector.

If you listen to the gentlewoman, you would get this fantasy picture that people were being restrained by the Federal Government not to go to the private sector, go to HAMP.

In fact, HAMP is also the private sector. That's part of the problem. It is also a private sector decision with no coercion by the government. Some people wish there was more.

But, yes, it is true the private sector has done much of its own. And anybody who wants to go to the private sector and get it does not have to go to HAMP. But there is no requirement that people go to HAMP.

And this set-up that it's a choice, you have to go to one or the other, they are free to go to the bank. If the bank won't do it, then they may go to HAMP. So this is an absolutely illogical notion that one blocks the other. That is that HAMP is the Federal Government bringing people into contact with the private sector. It is still ultimately a private sector decision.

Part of the problem here is that it remains voluntary. I wish we had passed in this House bankruptcy. You know, you can go bankrupt for anything but your primary residence. And my Republican friends overwhelmingly blocked that from happening. And absent that, we don't have the leverage with the private sector we'd like to have. But it is in every case the private sector that decides. And if it is a relatively easy one to do, the private sector does it without any hindrance.

Mr. FRANK. I yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Over the last few years, the United States has faced a devastating economic crisis. As a result of the economic downturn, many homeowners have lost their homes or are at imminent risk of foreclosure. What is that the Obama administration launched the Federal Home Affordable Modification Program to stem the escalating tide of home foreclosures and the disastrous impact it has on families and their communities. HAMP's purpose is to help eligible homeowners avoid foreclosure by providing them with permanent loan modifications to terms they can afford. Although this program is far from perfect, it has helped more than 600,000 families lower their mortgage payments and stay in their homes. H.R. 839, the HAMP Termination Act of 2011, will end this program and is the latest effort by House Republicans to end foreclosures and mitigation programs.

With forecasts showing that there will be 3 million foreclosures nationwide this year and the housing turn-around not expected for at least 3 years, House Republicans have yet to offer any alternative to help solving our housing crisis.

Republicans have also failed to address the impact this crisis is having on minority communities. An estimated 17 percent of Latino families and 11 percent of African American families have lost their homes or are at imminent risk of losing their homes. Eliminating support for distressed homeowners at this point in time would be disastrous for neighborhoods trying to recover from the foreclosure crisis. Instead, we should focus our efforts on ways to make HAMP a useful, wide-reaching program with meaningful goals, goals such as pushing lenders to reduce the principal on loans that are underwater and give struggling homeowners real relief.

I urge opposition to this misguided bill.

Mrs. BACHUS. I thank the gentlewoman.

As Republicans and Democrats, let's talk about what this bill does. This bill shuts down a Federal program which spends money. Every dime of that money, of the over 1,000 million dollars, has already been spent, and they have authorized $50 billion to be spent. Now, that's taxpayer money; and that is money that, in 2008, we promised the American people, when the banks paid it back, that it would go into the Treasury. That was a promise that we made. So this bill keeps that promise, and that's that the money will be returned to the Treasury.

Now, why do we make that promise and why do we defend that promise today on the floor of the House? Because, ladies and gentlemen, we are spending our children and grandchildren into financial oblivion. We are threatening the national security of this country.

Now, where do I get such a fact as that? Why do I say that it is a threat to national security, which I said last week and I was criticized?

Well, let me quote Defense Secretary Robert Gates when he said 2 months ago, "this country's dire fiscal situation and the threat it poses to American influence and prestige around the world will only get worse unless the U.S. Government gets its finances in order."
And I was told, well, that didn’t say that it was a threat to our national security. But following that statement, Admiral Mike Mullen made this statement, the Chairman of our Joint Chiefs of Staff, “The most significant threat to our national security is our debt.” Now, that wasn’t a Republican on the floor of the House. That was the Joint Chiefs of Staff’s Mike Mullen.

We buy oil from China. We buy oil from Russia. We buy oil from the Middle East. Each of these, day in and day out, we get. We are borrowing 42 cents of that. Twelve percent of our debt is owed to the Chinese. Every day we write the Chinese a check for $120 million. They could buy the most advanced strike jet fighter in the world and still have $20 million to put in their pocket each day. In 1970, only 19 percent of our national debt was owed to other countries; today, it approaches 50 percent.

Now, let’s talk about whether we can afford this program: let’s talk about whether our children and our grandchildren can, because—let’s not kid ourselves—we can’t pay it back. Now, do we want to spend $30 billion of our children’s and our grandchildren’s money?

First of all, do we spend money where it is needed? We have a borrower, you have a lender. As many of you have correctly said, and I agree with you, people loaned homeowners money they couldn’t afford to pay back. And is that the taxpayers’ fault? Should they pick up the tab? Is that the bank’s liability? No. Our primary obligation is to the taxpayer. The banks had no liability. The banks had no ability to do that. You talk about the banks. Where does this money go? It goes to the banks. Every dime of it is paid to a bank. You have a borrower, you have a lender. As many as you have correctly said, and I agree with you, people loaned homeowners money they couldn’t afford to pay back. And is that the taxpayers’ fault? Should they pick up the tab? Is that the bank’s liability? No. Our primary obligation is to the taxpayer. The banks had no liability. The banks had no ability to do that. 

You talk about the banks, but it is the banks that will be paid. And you talk about 500,000 Americans that have been helped. You didn’t mention almost 1 million that have been made worse off. Now, again, is that some mean Republican saying they are worse off? No.

Today, March 29, a letter from the largest national Hispanic civil rights and advocacy organization in the United States. Do you know who that is? It is La Raza. What did they say? Let me quote what the largest, and I think we would all agree, a very liberal organization, what did they say?

I urge you to vote “yes” on this legislation, they said. “Structural flaws, especially the voluntary nature of HAMP, have resulted in an abysmal performance by mortgage servicers and hundreds of thousands of families losing their homes to foreclosure unnecessarily.” They say this program has resulted in hundreds of thousands of American homeowners losing their homes.

Now, are they the only people who have said this? No. Our own Inspector General, our own Neil Barofsky, said at the Mortgage Banking Conference February 24, just a month ago, “Because Treasury’s authority to restructure HAMP ended on October 3, 2010, the program’s prospects are unlikely to improve substantially in the future.” In other words, you are not going to improve this program. So let’s end by saying this. We say shut it down. You say mend it. Let’s mend this program. Why? Let’s not pretend. We are not talking about a program that’s going to work. The Treasury, according to Elizabeth Warren, doesn’t even have the ability to do that.

The administration itself, not someone here, but your administration, Laurie Maggiano, a Treasury official, said at the Mortgage Banking Conference February 24, just a month ago, “You won’t see any major new programs coming out. We may tweak around the edges, but our primary objective in 2011 is excellence in the program.” Well, there has been no excellence in the program. It has failed. The largest Hispanic group in America has said, end this program.

But I tell you what, our grandchildren and children would say this, and you continue to say, and I agree with you, we have got 13 million American families underwater with their mortgages, and you want to pick and choose 500,000 of those to help. What about the others? Should the Federal Government pay everybody’s mortgage that is behind?

Why, one out of four American families are underwater on their home. You have got it, just came out yesterday: 13 million vacant houses in America, and almost immediately you come up with a cash-for-keys program where you are going to buy these abandoned properties from the banks, from the speculators, from the hedge funds. I don’t think you have listened to the American people. I don’t think you heard what they said in November. This program has been criticized ever since its inception. You haven’t mend ed it. You are talking about mending it to help the banks, not the taxpayers.

Where is your bill to mend it? Is there a bill to amend it? Have you introduced it? Is there a bill? Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Yes, we are introducing legislation to make sure that the taxpayers are off the hook.

Mr. BACHUS. You will be?

Mr. FRANK of Massachusetts. We have introduced a bill to restore a provision that was knocked out by Republicans.

Mr. BACHUS. Is the gentleman saying you will be?

Mr. FRANK of Massachusetts. It has been filed.

Mr. BACHUS. What, today? Was it filed today, or Monday?

Mr. FRANK of Massachusetts. No, last week.

Mr. BACHUS. Last week. Two years—

Mr. FRANK of Massachusetts. The gentleman doesn’t want an answer, apparently.

Mr. BACHUS. I reclaim my time. One thousand million dollars and $20 billion of authorization, 2 years of a failed program, and the week before we come to the floor, you file a bill. You file a bill. I’m sorry to say to the ranking member because you can file the bill, we will take a look at it, but we are ending this failure.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

I regret the chairman’s refusal to allow me to answer the question he asked.

Yes, we just filed the bill because we are restoring a provision that was in the financial reform bill. The gentleman, who has shown very little regard for the taxpayer in his own vote sending money to Brazilian cotton farmers—and, by the way, I wish he had listened to Secretary Gates and Admiral Mullen and not voted to force on them money for weapons systems they didn’t want. They said those things when they tried to get the Congress not to give them weapons they didn’t want, but many of my Republican friends, the majority, disregarded that.

But in the TARP legislation we said that in 2013, when this program ends, any penny that was spent and not returned to the taxpayers will come from the banks, will come from the hedge
Mrs. BIGGERT. May I request again the time remaining, Mr. Chairman?

The CHAIR. The gentlewoman from Illinois has 5 minutes. The gentleman from Massachusetts has 151/2 minutes.

Mrs. BIGGERT. Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of North Carolina. Mr. Chairman, I rise to oppose this bill, but I do so with mixed feelings because I have been one of the critics of the HAMP program.

The members of the majority have pointed out correctly that this program has been widely criticized for more than 2 years. It has been criticized by the congressional oversight panel, by the SIGTARP (Special Inspector General for the Troubled Asset Relief Program), by La Raza, by Elizabeth Warren, and, yes, by me. But I have not criticized it for the reasons that the gentleman from Alabama gave. If this bill is keeping a promise, it is not a promise made in open to the American people, it is keeping a promise made in secret to the banks, because the costs of this program are not going to come out of the pockets of the American people. This complex case of the TARP program. That legislation said that any money not recovered by 2013 has to be recovered from the financial industry, and whoever’s present in 2013 has to propose to Congress exactly how it is we’re going to get that money back.

They can afford it. Thirty percent of all corporate profits are in the financial sector. They can more than afford it.

The gentleman from Alabama frequently says that he hates visiting debt on his grandchildren, and I believe him when he says it, but I have good news for him. He and his grandchildren will not be visited by Wall Street. In the next 2 years, they are not going to have to pay this debt. This debt, if Congress does keep its promise to the American people, will not come from the American people. It will come from the people who created the mess that we are now trying to clean up.

But I have criticized this program because it is not as effective as it should be. It has gone on for 2 years. It is not doing what we need. The problem, however, has not been what government has made banks do. This program has been run by the banks. It has not been run by the government. It has been run by the banks. Every horror story about a homeowner being abused by a bank, the bank handling the mortgage, not by the Department of the Treasury, not by the Federal Government.

So, of course, when they come to see a Republican Member of Congress, the Republican Member of Congress says, “Oh, isn’t it terrible what the Federal Government made that poor bank do to you.” No, the Federal Government didn’t make the banks do that.

My criticism of this program and my criticism of the Obama administration in how they have run this program is not that they’ve made banks do what they’ve done, but they have let banks do what they’ve done. This program can work if there are some tough rules that are really enforced, tough on the banks.

The gentleman from Massachusetts mentioned earlier the bankruptcy proposal 3 years ago. I introduced that bill. I have been trying to put rules, requirements, on the banks that they let people out, that they try to begin to let people out in a very orderly, logical, fair way, through judges, through a judicial process, to begin to get control of the collapse of the housing market.

Something has got to happen to stop the continuing fall of housing values. Something has got to happen to end the cycle of foreclosures and diminishing home values and more foreclosures. Republicans have offered nothing to do that. We know something can work. We know that we can design a program that will work, because it has been done before.

In the New Deal, one of the most successful programs was the Home Owners’ Loan Corporation. It bought mortgages, modified them, worked with homeowners, tailored the mortgages to something the homeowner could afford. So this program actually writes checks to those evil banks that he talks about, with those evil profits that he talks about, to the tune of about a billion dollars. So this program is actually cutting checks to banks.

The final thing to remember, Mr. Chairman, is that money is actually the taxpayer, the American people’s money, not the banks’ money, and we owe it to the American people to give them back that money.

Mr. FRANK of Massachusetts. How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from Massachusetts has 10 minutes.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from Minnesota (Mr. Ellison).

Mr. ELLISON. Mr. Chairman, this bill is just like saying, “You know what, you said you were going to
us a loaf of bread, but you only gave us a slice. So because you didn’t give us the whole loaf, we’re going to take all of the bread away, even the slice.”

Because the program isn’t as successful as it could be, we ought to be getting on with doing something about all the foreclosures across America as opposed to what the majority wants to do, which is get rid of even the meager program that exists.

This is unresponsive government. This is a government that is turning its back and folding its arms on the American people. We’ve got 4 million foreclosures, and may end up with 7 million, and yet instead of trying to make a program work, we just get rid of the whole thing. This is a really sad day and a big mistake.

If you want to get up here and criticize the HAMP program, you can do that. But you know what: The HAMP program has come up with more than 600,000 active modifications. That’s not nearly as many as we need, but it has done something. Rather than get the program right, we abandon all those people who are underwater, all those people who are in foreclosure. That is a shame, and it’s wrong.

Now let the chairman, Mr. Chairman, the fact is that this program, this HAMP program that we’re terminating today, this program, doesn’t do anything to put Americans back to work. It doesn’t do anything at all. The Republican majority has been here for 13 weeks and all they’ve done is cut programs that could put people to work. They haven’t tried to fix anything that’s not working. They’ve just tried to cut back on what America needs.

So that we will be in a position when people aren’t working, they won’t be paying taxes, we won’t be even addressing this deficit because of the Republican no jobs agenda. It’s really too bad. We were sent here to do something about those people sent here to do something about foreclosures. We’re not doing anything about either, because the Republican majority refuses to address it.

One of the biggest problems with the HAMP program, now that we’re on that subject, is that we did just allow incentives. We didn’t really make the banks and the services do what they should do, which is to readjust these mortgages. People bought at bubble prices based on the majority decisions to not regulate, to abandon consumer protection, and this bubble market created expansive and big prices. The loans people got, we didn’t see consumers get protected from no doc, low doc, NINJA loans. We didn’t see any protection for the American taxpayer with any of these financial regulations involving derivatives. And yet when the bubble burst, the people are there to try to pick up the pieces.

But what does the Republican majority do? They just take away the one slice that might help some people instead of trying to do something to help the American people.

I hope the American people are watching this debate today, Mr. Chairman. I just hope they take careful note of who is on the side of the American neighborhood, who is on the side of the American people, and who’s trying to take away that American Dream.

The CHAIR. The gentleman from Illinois has 3 minutes remaining.

Mrs. BIGGERT. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from North Carolina (Mr. McHENRY).

Mr. McHENRY. I thank the gentleman for yielding.

As best I can discern, the argument about the HAMP program is we should terminate it because it’s run inefficiently. That seems a fairly strange argument for most of us around here because we know that there are inefficiencies in every department of the government. If you use that as the touchstone for terminating programs, we would close down the entire Defense Department; we would close down the Department of Commerce; we would close down the Department of Health and Human Services. We would go right down the list and close them all because every one of the departments and every program has some inefficiencies in them. You don’t solve the problem by closing a program. You solve the problem by trying to correct the problems that exist.

This is a whole new philosophy for this group of people, because when the Securities and Exchange Commission was not equipped to fine the Bernie Madoff episode, their answer to it was let’s cut out the SEC or let’s reduce this budget, not make it more efficient so that it can stop the kind of fraud and abuse that was taking place, let’s just starve it to death. That’s the same philosophy that’s being applied in this context, Mr. Chairman. Because the program has been run inefficiently, all of us agree it has been, their answer is let’s close it down. Ours is to make the program more efficient and work for the purposes for which it was intended; and that’s what we ought to be devoting our attention to today, not terminating the program.

Mrs. BIGGERT. I yield 15 seconds to the gentleman from North Carolina (Mr. McHENRY).

Mr. McHENRY. I will respond to my colleague, Mr. Chairman, that, if we can’t eliminate this failed program, what program can we eliminate?

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Well, let me begin with my friend from North Carolina, $150 million a year to Brazilian cotton farmers, which the gentleman voted for. Now, what we could have done was, instead of giving them $150 million—

Mr. McHENRY. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from North Carolina, Mr. McHENRY.

Mr. McHENRY. I thank the gentleman from Massachusetts. No, the question was not the farm bill. It was the amendment from the gentleman from Wisconsin to cut out $150 million that is being voted subsequent to the farm bill to the cotton farmers of Brazil.

We had an amendment offered by the gentleman from Arizona (Mr. FLAKE) and the gentleman from Wisconsin (Mr. KIND) not to pay $150 million a year to Brazilian cotton farmers. We were told that we had to do that because otherwise we would be in trouble. But we had an alternative. We could have knocked $150 million out of the subsidy to American cotton farmers. That’s $300 million a year, 300%为导向．
more people are hurt than helped is simply nonexistent.

By the way, we’ve always heard from my Republican friends that we shouldn’t be the nanny state, to let people make choices. No one is forced to go into this program. If they can go into another program, they can make it better.

The final point I want to make is this. Yes, there is a question about who pays for it. Under the TARP bill that we passed in 2008, and that in 2009 we get money from the financial institutions for this. In the financial reform bill that passed the House, we had a provision that required that that assessment be made right away. In the conference report on financial reform, we had an assessment on the financial institutions, those above $50 billion in assets, except hedge funds above $10 billion. We have had three legislative efforts to assess these costs on the financial institutions. The Republicans have opposed every one, unfortunately, with some success; although, we still have one left.

The final point I would make is this. Yes, the HAMP program has a lot of problems. Solutions cannot be more elegant than the problems they seek to resolve. The absence of any program leaves people worse off. I hope the program is successful, and once again go to financial institutions if the Republicans paid for by assessments on the large financial institutions, those above $50 billion in assets, except for some $10 billion. We have had three legislative efforts to assess these costs on the financial institutions. The Republicans have opposed every one, unfortunately, with some success; although, we still have one left.

The final point I would make is this. Yes, the HAMP program has a lot of problems. Solutions cannot be more elegant than the problems they seek to resolve. The absence of any program leaves people worse off. A few are worse off. Nobody quoted and said a majority of my time to the gentleman from North Carolina (Mr. MCHENRY).

I think people of good will created this program: I really do. The intent was to help homeowners. But 2 years after the fact, we’re left with the cold, hard facts that this program has hurt more people than it’s helped: a Federal Government program that brings people to voluntary modification, takes their savings, and at the end of the day takes their home. It offers hope, but it isn’t able to deliver it. It’s false hope that this program delivers.

I would point to the Special Inspector General’s report of January 26, 2011. On page 11: A combined total of more than 792,000 trial and permanent modifications have been canceled.

I would also point my colleague to the Treasury Department’s monthly report on their housing programs.

Of the trial modifications that are canceled, those are the individuals who have brought in, given verbal modifications, and strung out for a period of months, some for 3, 6 months. I’ve had constituents tell me they’ve been in this trial modification period for up to a year. At the end of the day, these people later their savings have been taken, and they’re left with nothing, not even their homes, not their credit ratings, not their savings.

It’s a Federal Government program that’s doing this. This is so objectionable at its core, and I have my colleagues on the other side of the aisle saying that they’re bleeding heart liberals—right?—and they’re making their arguments. Well, let me see if this actually burns your bleeding hearts.

A constituent of mine from Kings Mountain says, “They keep requesting the same information over and over again. They have supposedly been working with me to get approved under the Make Home Affordable Modification Program for over 14 months now. The person handling my case returned my call to tell me that they’ve declined my request for a modification because I was unemployed. I’ve never been unemployed. I’ve been with the same employer for over 5 years now, and that has not changed through this whole process. After sending her the proof of my income, she now says that I do not qualify because I am so behind on my payments and behind on my payments if they would have let me continue to pay them.”

Can you believe this is a Federal program? If that doesn’t tear at your heart, if you don’t see the tears of your constituents who have been put through the wringer of this Federal program—this Federal program—then I would say that every program must be acceptable then no matter how much harm it’s doing.

I know that we’re better than that. I think the folks on the left and the right who have analyzed this program, who have done a bipartisan, non-partisan analysis of this and research, have shown that it has been a failure. It is this Congress’ responsibility to end a failure of a program and to make sure that the Federal taxpayers, the American people, don’t continue to write the check for a program that destroys people’s lives and that has hurt more people than it’s helped.

I encourage my colleagues to vote “yes” on this bill.

Mr. TOWNS. Mr. Chair, I rise today to urge my colleagues to vote no on H.R. 839 “The Home Affordable Modification Program (HAMP) Termination Act.” This bill would prohibit new mortgage loan modifications under the Home Affordable Modification Program (HAMP) which has assisted over 600,000 people. The program works with loan servicers and borrowers to allow hard working people to stay in their homes.

Mr. Chair, my home state of New York has over 140,000 households with at least one member of that household out of work. We must invest in programs that give relief to families that have lost income in this great recession through no fault of their own. HAMP entitles qualified homeowners to reduced mortgage payments at a sustainable debt to income ratio of 31 percent. This program also provides incentives to loan investors and servicers for every permanent loan modification. These incentives allow homeowners in difficulty the ability to stay in their homes and to continue making payments on time.

I realize that this program is not perfect and that there are still some outstanding issues that must be addressed in order to make HAMP more efficient and effective. However, H.R. 839 would simply prevent any future attempt by this congress to address those concerns. Mr. Chair, we were sent to Congress to solve problems. We must deal with the current foreclosure crisis by using every tool in our arsenal to make sure people can afford to stay in their homes.

It is my hope that Members of Congress from both sides of the aisle will work together to make sure the American dream of homeownership is viable in 2011. We must work together to solve the major challenges of our day and we must do so in a bipartisan manner.

H.R. 839 is not the answer to our nation’s foreclosure crisis. I urge my colleagues to vote no on this measure.

Ms. HIRONO. Mr. Chair, I rise in strong opposition to H.R. 839, the Home Affordable Modification Program (HAMP) Termination Act.

The House majority supports H.R. 839 and other bills that would end new and existing foreclosure mitigation programs, turning their backs on the middle class families in our country.

Instead of coming up with practical ways to improve these programs, or establishing new initiatives that assist homeowners and stabilize the housing market, my colleagues on the other side of the aisle support immediate termination of these programs, working to address the housing crisis and its effect on the nation’s economy.

Most of us would agree that HAMP has not been nearly as successful as initially hoped. Since this program started, about 5 million foreclosures have been prevented. HAMP is far from reaching the targeted goal of assisting 3 to 4 million homeowners: nearly 1.5 million homeowners have received a trial HAMP
modification, but only about 600,000 have had their mortgages permanently modified under HAMP.

On March 28th, fifty of my colleagues and I sent a letter to Treasury Secretary Geithner to share our concerns about HAMP, including (1) establishing a single point of contact for homeowners in modification with their servicers; (2) suspending the foreclosure process when the borrower makes a request for a loan modification; (3) providing for an independent review of loan modification denials; and (4) urging the Treasury Department to begin clearing existing foreclosures and penalties and fees on those from other modifications, and nearly 85 percent of homeowners who received a permanent HAMP modification remain in their modification a year later. This program has also set important mortgage industry standards to address the magnitude of the housing crisis and ensure that struggling homeowners get the help that they need to stay in their homes.

If it were not for HAMP, there is no question that even more homes in my congressional district would have been subject to foreclosure, while many individuals—half of all homeowners—would have received a permanent HAMP modification remain in their modification a year later.

Moreover, the Office of the Comptroller of the Currency reports that the re-default rate for the program's permanent modifications at six months was only slightly more than half of all modifications, and nearly 85 percent of homeowners who received a permanent HAMP modification remain in their modification a year later. This program has also set important mortgage industry standards to address the magnitude of the housing crisis and ensure that struggling homeowners get the help that they need to stay in their homes.

If it were not for HAMP, there is no question that even more homes in my congressional district would have been subject to foreclosure, while many individuals—half of all homeowners—would have received a permanent HAMP modification remain in their modification a year later. This program has also set important mortgage industry standards to address the magnitude of the housing crisis and ensure that struggling homeowners get the help that they need to stay in their homes.

Another constituent, a disabled veteran living in Volcano on the island of Hawaii, contacted me because he feared for over two years to get help from his lender, to no avail. It was only as a result of the Make Home Affordable foreclosure prevention services that she was able to get a permanent loan modification, which saved her $500 a month and lowered her interest rate by over two percentage points.

These are only two of the personal and heart-wrenching stories that I’ve heard from people in my congressional district who are struggling to stay in their homes. The bottom line is that HAMP provides yet another lifeline for these families. Terminating HAMP would be a violation of the trust that millions of homeowners have placed in the Federal Government. It is time for us to continue to do all that we can to help families stay in their homes.

Washington is on an unsustainable path. Out-of-control government spending has caused a massive increase in borrowing and the national debt is now a record $14 trillion. Facing a $1.5 trillion deficit for the third year in a row, the time is past due for Washington to make tough decisions so that our nation’s financial future will be secure. Across America, families are doing more with less, and it is time for Washington to do likewise. Fiscally responsible Americans know the budgetary challenges we face and are supportive of the steps we are taking to stop the waste. Indeed, as I’ve witnessed in Financial Services Committee hearings and on the House floor, the Administration has been unwilling to accept these objective analyses and terminate the program, instead choosing to throw good money after bad.

I believe that we see valuable tax dollars being spent on a flawed program we must terminate those programs. A dollar saved here is one less dollar borrowed and put on the tab of future generations.

Mr. Chair and my colleagues, I ask that you join me in support of H.R. 839, the HAMP Termination Act. Together, let’s stand with the American people and get Washington’s spending spree under control.

Mr. VAN HOLLEN. Mr. Chair, today’s bill represents the fourth piece of legislation we have considered in as many weeks to withdraw assistance from struggling homeowners, worsen the foreclosure crisis and further weaken the middle class.

Specifically, H.R. 839 proposes to terminate the Home Affordable Modification Program, or HAMP. HAMP is a voluntary program with strict and sensible guidelines that has already provided permanent loan modifications to 600,000 American households, including over 17,000 in my home state of Maryland—and is expected to help another 30,000 Americans stay in their homes every month through the end of next year. Furthermore, HAMP’s standards have been largely adopted and standardized across the mortgage industry, thereby benefiting millions of additional homeowners outside the program itself.

HAMP is not a silver bullet, and it will not help everyone. For example, it is not available for mortgages over $729,750, for second homes, for investment properties or for vacant houses. Additionally, HAMP is not for homeowners who can afford to pay their mortgages without government assistance—or for homeowners who could not afford to pay their mortgages even with government assistance. But for the estimated 1.4 million Americans who are eligible for the program, HAMP is a lifeline that can make all the difference.

Mr. Chair, as we struggle to pull ourselves out of the worst economic downturn since the Great Depression, it makes little sense to terminate a targeted and effective foreclosure prevention program like HAMP when so many of our fellow Americans still face completely avoidable foreclosure. I urge a no vote.

Mr. BACA. Mr. Chair, I rise in opposition to H.R. 839—the HAMP Termination Act. HAMP is far from perfect—and we all are aware of some of the problems it has experienced since it began. Numerous and it has helped over 500 thousand homeowners gain mortgage modifications.

And—it is expected to help another 500 thousand homeowners gain modifications over the next two years.

These modifications have resulted in real savings for American families. In fact—the median savings for homeowners who have received a modification is $537 a month.

I know much has been made by my friends on the other side, about how some advocacy organizations—like NCLR—support the termination of HAMP. I understand the frustration of these groups. HAMP is a voluntary program. Treasury could have pushed our financial regulators harder to comply with standards. And—we have yet to see a comprehensive plan to punish the bad actors.

But terminating HAMP—without any alternative plans to assist struggling homeowners—is wrong.

Unfortunately, Republicans are eager to turn control of loan modifications over to the same banks who got us in this mess to begin with. Before HAMP, homeowners who were lucky enough to get a modification would often pay more per month.

Now—we have standardized the modification market, and are expanding HAMP’s reach.

Make no mistake—HAMP is not perfect. But it does give us a framework to build from.

And doing nothing is not a viable alternative. I urge my colleagues to oppose this effort to deny mortgage assistance to over a half a million Americans.

Vote no on H.R. 839.

Mr. TURNER. Mr. Chair, I rise today in support of H.R. 839, the HAMP Termination Act. The foreclosure crisis facing our nation is far from over. Families across the nation who face the threat of losing their homes need help they can count on and hope for a better future. Unfortunately, the Home Affordable Modification Program, better known as HAMP, has failed to deliver on both counts.

According to The New York Times, in 2010 Fannie Mae and Freddie Mac took over a foreclosed home approximately every 90 seconds. By the end of December, they owned 234,582 homes. They spend 10 million dollars in just one month to have the lawn of each home mowed twice.

To try and help those who are suffering most, both the Bush and Obama Administrations created programs to help families who are at risk of losing their homes. One of these programs was the Home Affordable Modification Program which was enacted with the enactment of the bill before us today.

In the face of such a large crisis it is our responsibility to terminate programs that falsely
raised the hopes of so many, but were poorly designed and help only a very few. While the administration has allocated $75 billion for HAMP, it failed to perform under any honest observation.

When the Administration announced the program, they estimated it would help between three and four million homeowners. As of December 2010, only 521,630 HAMP modifications have been made permanent. I am concerned that for every one of these success stories there are so many more that have been lost. The administration, since nearly 800,000 modifications have been canceled since the start of the program. Temporary modifications offer little help to homeowners who do not receive permanent ones, and they end up losing their homes anyway. In addition, the Treasury Department reports that about 20 percent of the borrowers who had their modifications made permanent are now 60 days or more behind on their mortgages.

Why would a program that was designed to help so many homeowners fall so short? Perhaps because the program was not designed to help homeowners facing foreclosure. On June 22, 2010, Secretary Geithner testified before the TARP Oversight Panel regarding HAMP and stated “This program was not designed for foreclosures.”

Programs that were not designed to help families keep their homes deserve termination. Programs that kick many more qualifying families out of the program than are assisted by the program deserve termination. Programs that have such a high default rate among the families that are helped by the program are fundamentally flawed and deserve termination.

I ask my colleagues to join me in supporting this bill to terminate a program that has fallen so short of its laudable goals.

Ms. BROWN of Florida. Mr. Chair, I rise today to oppose this spurious legislation to eliminate a program that has just begun to help our constituents recover from the horrible housing crisis that has taken hold of our communities.

This program has helped more than 600,000 families stay in their homes while helping neighborhoods avoid the associated blight that comes with vacant and foreclosed homes.

The legislation allowed hard-working American families in danger of losing their homes to refinance into lower-cost government-insured mortgages they can afford to repay.

Florida has had over 82,000 permanent and trial modifications under this program. This is over 82,000 families who do not have to worry about where they are going to sleep tomorrow. 82,000 families who know where their kids are going to go to school tomorrow. I was able to hold foreclosure workshops in cities and towns throughout my district to help these families at risk of losing their homes. With this program’s help, these families were able to stay in their homes, keeping neighborhoods intact.

I believe that more money should be used to keep people in their homes. To the administration’s credit, they attempted to create other programs that would do that. The Republican majority has spent the last six months attempting to eliminate those programs also.

Eliminating this program without a replacement program for the people on the front lines of this recession is heartless and should be criminal. Defeat this legislation and vote to keep people in their homes and our communities living and vibrant.

The CHAIR. All time for general debate has expired. Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

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 “The HAMP Termination Act of 2011.”

SEC. 2. TERMINATION OF AUTHORITY. Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended by adding at the end the following new subsection:

“(c) TERMINATION OF AUTHORITY TO PROVIDE NEW ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICATION PROGRAM.—

“(1) IN GENERAL.—Except as provided under paragraph (2), after the date of the enactment of this subsection the Secretary may not provide any assistance under the Home Affordable Modification Program through the Making Home Affordable initiative of the Secretary, authorized under this Act, on behalf of any homeowner.

“(2) PROTECTION OF EXISTING OBLIGATIONS ON BEHALF OF HOMEOWNERS ALREADY EXTENDED AN OFFER TO PARTICIPATE IN THE PROGRAM.—Paragraph (1) shall not apply with respect to assistance provided on behalf of a homeowner who, before the date of the enactment of this subsection, was extended an offer to participate in the Home Affordable Modification Program on a trial or permanent basis.

“(3) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—

“(A) STUDY.—The Secretary shall conduct a study to determine the extent of usage of the Home Affordable Modification Program by, and the impact of such Program on, covered homeowners.

“(B) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this subsection, the Secretary shall submit to the Congress a report setting forth the results of the study under paragraph (1) and identifying best practices, derived from studying the Home Affordable Modification Program, that could be applied to existing mortgage assistance programs available to covered homeowners.

“(C) COVERED HOMEOWNER.—For purposes of this subsection, the term ‘covered homeowner’ means a homeowner who is—

“(i) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member; or

“(ii) a veteran, as such term is defined in section 101 of title 38, United States Code; or

“(iii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

“(4) PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.—Not later than 5 days after the date of the enactment of this subsection, the Secretary of the Treasury shall publish to its Website on the World Wide Web in a prominent location, large and conspicuous font, and holdface type the following statement: ‘The Home Affordable Modification Program (HAMP) has been terminated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to correct your lender or servicer for the purpose of negotiating or acquiring a loan modification.’.”

The CHAIR. No amendment to the committee amendment is in order except those printed in part A of House Report 112–94. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HANNA

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112–94.

Mr. HANNA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds the following:

(1) According to the Department of the Treasury—

(A) the Home Affordable Modification Program (HAMP) is designed to “help as many as 3 to 4 million financially struggling homeowners avoid foreclosure by modifying loans to a level that is affordable for borrowers now and sustainable over the long term”; and

(B) as of February 2011, only 607,600 active permanent mortgage modifications were made under HAMP.

(2) Many homeowners whose HAMP modifications were canceled suffered because they made futile payments and sometimes those homeowners were even forced into foreclosure.

(3) The Special Inspector General for TARP reported that HAMP “benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good”.

(4) Approximately $80 billion was obligated by the Department of the Treasury to HAMP, however, approximately only $60 million has been disbursed.

Terminating HAMP would save American taxpayers approximately $1.4 billion, according to the Congressional Budget Office.

The CHAIR. Pursuant to House Resolution 170, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The CHAIR. The gentleman from New York.

Mr. HANNA. Mr. Chairman, this amendment would add a findings section detailing the flaws of the Home Affordable Modification Program, or HAMP. It would also state that terminating HAMP would result in significant savings for the American taxpayers.
I filed this amendment during Sunshine Week, which highlights the importance of open government. In keeping with the spirit of transparency, this amendment would include within the bill the specific reasons why we should fund the failed HAMP program.

The HAMP program was designed to assist between 3 and 4 million homeowners. However, as of February, only 607,000 active permanent mortgage modifications were made under HAMP. While $30 billion was obligated by the Treasury to HAMP, only $1.04 billion has been disbursed. Furthermore, the Special Inspector General for TARP reported that HAMP offers many homeowners “little more than false hope and in certain cases causes more harm than good.” The program does not fulfill its intended purpose of helping American homeowners. It delays rather than prevents foreclosure.

This program was flawed from the beginning. According to The Wall Street Journal, the number of applications canceled far exceeds those that were approved, and the number of applications continues to slow. I agree with the Journal’s assessment, which also pointed out that keeping people in homes that they cannot afford is bad policy. Incentivizing mortgage servicers to do just that only exacerbates our housing crisis. Moreover, the private sector is better equipped to deal with the problem, and they have modified nearly double the number of loans themselves without government involvement.

My amendment concludes that ending this ineffective program would save taxpayers $1.4 billion, which is according to the Congressional Budget Office. This is one step toward restoring fiscal discipline to our Federal Government.

Too often, our constituents receive biased or incomplete information on the issues we are discussing in Congress, thus making it difficult for them to make informed assessments of our laws. Including additional facts on the intended consequences of legislation is beneficial to the public. That is why I urge support for the Hanna amendment and the underlying bill.

I yield back the balance of my time.

Mr. ELLISON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. I rise in opposition to the gentleman from New York’s amendment and in opposition to the underlying bill today.

Mr. Chairman, the middle class is shrinking, and deficits are rising because Republicans are giving a pass to the wealthy who cheated American homeowners and wrecked our economy. This is the 13th week of the Republican-controlled Congress. Republicans continue to ignore the people’s top priority, which is jobs. Instead of working to keep every one of the families in our homes, the Republican plan is to foreclose on the American middle class.

The American people sent us here to protect the dream, not to destroy it, not to perpetuate a Wall Street nightmare. Democrats are standing with the American people to create good-paying American jobs and to keep Americans in their homes.

This legislation is just the latest attempt by the Republican majority to end foreclosure programs to help middle class Americans. The majority’s housing plan is very simple: foreclose on the middle class. Now that millions of families have already lost their homes, their plan is to hand out foreclosures notices to everybody else.

What’s the Republican answer if you lose your home to foreclosure? So be it. What’s the Republican answer if your neighbors lose their homes? So be it. What’s the Republican answer if you lose your job? So be it.

Mr. Chair, I would like to yield 20 seconds to the gentleman from New York for a question. I am offering the gentleman 20 seconds because I want to ask him a question.

Does the gentleman want to answer the question?

Mrs. BIGGERT. The gentleman is not here.

Mr. ELLISON. How many jobs does this amendment create?

Mrs. BIGGERT. This legislation is to reiterate what the Congressional Budget Office says about.

Mr. ELLISON. Reclaiming my time, the gentlelady hasn’t told me the jobs that this amendment, this bill, is going to create.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from North Carolina.

How many jobs is this amendment going to create or is this bill going to create?

Mr. MCHENRY. Certainly, a multibillion-dollar Federal program doesn’t create any real private sector jobs.

Mr. ELLISON. I reclaim my time.

‘No’ is the answer from the gentleman from North Carolina. I appreciate his candor.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. Let me just finish here.

Mr. MCHENRY. If the gentleman would yield, I would be happy to explain.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. MCHENRY. Mr. Chair, we are here for the specific purpose of trying to create some jobs and to help the American people create their own dreams. That’s about jobs. We’ve been here 13 weeks, and the majority caucus, Mr. Chair, hasn’t created one single job.

I asked the gentleman from North Carolina how many jobs this bill is creating, and he just went off on a tangent somewhere. Now, I’m looking for some kind of a number. I’ll even take an estimate.

How many jobs does this bill create?

I yield to the gentleman.

Mr. MCHENRY. When you cut Federal spending, you create private sector jobs. When you tax people more, you get less private sector growth.

Mr. ELLISON. I reclaim my time.

Look, we are supposed to be creating jobs around here. Mr. Chair, and we’re not creating anything.
March 29, 2011

CONGRESSIONAL RECORD — HOUSE

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billion cut to the National Institute for Health, a $1.3 billion cut to community health centers, and a $1.6 billion cut to the Environmental Protection Agency. All cuts can badly be below.

Cuts of this magnitude will undermine gross domestic product performance at a time when recovery is seen being held back by post-recession growth. Cuts in the range of $74 billion will lead to the loss of roughly 700,000 jobs. The domestic discretionary reduction of $58 billion will result in the loss of around 390,000 jobs, as we demonstrate in this briefing paper.

Like Paul Ryan's budget outline, as we stress in this report above, the proposal suggests Americans take on unnecessary pain with no long-term gain. While $8 billion represents a 12% reduction to the nonsecurity discretionary budget, it only represents 4% of the total 2011 deficit, and less than 2% of total spending as projected by the Congressional Budget Office. In other words, changes to the short-term budget picture would be inconsequential at best, and there would be practically no benefit at all regarding the longer-term budget trajectory. Meanwhile, associated job losses would certainly magnify the ongoing labor market crisis, which has now experienced 21 straight months of unemployment over 9%.

Appropriations Committee chairman Hal Rogers has stated that he has a unique opportunity to "right our fiscal ship." In reality, the discretionary sequester is not adding to our long-term debt instability. If anything, the GOP efforts to extend tax cuts for the wealthiest 2% of Americans and water down the estate tax have made our fiscal ship a leakier vessel (according to the Center on Budget and Policy Priorities, these tax policies will have a two-year deficit impact of $700 billion). The so-called "cut cuts" not only fail to offset that lost tax revenue, but they also target programs that exist to promote innovation, global competitiveness, and community and safety-net services. This is an effort to cut helpful and innovative programs and services traditionally opposed by conservatives, disguised as an effort to promote fiscal responsibility. It would reduce jobs, it would hurt millions of people, and it would barely dent our long-term budget picture.

[From Moody’s Analytics, Feb. 28, 2011]

A FEDERAL SHUTDOWN COULD DERAIL THE RECOVERY
(BY JAMES ZANDER)

Odds are uncomfortably high that the federal budget impasse will prompt a government shutdown.

The Obama administration has shown significant spending restraint in its recent budget, but House Republicans want deeper cuts. While cuts and tax increases are necessary to address the nation’s long-term fiscal problems, cutting too deeply before the economy is in full expansion would add unnecessary risk.

The House Republicans’ proposal would reduce 2011 real GDP growth by 0.5% and 2012 growth by 0.2 percentage points. This would mean that the jobs created by the end of 2011 and 700,000 fewer jobs by the end of 2012.

A government shutdown lasting longer than a couple of weeks would do much more damage to the economy.

Lawmakers are likely to split the difference on this issue, but there’s a chance the House and Senate will be able to manage through it. A shutdown would send an encouraging signal about the more serious budget battles to come.

The political war is intensifying over the federal budget. Lawmakers are at loggerheads over how to cut government spending, raising prospects that government services will fall short of what the public deems necessary. Significant government spending restraint is vital, but given the economy’s halting recovery, it would be counterproductive to cut back on spending when the U.S. is creating enough jobs to lower the unemployment rate. Shutting the government for long would put the recovery at risk, not only in terms of public services but also because of the potential damage to consumer, business and investor confidence.

THE NEAR-TERM FIGHT OVER FUNDING

Washington’s most immediate battle is over near-term government spending. The catalyst is the chance of a federal shutdown March 4, when current funding will run out. The Obama administration’s recently unveiled budget plan calls for significant spending restraint through the remainder of this fiscal year, but House Republicans want even greater cuts. Their proposal would cut spending by about $100 billion more than in the administration’s plan and would put spending at $600 billion — 5% lower than projected levels.

It is laudable that policymakers are focused on reining in government spending. Much greater cuts will be needed, along with tax restraint, to address the nation’s daunting long-term fiscal challenges. Even under the most optimistic assumptions, the current fiscal year’s deficit will exceed $1.3 trillion, and unless the economy continues to improve as anticipated, and there are no significant policy changes, the deficit will shrink over the next few years, settling in around 3% of GDP. This is the so-called structural budget deficit. Left alone, it will cause interest payments on the nation’s debt to balloon, pushing the economy into a fiscal crisis. Policymakers will eventually need to cut annual spending and/or raise taxes to shrink the deficit by $400 billion, bringing it down to a sustainable level at no more than 2.5% of GDP.

TOO MUCH CUTTING TOO SOON

While long-term government spending restraint is vital, and laying out a credible path toward that restraint very desirable, too much cutting too soon would have a counterproductive effect. The economy is much improved and should continue to gain traction, but the coast is not clear; it won’t be until business confidence has recovered enough to stop being meaningfully lower the still-high unemployment rate. The economy is adding between 100,000 and 150,000 per month—but it must add closer to 200,000 jobs per month before we can say the economy is truly expanding again. Imposing additional government spending cuts before has happened, as House Republicans want, would be taking an unnecessary chance with the recovery.

This is particularly true given the added threat presented by rising oil prices. Unrest in the Middle East has pushed up the price of crude oil by about $10 per barrel; West Texas Intermediate is selling for almost $100 per barrel, and a gallon of regular unleaded gasoline has risen to about $3.25 nationwide. If sustained, these prices will shave about 0.2% from real GDP growth in 2011, a disappointing but manageable outcome. If oil prices approach $125 barrel, and gasoline reaches $4 per gallon, growth will slow sharply and unemployment will begin rising again. In all likelihood, the output gap to their all-time high near $150 per barrel for oil and $4.50 per gallon for gasoline, the economy would sink back into recession. Such a price spike would bring a wide range of negative events in the Middle East with any precision. A shutdown that lasted into April would be a problem, however. Not only would this drastically reduce the range of negative events and significantly cut the output of government workers, but the hit to confidence...
A12

if the compromise is reached relatively quickly and House Republican proposals, with the threat improves chances that policymakers would suffer severe harm. Interest rates would go up, the very seriousness of the short run, the greater the fallout on financial markets and the economy. Global investors who own Treasury debt will receive less interest (and therefore less return) on their investments. This means that while yields rise, the cost of funding for the federal government increases. Treasury will bond in a higher interest rate environment. As the bond matures, the government will have to pay larger interest payments. The government's near-term financing needs, the current fiscal year will be nearly half the current fiscal year's balance. The longer Congress takes to raise the ceiling, the greater the impact on federal fiscal policy. The related risk of a temporary federal shutdown could also lead to a government shutdown in the first quarter of FY2011. The related risk of a temporary federal government shutdown could also lead to a government shutdown in the first quarter of FY2011.

1. Even more disconcerting would be a shutdown lasting more than a week, particularly toward the end of the quarter, could be more serious. Consumer, business and investor sentiment appeared to have neutralized funding cuts to the second half of FY2011. While these dark scenarios highlight the threat of a serious policy misstep in the current fiscal year, the zero-sum nature of the debate over state employee compensation and the related issue of state fiscal policy, we expect discretionary spending to be cut

2. The spending cut package that passed the House of Representatives would have had a larger impact on employment. The spending cut package that passed the House of Representatives would have had a larger impact on employment. The spending cut package that passed the House of Representatives would have had a larger impact on employment. The spending cut package that passed the House of Representatives would have had a larger impact on employment.

3. A shutdown lasting more than a week or two could be serious. Consumer, business and investor sentiment appeared to have neutralized funding cuts to the second half of FY2011. While these dark scenarios highlight the threat of a serious policy misstep in the current fiscal year, the zero-sum nature of the debate over state employee compensation and the related issue of state fiscal policy, we expect discretionary spending to be cut

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Parliamentary Inquiry

Mr. ELLISON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIR. The gentleman from New York had yielded back all of his time.

Mr. ELLISON. Does the author of the amendment need to be on the floor for his amendment?

The CHAIR. The gentleman from New York had yielded back all of his time.

Mr. ELLISON. So what is the answer to the question? Is that “no”?
Mr. ELLISON. Mr. Chairman, I would say that his dissenting views are dissenting from the dissenting views of financial services. Mr. FRANK and his staff. $7,500 is what they claim. The Treasury Department claims $20,000.

My colleague also said that this is a little program. That’s absolutely absurd. This is a $29.5 billion program of our taxpayer dollars. But you know, I think he needs to understand something, and my colleague needs to understand what this program is actually doing to people.

You ask my constituent from Hickory, North Carolina Mr. QUIGLEY’s amendment for each modification. We’ve been in the HAMP program since February of 2010 and still have no answer. We’re being charged late fees, and we’ve been reported to the credit bureau. We’ve been in underwater since April and on trial payments for 6 months, which is only supposed to have been 3 months. We’ve not received an answer.

Another constituent from Stanley said, We’ve paid payments every month, but now we’re being told we’re behind in payments because it was not the original monthly amount on our original loan, but it’s the amount we were told to pay in 2010. How can we be behind?

I’ve heard from constituents that tell the same story. It is reduced monthly trial payments. They’ve been rejected due to eligibility issues or lost documentation. By payments being reduced in the trial payment period, they’ve ended up defaulting on their mortgage. This is a Federal program that’s actively harming them.

I would ask my colleague to look at the substance of the facts of this program and admit it’s been a failure and vote to repeal and end this program.

I reserve the balance of my time.

Mr. MCHENRY. I would say that his dissenting views are dissenting from the dissenting views of financial services. Mr. FRANK and his staff. $7,500 is what they claim. The Treasury Department claims $20,000.

My colleague also said that this is a little program. That’s absolutely absurd. This is a $29.5 billion program of our taxpayer dollars. But you know, I think he needs to understand something, and my colleague needs to understand what this program is actually doing to people.

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Another constituent from Stanley said, We’ve paid payments every month, but now we’re being told we’re behind in payments because it was not the original monthly amount on our original loan, but it’s the amount we were told to pay in 2010. How can we be behind?

I’ve heard from constituents that tell the same story. It is reduced monthly trial payments. They’ve been rejected due to eligibility issues or lost documentation. By payments being reduced in the trial payment period, they’ve ended up defaulting on their mortgage. This is a Federal program that’s actively harming them.

I would ask my colleague to look at the substance of the facts of this program and admit it’s been a failure and vote to repeal and end this program.

I reserve the balance of my time.

Mr. MCHENRY. I would say that his dissenting views are dissenting from the dissenting views of financial services. Mr. FRANK and his staff. $7,500 is what they claim. The Treasury Department claims $20,000.

My colleague also said that this is a little program. That’s absolutely absurd. This is a $29.5 billion program of our taxpayer dollars. But you know, I think he needs to understand something, and my colleague needs to understand what this program is actually doing to people.

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Mr. ELLISON. Mr. Chairman, I would say that his dissenting views are dissenting from the dissenting views of financial services. Mr. FRANK and his staff. $7,500 is what they claim. The Treasury Department claims $20,000.

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I would ask my colleague to look at the substance of the facts of this program and admit it’s been a failure and vote to repeal and end this program.

I reserve the balance of my time.
Mr. MCHENRY. I would say, Mr. Chairman, I have an amendment made in order under the Republican control, we have not regulated the financial system in which, under Republican majority, we have not regulated the markets, have not pursued consumer protection. And under Republican majority, we have not regulated foreclosures, the biggest issue at work here. We're talking about a system in which, under Republican control, we have not regulated the housing industry, the biggest issue at work here.

I would encourage my colleagues to understand that when government taxes more and spends more, it crowds out private sector job creation and growth. We're about growing jobs in this Congress, and I urge my colleagues to get on board.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON). The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. CANSECO

The CHAIR. The Chair designates Amendment No. 3 printed in part A of House Report 112–34. The text of the amendment is as follows:

Page 5, after line 3, insert the following new paragraph:

"(A) USE OF UNOBLIGATED FUNDS.—Notwithstanding any other provision of this title, the amounts described in subparagraph (B) shall not be available after the date of the enactment of this subsection for obligation or expenditure under the Home Affordable Modification Program of the Secretary, but should be paid into the general fund of the Treasury and should be used only for reducing the budget deficit of the Federal Government.

(B) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

(1) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

(2) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection."

The Chair recognizes the gentleman from Texas (Mr. CANSECO) and a Member opposed each will control 5 minutes.

The CHAIR. Pursuant to House Resolution 170, the gentleman from Texas (Mr. CANSECO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CANSECO. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 3, insert the following new paragraph:

"(5) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

(1) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

(2) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection."
over and over again their concerns of our exploding national debt.

Speaking with one constituent, who is a grandparent constituent that I spoke to, Will and Debbie Brenson, are most concerned about their grandchildren. Katlin and Taylor, what kind of a country are they going to inherit, certainly, not with the opportunities that they had to build their small business in Fair Oaks, Texas.

If we don’t change course, we will be guilty of committing an intergenerational theft, the likes of which no country has ever seen. We’ll be the first generation of Americans to ever leave the next generation with a diminished future.

My colleagues on the other side of the aisle often feel that only government can steer our economy on the right course, but we now know just how wrong that argument is. Unemployment is at an unacceptable 8.9 percent, and over 13 million Americans remain unemployed.

We are on track for our third straight $1 trillion deficit, and we don’t have a plan for it. We have to put an end to wasteful spending, and we must reduce the debt for future generations.

Mr. MCMINN’s bill, and my amendment, with them we will stop wasting taxpayer dollars on failing programs and ensure that any savings from termination are not recycled into yet another program. The savings will go towards paying down our country’s exploding debt.

I urge passage of my amendment. I yield back the balance of my time.

Mr. FRANK of Massachusetts. The CHAIR. The gentleman from Massachusetts. Has the gentleman from Texas?

Mr. CANSECO. Are you in favor of the amendment or opposed to the amendment?

Mr. FRANK of Massachusetts. I am indifferent. Well, I’m against the amendment. I take it back. I am against the amendment because I had to be against the amendment to get the time to speak. So I am against the amendment.

But I’m not against the amendment on substantive grounds. I am against it on aesthetic grounds. I hate to clutter things up with an amendment that doesn’t do anything.

Well, let me go back to the substance. The substance is that we have a false claim that this is because of the taxpayers, when the TARP will make sure that it doesn’t come out of the taxpayers, the TARP.

And Members who vote to send money, $1.2 billion, to build up the security forces of Iraq, please don’t have them tell me, Mr. Chairman, that they’re for efficient spending. The security forces in Iraq.

How about Afghan infrastructure? The majority voted to send money to Afghanistan for infrastructure. There is a great mark of efficiency.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CANSECO).

The amendment was agreed to.

Amendment No. 4 offered by Mr. MILLER of North Carolina.

The CHAIR. The amendment was agreed to.

Amendment No. 4 printed in part A of House Report 112-34.

Mr. MILLER of North Carolina. Mr. MILLER of North Carolina. Mr. CHAIR, I seek to offer the amendment as the designee of Mr. INSLEE of Washington.

The CHAIR. The Clerk will designate the amendment.
The text of the amendment is as follows:

Page 5, line 6, before the period insert "‘METHODS OF PROGRAM, AND REPLACEMENT PROGRAM’.

Page 5, line 8, before ‘determine’ insert ‘(I)’.

Page 5, line 9, after ‘by’ insert ‘homeowners meeting the criteria under the terms of such eligibility and for assistance under such Program, the effectiveness of such Program, and the impact of such Program on such eligible homeowners, including the extent of usage by’.

Page 5, line 11, before the period insert the following: ‘(ii) identify improvements to the Program and best practices under the Program to determine the need, and appropriate guidelines and standards, for a mortgage modification program of the Secretary to replace the Home Affordable Modification Program that is (I) based on the guidelines and standards for such Program, with appropriate improvements as identified by the study, and (II) available to homeowners who meet the criteria under the terms of such Program for eligibility for assistance under such Program’.

Page 5, lines 16 and 17, strike ‘paragraph (I)’ and insert the following: ‘subsection (A), identifying the improvements to and best practices under the Home Affordable Modification Program identified pursuant to the study with the Secretary, to determine the need, and appropriate guidelines and standards for, the mortgage insurance program determined pursuant to the study’.

Page 5, line 21, before the period insert the following: ‘and to the mortgage insurance program identified and described pursuant to subparagraph (B)’.

Page 6, after line 12, insert the following: ‘(D) IMPLEMENTATION.—Upon the expiration of the 60-day period beginning upon the submission to the Congress of the report required under subparagraph (B), the Secretary shall, to the extent that amounts for such purpose are provided in advance in appropriations Acts, implement the mortgage insurance program described in such report pursuant to subparagraph (A)(ii) through issuance of appropriate guidelines and standards as are in the report.’.

The CHAIR. Pursuant to House Resolution 170, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, first I want to assure the gentleman from Texas that if he’s worried about the debt burden that children being born today face, with respect to this program, unless one of those children has a job on Wall Street within the next two years, like the talking baby in the ETrade ads, they really are not going to have to pay for this program. This program is going to come from the financial sector.

Now, many people have criticized the TARP program; yes, a lot of people have criticized the program.

Unlike Republicans, a lot of us have been trying to figure out a way to make it work. I have offered several suggestions.

I have criticized it continuously for 2 years and said what we should be doing instead, and on what we should be doing instead there has been a deafening silence from Republicans. We know we have to do something. The foreclosures and the drop in home values are grinding down the middle class. The value they have in their home, the equity they have in their home is the bulk of their life savings. So when their home goes down in value, their life savings go away. We have got to get control of this. We know we can make something work because we have the tools. One of the most successful programs in the New Deal got control of the foreclosure crisis then, and the Federal Government made a profit from the program.

And there is reason to think that the talk will be made into real enforceable rules soon. There are settlement talks pending on enforcement action by States Attorney Generals and by the Federal agencies for the violations of law by the biggest banks that handled most of these mortgages, which Republicans have favored; and there are rules in the offing from the CFPB, the Consumer Financial Protection Bureau, which have also proposed, something that really will make this work.

Mr. Inslee’s amendment is much the same. It requires a pullback, a hard look at the program and what will make it work, what are the guidelines that need to make it work, what are the standards that need to make it work, and immediately requires that such suggested changes be implemented in the program.

I urge adoption of the amendment.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

Mr. MCHENRY. I would say that you read a quote from the Special Inspector General from TARP, Mr. Barofsky: ‘The basic idea of a well-run government program is to have clear goals, have a plan to meet those goals, measure progress along the way against those goals, change the program when necessary so you can still achieve those goals. But this is how the TARP has been implemented and, in particular, this program within TARP: set goals. Ignored. Then we estimate costs. When the best is different, change your goals and say you never really meant it when you had those goals. Pretend that the program is a success, even though it is not meeting these goals.’

That is Mr. Barofsky’s analysis of Treasury’s implementation. I would ask my colleague, if that is in keeping with his expectations for a new government program, then, I would submit, that is what they will come up with.

The Treasury has defended TARP and defended HAMP, and in particular HAMP, which has been roundly criticized even by La Raza, which has been a tried and true liberal activist for a long time. But Treasury has been defending it. Why? I’m not sure. But instead of reforming the program, instead of fixing the program, they refuse to do it; and so we must end it.

I yield back the balance of my time.

The CHAIR. The gentleman from North Carolina (Mr. MILLER). I ask my colleague, if that is in keeping with his expectations for a new government program, then, I would submit, that is what they will come up with.

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. WATERS

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112-34.

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 2, strike the last closing quotation marks and the last period.

Page 7, after line 2, add the following: ‘(D) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this subsection, the Secretary of the Treasury shall inform each individual who applied for the Home Affordable Modification Program and will not be considered for a modification under such Program due to termination of such Program, in writing, that:

(i) that such Program has been terminated;

(ii) that loan modifications under such Program are no longer available;

(iii) of the name and contact information of such individual’s Member of Congress; and

(iv) that the individual should contact his or her Member of Congress if the individual in contacting the individual’s lender or servicer for the purpose of negotiating or acquiring a loan modification.”.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.
Ms. WATERS. Mr. Chairman, I rise in strong support of my amendment, which is a commonsense provision that provides transparency and clarity for distressed homeowners.

My amendment would require the Secretary of the Treasury to send a letter to HAMP applicants that they will not be considered for a modification due to termination of the program, and that they can contact their Member of Congress for assistance in negotiating with or acquiring a loan modification from the banks. Many of them have just begun to learn about the loan modification program, the HAMP program, and all of a sudden are pulled out under them if this amendment prevails.

I raise this amendment because my friends on the opposite side of the aisle have the majority in the House, and they will probably prevail on this amendment; but I think that we have a responsibility to say to our constituents what we are doing and what we are not doing.

Many of them have just begun to learn about the loan modification program, the HAMP program, and all of a sudden are pulled out under them if this amendment prevails and it passes on the opposite side of the aisle and in the Senate, et cetera; and the constituents need to know exactly what we have done.

Now Mr. McHENRY on this amendment and we worked out some language that he thought was fair, and I believe we do have his support. That is not to say that I support the bill because I don't support this amendment. But I support this bill that would literally dismantle the HAMP program.

Yes, there are criticisms about this program. I and others would have liked for it to have been broader, for it to have helped more people. But don't forget, over 600,000 people have been helped. I know the target was 3 million to 4 million people, and we certainly haven't come close to that.

But to do away with this program would have American taxpayers who have gotten into loans, oftentimes tricked into these loans, misled into these loans by the loan initiators, the banks and the mortgage companies that told them that they could help them get a mortgage even though these were exotic products, these were teaser loans, these were no doc loans, these were loans that were going to reset and cause the taxpayer to be in a loan that they could not afford.

Many of the people trying to live the American Dream signed on the dotted line. And also there was a lot of fraud involved where some of these loan initiators signed on the dotted line for the homeowner or the would-be homeowner. And as we have this crisis, this sub-prime crisis that we have been going through, and there is a lot of misery out there, people who were just trying to own a home who now find themselves in foreclosure.

The banks were not helping with loan modifications, so they had to come up with something. The administration came up with the HAMP program. It is a voluntary program. But they signed on to these agreements with the banks to say that they would do loan modifications under certain conditions. And the administration had to do this because the banks were not helping out the homeowners. As a matter of fact, the banks said: Well, we don't have anything to do with this anymore. It is up to the servicers.

What a lot of people don't know is who is the servicer. The servicer is simply in most cases a company that is owned by the bank. They own their own servicing departments, which means that once the mortgage is signed on by the homeowner, they now give it to this other company that they own, these servicers; and the servicers have the responsibility for collecting on the mortgage, for collecting on late fees, for collecting on attorney fees, and for doing loan modifications. But the homeowners couldn't get to them. HAMP is supposed to help them get to them.

These servicers have gotten away with being unregulated for all of these years. As a matter of fact, there are no standards for servicers. If you call one bank, they will send you to their loss mitigation department. What they don't tell you, banks such as Bank of America, that loss mitigation is an offshore operation. You may be talking to somebody in India who has got this little cookie-cutter sheet which says: How much money do you make? How many times have you been late on your payments? And they tell you how not to give you a loan modification, but maybe to give you a few months to catch up. But loss mitigation means a lot of different things in all of these different banks, if you are lucky enough to get to the servicer.

The CHAIR. The time of the gentlewoman has expired.

Ms. WATERS. I would just simply ask for support for transparency and support to keep this program going.

Mrs. BIGGERT. I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

Ms. WATERS. Mrs. BIGGERT. I just have a question for the sponsor of this amendment. You have had several amendments in several of these bills, and I wanted to make sure this is the same as what you and Mr. McHENRY agreed to.

Ms. WATERS. Yes, this is absolutely the same thing as we worked on with Mr. McHENRY, where our constituents would be notified and have an opportunity.

Mrs. BIGGERT. Reclaiming my time. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS). The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 6, printed in part A of House Report 112-34. Ms. JACKSON LEE of Texas, Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 3. STUDY.

(a) IN GENERAL.—Not later than the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall begin a study to identify what aspects of the Home Affordable Modification Program were successful and most effectively carried out the original purpose of the Program.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

Ms. JACKSON LEE of Texas. I thank the chairwoman very much, and I thank my colleagues very much.

Ms. WATERS. As we come to the floor of the House, I know that Members on both sides of the aisle are committed to knowing the facts. We want to know the facts when we go to town hall meetings when our constituents pose very deliberative questions. We want to give them numbers. We want to be able to reason with them. And one of the deliberative aspects of legislation is that you fix it; you don't end it.

Today I rise to ask my colleagues to support my amendment, an amendment that I think makes common sense. It is an amendment that thoughtful Members can support. It is an amendment that, whether you are Republican or Democrat, you want to know what works.

My amendment would call on the Secretary of the Treasury to commission a study that would identify what aspects of the HAMP program were successful and effectively carried out the original purpose of the program. It would then require the Secretary to issue a report to Congress containing all findings and determinations of the
study and legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

We must today thank the administration for recognizing that people were literally on their knees. There is no doubt that we have different philosophies. My friends on the other side of the aisle, they keep talking about the deficit and the depressing aspect of the $1 trillion debt. With the modification, you are investing in order to grow the economy. When you grow the economy, you have the ability to pay down on your debt; you have the ability to address the question of the debt ceiling. So my question is: Why wouldn’t you want to know the best practices?

Let me give you some of the myths that have been presented. One suggestion is that this legislation that we have before us to end the HAMP program would save another $50 billion from going to one of these programs. That is inaccurate. The repeal of this program will, in essence, save only $1.437 billion. That is all that it will save. But, more importantly, what you will do is throw homeowners into the streets when the major asset for Americans, middle class, hardworking Americans, is their home. Let’s find out the best practices and make this work.

The monthly rate of new loan approvals would have to triple in order to approximate the amount cited by the chairman of this committee, suggesting $30 billion. Actually, we expect the rates are, instead, likely to modestly decline. So you are not going to have that much savings and it is not going to, in essence, blow up with so many people using it that you are going to use this amount of money.

One Republican has suggested that the program goes to private lenders. Well, for every dollar that the HAMP program has paid out, homeowners have received from lenders $5 in reduced mortgage payments. Most of the program funds do not go to lenders but go directly to homeowners as incentives on the on-time mortgage payments. It is giving individuals a leg up.

It is interesting that we would not want to focus on the best practices when, if you look at this map, you will see the map has not yet crumbled. If we have faced with the painful reality of losing their home, Americans struggling to find work will still be faced with the painful reality of losing their home. However, without the $47 billion associated with the amendment.

Parliamentarian ruled that the amendment is germane.

Congressional Budget Office, CBO, found that there is no cost associated with my amendment.

If the HAMP program is terminated, we will still be left to deal with the problem of foreclosed homes in a recovering, yet very fragile, housing market. With the unemployment rate still hovering at an uncomfortably high rate, Americans are still dealing with difficulties of making ends meet. Although our economy is slowly but surely on the path to recovery, Americans struggling to find work will be faced with the painful reality of losing their home, however, without an avenue for assistance with refinancing.

To avoid another slump in the housing market, and to avoid dealing yet another blow to our fragile economy, if H.R. 839 becomes law, it will be necessary for us to consider a new mortgage refinance and modification program in the future to prevent stalling the recovery of the housing market, or even worse, allowing it to crumble once again. If that day were to come, it would be most useful to have firm facts and strong statistics about what methods are proven to be most effective in solving the problems associated with high foreclosure rates and ensuring that home loan modifications are both permanent and successful.

The HAMP program was put in place by the Obama Administration in 2009 with the intent to modify mortgage loans in order that distressed borrowers might have a better chance at making payments and holding onto their homes. The program has successfully modified over 500,000 million mortgages to prevent foreclosure and keep homeowners in their homes. While well intentioned HAMP program has encountered some difficulties—not yet reaching the goal set by the Obama Administration of helping 3 to 4 million homeowners.

Nonetheless, the program has effectively helped a number of homeowners with successful loan modifications that allowed them to keep their homes. To date, there are 539,493 homeowners with permanent HAMP loan modifications.

New permanent HAMP modifications have averaged around 29,000 per month over the last six months of 2010. Therefore, assuming a modestly declining rate from this, a reasonable estimate is that program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on this estimate, the bill would deny modifications to more than a half million homeowners at risk of foreclosure.

This is a sign, that despite its problems, there are some positive and effective aspects of the HAMP program that should be considered when we look to replace the HAMP program if H.R. 839 is passed terminating this program. My amendment would call for a detailed study that would highlight these best practices, while also ensuring that those aspects of the program that may have hampered its initial success are not repeated.

There are a number of reasons the program has not met the original Obama Administration goal of helping 3 to 4 million homeowners,
some of which are actually sound and appropriate aspects of the program. HAMP appropriately excludes different categories of borrowers—including investors, owners of second homes, homeowners whose mortgages are unsustainable even with HAMP assistance, and homeowners that can pay their mortgage without such government assistance. These particular categories of borrowers are either unlikely to refinance successfully, or are not those who the HAMP program originally intended to help—those bar rowers who are in dire need of assistance to keep from losing their home. Another reason the HAMP program has not reached its desired goal is because banks and other mortgage servicers were understaffed and unprepared to carry out loan modifications—resulting in widespread complaints about lost files, non-responsiveness, etc. Furthermore, legally, mortgage holders can not be forced to reduce mortgage payments. Programs have had to be voluntary, incentivizing lenders to reduce mortgage payments in lieu of foreclosing on the loan.

One of the more fundamental flaws in the HAMP Program was that it does not take certain circumstances into consideration. For instance, the program does not account for second mortgages than many homeowners may have on their property. As a result, some homeowners have ended up paying more than they originally owed, an outrageous thought considering the intended goal of the program. The study and report that would result from my amendment would bring these types of issues to light to ensure that a new program would better achieve the goals set by the Obama Administration.

Temporary Modifications—There were many temporary modifications that did not result in permanent modifications but . . . the Obama Administration says 50 percent of those who got temp modifications received permanent modifications in the private market (so this means HAMP temporary modifications did in fact help homeowners)

These types of strengths and weaknesses are invaluable pieces of information. My amendment would help ensure that Congress would be privy to an official report containing this information and determinations from those experts who have worked most closely with the HAMP program since its inception.

With that, Mr. Chair, I ask that this committee strongly consider accepting my amendment. Thank you again for the opportunity to testify.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. Mr. MCHENRY. Mr. Chairman, I am not sure what my colleague from Texas has heard at her town hall meetings, but what I heard from my constituents, I have one resident of Stanley, North Carolina, who said, “We have paid payments every month.” Now, I say to my colleague, I have read this before, but I wasn’t sure if you were on the floor for this. But one constituent said, “We have paid payments every month. But now we are being told we are behind in our payments because it is not the original monthly payment on our original loan, but it was an amount we were told to pay in 2010. How can we be behind?”

I would ask my colleagues to read the Special Inspector General’s report, “The Details of Failures of HAMP.” I ask my colleagues to listen to their constituents. More people in America, I would remind my colleagues, more people in America, close to 800,000 Americans, have been actively harmed and left worse off under this Federal program than has been helped. My colleague points to a laudable survey of the positives. The survey doesn’t detail the destroyed lives that this HAMP program has pushed on people, has created.

So, this amendment, the reason why I rise in opposition is because this amendment is similar to ones we have had in committee that we rejected in committee. This directs the Treasury to conduct a study of HAMP and would be completely counterproductive. The reason why it would be completely counterproductive is over the last 6 months we have seen the Treasury Department engage in a frantic 6-month media campaign for this program. They won’t admit it is a failure; although, the rest of the world is largely saying it is a failure. They even have offered a veto threat on this legislation.

The Special Inspector General, Mr. Barofsky, said just earlier this week, “This Treasury Department is so contempt with the pretended, shameful status quo, they refuse to even acknowledge that the program is a failure.” And that is why simply to offer the Treasury to study this really is beneath the House.

I yield back the balance of my time.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment are concluded. The question was taken; and the amendment was rejected.

Mr. Chairman, I rise today to offer an amendment to H.R. 839, the HAMP Termination Act, that calls on mortgage servicers to continue to publicly report basic home loan modification information.

Because of an amendment I offered to the Dodd-Frank Wall Street Reform and Consumer Protection Act which passed the house unanimously last Congress, mortgage lenders and services participating in the Home Affordable Modification Program are required to report basic loan modification information to the Department of the Treasury. Due to the enactment of my amendment, we now know that 25 million Americans have applied to participate in the Home Affordable Modification Program, and well over 600,000 of those applicants began permanent modifications.

In the Sacramento region, over 9,000 of the nearly 12,000 homeowners who have applied for permanent modifications have been approved, providing assistance to thousands of homeowners in my district. This information is crucial to accountability and transparency for this Congress to measure the performance of the mortgage industry.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 3. CONTINUOUS REPORTING ON MORTGAGE MODIFICATIONS.

Section 110 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5220) is amended by adding at the end the following new subsection:

“(c) (A) The number of requests for mortgage modifications that the servicer or lender has received.

(B) The number of requests for mortgage modifications that the servicer or lender has processed.

(C) The number of requests for mortgage modifications that the servicer or lender has approved.

(D) The number of requests for mortgage modifications that the servicer or lender has denied.

(E) REPORT TO THE CONGRESS.—At the time a mortgage servicer or mortgage lender discloses information pursuant to paragraph (1), such servicer or lender shall also issue a report to the Congress containing such information.

(F) RULEMAKING.—The Secretary of the Treasury shall issue such regulations as may be necessary to carry out this subsection, including regulations for the protection of the privacy interest of those individuals seeking mortgage modifications with the servicer or lender, including the deletion or alteration of the applicant’s name and identification number.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. MASTUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MASTUI. I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to H.R. 839, the HAMP Termination Act, that calls on mortgage servicers to continue to publicly report basic home loan modification information.

Because of an amendment I offered to the Dodd-Frank Wall Street Reform and Consumer Protection Act which passed the house unanimously last Congress, mortgage lenders and services participating in the Home Affordable Modification Program are required to report basic loan modification information to the Department of the Treasury. Due to the enactment of my amendment, we now know that 2.5 million Americans have applied to participate in the Home Affordable Modification Program, and well over 600,000 of those applicants began permanent modifications.

In the Sacramento region, over 9,000 of the nearly 12,000 homeowners who have applied for permanent modifications have been approved, providing assistance to thousands of homeowners in my district. This information is crucial to accountability and transparency for this Congress to measure the performance of the mortgage industry.
The amendment I offer today requires the same basic home loan modification reporting to continue, such as the number of applications they receive, the number of applications processed, or the number of modifications they approve or deny.

In its current form, H.R. 839 would eliminate HAMP, and, as a result, financial institutions who received HAMP taxpayer funds would no longer be obligated to continue reporting such basic information to the public.

Mr. MCHENRY. The foreclosure crisis was the root cause of the dire economic situation. It led to the near collapse of our financial system, increased unemployment, and caused the housing and credit crisis. Sadly, there are still millions of American homeowners facing foreclosure, and my home district of Sacramento, California, has been hit especially hard by this crisis.

During the last few years, I have been to foreclosure workshops in my district, where constituents who are facing losing their home. I was recently contacted by Joan, a constituent of mine who would have lost her house without assistance from HAMP. Joan paid her bills on time and made a payment on her mortgage when her son was diagnosed with a psychiatric disorder that rendered him unable to work. When her adult son moved in with her shortly after, Joan was no longer able to provide for him and make her mortgage payments at the same time and sought assistance. With proper assistance, Joan received a low interest rate HAMP loan and now is able once again to make her mortgage payments on time.

Joan shared with me that her home was saved due to the HAMP program and that her son would have been homeless without it. She said, “I have no words to express my feelings of gratitude for my loan modification.”

Mr. Chairman, I, too, have heard a significant number of similar stories in Sacramento. It is essential that we require lenders to continue to report their loan modification activities. We need to know how many Joans are out there struggling but seeking assistance. We need to know whether lenders are doing all they can.

Mr. Chairman, this amendment will ensure a level of transparency and accountability that we are seeking. I urge my colleagues to support this important amendment. I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. I appreciate the gentlelady offering this amendment. Unfortunately, I must rise in opposition to it.

The requirements in this amendment are both cumbersome and unnecessary. It requires servicers and lenders to provide information regarding proprietary information on their entire portfolio of loans, not just HAMP. The reporting requirement for quote, requests for modifications is undefined in the amendment and is, therefore, unworkable based on the research that we have done.

It’s unclear why this new role is necessary in the contractual negotiations between private citizens and private companies. Furthermore, servicers already provide results of their modifications efforts to the HOPE NOW Alliance as well as in their annual reports without using proprietary information. In fact, the HOPE NOW Alliance reports servicers having completed 961,355 proprietary modifications in 2008; 1,172,490 proprietary modifications in 2009; and 1.2 million in 2010.

Now I might add, this is many multiples in the private sector in terms of mortgage modifications than have been provided under the HAMP government funded program that we’re discussing here today and trying to eliminate here today. Requiri that has hurt just shy of 800,000 Americans, destroyed their credit, taken their savings and, at the end of the day, taken their homes. I would encourage my colleagues to vote against this amendment.

I reserve the balance of my time.

Ms. MATSUI. I yield myself the balance of my time.

Mr. Chairman, I just want to say that these basic reporting requirements are not just HAMP. Every financial institution receiving HAMP funds from the TARP program is currently required to report this information today.

The current industry reporting requirements have played a significant role in providing a sense of transparency and accountability, and that’s what we’re talking about, transparency and accountability in our efforts to help homeowners and stabilize our housing market. Requiring basic information to be reported will provide this Congress with the information to make future decisions on loan modification programs as well as monitor the performance of the mortgage industry.

Mr. Chairman, I ask my colleagues to join me in supporting this important amendment to bring clarity and transparency to the mortgage industry.

I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, in closing, I urge my colleagues to vote “no” on this amendment. The reporting requirements my colleague references are required by the servicers that are participating in HAMP, and they are required to disclose the information related to the Federal program, HAMP.

This amendment goes much further and requires these servicers to disclose hundreds of thousands of other modifications that are in the private sector. We know the aggregate number. What is being requested here is detailed information that is not correct for personal privacy and is not proper in keeping with the hundreds of thousands of private transactions going on across this country.

I urge my colleagues to vote “no.” I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlelady from California [Ms. Matsu].

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112–34.

Mr. MALONEY. Mr. Chairman, I have an amendment at the desk made in order under the rule. The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 3. FINDINGS.

The Congress finds the following:

(1) As of January 2011, active trials and permanent Home Affordable Modification Program (HAMP) modifications had been initiated in all 50 States and the District of Columbia, including:

(A) 4696 active trials and permanent HAMP modifications in Alabama;
(B) 291 active trials and permanent HAMP modifications in Alaska;
(C) 32159 active trials and permanent HAMP modifications in Arizona;
(D) 1527 active trials and permanent HAMP modifications in Arkansas;
(E) 161181 active trials and permanent HAMP modifications in California;
(F) 9349 active trials and permanent HAMP modifications in Colorado;
(G) 8604 active trials and permanent HAMP modifications in Connecticut;
(H) 1196 active trials and permanent HAMP modifications in the District of Columbia;
(I) 2130 active trials and permanent HAMP modifications in Delaware;
(J) 32230 active trials and permanent HAMP modifications in Florida;
(K) 25120 active trials and permanent HAMP modifications in Georgia;
(L) 2656 active trials and permanent HAMP modifications in Hawaii;
(M) 2640 active trials and permanent HAMP modifications in Idaho;
(N) 3997 active trials and permanent HAMP modifications in Illinois;
(O) 6785 active trials and permanent HAMP modifications in Indiana;
(P) 1761 active trials and permanent HAMP modifications in Iowa;
(Q) 1639 active trials and permanent HAMP modifications in Kansas;
(R) 2222 active trials and permanent HAMP modifications in Kentucky;
(S) 3974 active trials and permanent HAMP modifications in Louisiana;
(T) 1925 active trials and permanent HAMP modifications in Maine;
(U) 22028 active trials and permanent HAMP modifications in Maryland;
(V) 1709 active trials and permanent HAMP modifications in Massachusetts;
(W) 22716 active trials and permanent HAMP modifications in Michigan;
(X) 1208 active trials and permanent HAMP modifications in Minnesota;
(Y) 2641 active trials and permanent HAMP modifications in Mississippi;
(Z) 7284 active trials and permanent HAMP modifications in Missouri;
(AA) 764 active trials and permanent HAMP modifications in Montana;
(AA) 917 active trials and permanent HAMP modifications in Nebraska;
(CC) 17860 active trials and permanent HAMP modifications in Nevada;

H2014 CONGRESSIONAL RECORD — HOUSE March 29, 2011
Mr. CHAIR. Pursuant to House Resolution 170, the gentleman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mrs. MALONEY. Mr. Chair, for everyone that cares about the issues of poverty, housing, economic growth, and about our nation’s future, the last couple of weeks have brought some troubling news. Wednesday came the news that purchases of new U.S. homes declined last month to the slowest pace on record, and new home prices dropped to the lowest level since December 2003. And yet over the past 2 weeks, House Republicans have said with their votes again and again that their policy to help homeowners is to just give up; to throw in the towel and to say that there’s just nothing that Congress can do or should do to address the problem to help struggling American families. They have already voted to terminate three Federal programs that help Americans who are struggling to stay in their homes. And now we are considering yet another one that has helped more than 32,000 New Yorkers stay in their homes—over 600,000 across our great country.

What bothers me is that they are leading the effort to eliminate these programs, voting against them, and yet they have no plans of their own to address the foreclosure crisis that is hurting neighborhoods and disrupting lives throughout our country, like the jobs bills they said they would have. We have yet to see them. The only initiative to help housing is to eliminate the programs that are already there.

The HAMP program has been successful in helping, as I said, over 600,000, and with over 30,000 mortgages modified each month nationally, HAMP is continuing to provide relief to struggling families across this country. My amendment will add findings to the bill with the number of trial and permanent modifications stated under the HAMP program. The findings will also state the number of seriously delinquent mortgages in the U.S. that may be eligible for HAMP modifications but won’t be because the program is being terminated. I believe it is important for the public to understand State by State the number of mortgages—the number of families—who their home is still being protected through the HAMP program. Families are saving an average of over $500 per month on their mortgage payments. This amounts to nearly $5 billion in savings since the program started. These are real families and real savings. If our friends who have proposed to terminate this program think they are doing them a favor, they should think about the number of people in these States who have benefited from HAMP and are now saving money every single month. They should also think about the number of seriously delinquent mortgages out there that are on the verge of foreclosure. Currently, over 2 million families in our country are in this situation. Many of these could be eligible to participate in the HAMP program. But by terminating it now, our friends are saying that these families are on their own. The numbers speak for themselves, and I think it is important that we highlight how we have helped families across this country and how many more are not going to be helped or are not being helped by terminating and closing this program.

So I urge my colleagues to support my amendment and to oppose the underlying bill, and I will place in the Record a statement of administration policy from the Executive Office of President Barack Obama in support of the HAMP program, urging a “no” vote on the efforts by the Republican majority.

### HAMP ACTIVITY BY STATE

<table>
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<tr>
<th>State</th>
<th>Active Trials</th>
<th>Permanent Modifications</th>
<th>% of Total</th>
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<td>791</td>
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<tr>
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</table>

*Includes Guam, Puerto Rico and the U.S. Virgin Islands.

I reserve the balance of my time.

Mr. MCHELY. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.
Mr. McHENRY. Thank you, Mr. Chairman.

The amendment fails to highlight that there are more failed modifications than successful permanent modifications. In fact, in the dissenting views from the Financial Services Committee Democrats, of which my colleague from New York (Mrs. MALONEY) signed, along with 14 of her Democrat colleagues, it states that in their view, 570,000 homeowners would be assisted under HAMP if the program were successful. This amendment, however, states that the number is 2.8 million. This differs from the facts of her own party. And I think both numbers are much higher than what have been agreed upon by the Congressional Oversight Panel of the Troubled Asset Relief Program. Their numbers are much, much lower.

I think if you use my colleague’s words and figures, it’s fair to say that those are grossly inflated and go well beyond being reasonable, which is serious, and what is agreed upon in the private sector, or by even most of her Democrat colleagues. So I would urge my colleagues to vote against that.

I reserve the balance of my time.

Mrs. MALONEY. The number of over 2 million delinquent mortgages in the United States is the range of people that could be eligible, who could apply for the program, but not all of them would qualify. You have to reach certain standards to qualify to enter the program. So this is the range of the people who could be helped.

The difficulty with my Republican colleagues is that they have no alternative. They’re abolishing a program that could be successful, that could provide help, as Mark Zandi said in his recent report, housing remains fragile in America. And housing is roughly 25 percent of our economy. So to the extent that we can help people stay in their home, thereby helping that family but helping their community and helping their country, helping to stabilize the housing prices around that house so it doesn’t become delinquent and abandoned, pulling down the values in the communities, this is an important program. And it should be continued. It’s no taxpayer dollars used. It’s from the TARP program, funded by the banks. This is an effort to help the overall economy.

The Acting CHAIR (Mr. WOMACK). The time of the gentlewoman from New York has expired.

Mr. McHENRY. Mr. Chairman, in closing, I would quote from page 17 of the dissenting views of the Financial Services Committee Democrats, of which my colleague, Mrs. MALONEY, signed on. Page 17, “A reasonable estimate is that the program participation will double by the end of next year,” which, I might add, is a bit ambitious. I’ll just continue with the quote. A reasonable estimate is that the program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on this estimate, the bill would deny modification for more than a half million homeowners at risk of foreclosure.” I might add, the statistics also bear out that for every half a million that are helped in this program, you’re actually hurting about 800,000 Americans.

So what the opposition on the other side of the aisle is doing is saying we should continue failure, we should endorse failure. In fact, we should continue to hurt people by keeping this program open. And that, under their view, it means that you’ll have 800,000 Americans that will be left worse off because this program exists—worse off. Their credit depleted, their home values gone, their credit rating destroyed. I think that is highly inappropriate, Mr. Chairman. That’s why I oppose this amendment.

I yield the balance of my time to my colleague from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

My colleague from New York and many of the colleagues from that side of the aisle have been saying that if we end this program, there will be nothing. That simply isn’t true. Of the 4.1 million mortgage modifications that were completed, 3.5 million were done by the private sector with no government program and paid for from the taxpayers. There’s also the Home Affordable Refinance Program, or HARP, for homeowners with government-backed Fannie Mae and Freddie Mac loans. And don’t forget about the Hardest Hit Fund. According to the Treasury Website, established by the President in February of 2010, to provide targeted aid to families in States hard hit by the economic and housing market downturn. That includes $1.5 million that went to the hardest hit States—California, Florida, Nevada, and Michigan. Another $600 million went to another set—North Carolina, Ohio, Rhode Island, and South Carolina. And finally, $2 billion was distributed to 17 States and the District of Columbia.

In 2008, $300 million in guarantees was committed for HOPE for Homeowners, a voluntary FHA program. Only 200 loans have been modified in this program, but it does exist; $475 million has been appropriated to Neighborhood Works for foreclosure counseling for homeowners. Finally, there are countless local, State, and private sector initiatives.

We have to stop funding programs with money that we don’t have. Let’s make that clear. With that, I would urge opposition to this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Acting CHAIR announced that the noes appeared to have it.

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112-34.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 3. SENSE OF CONGRESS.

The Congress encourages banks to work with homeowners to provide loan modifications to those that are eligible. The Congress also encourages banks to work and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications.

The Acting CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. LORETTA SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER of California) for an unanimous consent request.

Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding. Mr. Chairman, it is with great regret but with clear intent that I rise in opposition to continuing the Federal Home Affordable Modification Program, known as HAMP, without significant changes.

HAMP was designed to help millions of homeowners who had fallen victim to the financial crisis of 2008 and to the collapse of the housing market; but regrettably, at this time, it is not working under its current structure.

On behalf of struggling homeowners in my congressional district trying to avoid foreclosure and stay in their homes, I have gone to great lengths to encourage the Obama administration to recognize the serious shortcomings of HAMP and as a result the administration faces opposition to its program today on the floor of the House not only from those who oppose everything this administration does for purely partisan reasons but also from representatives like me who have genuinely sought to work with the administration to improve this program.

This vote today is understood clearly by the administration as one more effort on my part, on behalf of my desperate constituents, to get the administration to recognize the urgency of the housing crisis and
respond to it accordingly. I appreciate that much hard work has already been done. I know that many people are involved in this effort and many hours have been dedicated to the problem. But in the case of ongoing foreclosures nationwide and the abuses homeowners face, there is a need to strip any big banks and mortgage servicers. All the hard work and effort has not been sufficient and more must be done.

Homeowners in my community and across the country are being lied to, chewed up, and abused by banks and servicers in an arbitrary and capricious system that has stripped them of their homes and their livelihoods. In my district, people who are in need of substantial help in their fights against the big banks are simply not getting it. Hard as I try with my staff, and hard as my colleagues try with their staff, we cannot do enough on our own.

Make no mistake—Republicans in Washington are not on the side of homeowners in this fight. They’re using the problems with HAMP as an excuse to once again oppose the Obama administration, just as they have opposed the Obama administration on every step it has taken to rescue the economy, for purely partisan reasons. Regrettably, the Republican approach to the housing crisis is to cut and run, to starve the economy of the investments it needs to create jobs and get the economy—and the housing market—back on its feet. It does nothing to help the housing crisis and it would deprive the administration of funds that could be used to help homeowners. But their bill does one thing that I do support—it sends a message that homeowners are not getting the help they need and that HAMP must be significantly improved or replaced in order to offer the kind of help distressed homeowners need.

So far, such improvements have not taken place. And I see no sign that they will. And left with no choice but to register one more complaint by voting to end HAMP.

I hope today’s vote is understood clearly as a wake-up call to the administration that HAMP is not good enough today to earn my support and that it must be strengthened immediately or replaced by a program that does work. If the House refuses to pass legislation that banks and servicers are responsible for the abuse that is taking place in today’s housing market and that we intend to hold them accountable for their behavior, and that we are committed to helping struggling homeowners survive and recover from this crisis.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, since my colleagues on the other side of the aisle are ending the Home Affordable Modification Program, my amendment simply asks that Congress should encourage the banks to provide our qualifying neighbors with loan modifications. It also encourages the banks to provide our friends and families with information on foreclosure prevention and loan modification.

My Republican colleagues say that the Home Affordable Modification Program is not helping enough people. Well, it didn’t help all the people. That’s true. I know people who went and tried to get their loans modified, and it didn’t work for them: but there have been quite a few who have been helped. I want to give you some examples just in my own area.

For example, there is this couple in Garden Grove, California. The husband became unemployed. He was a construction worker; and as we all know, construction was the first industry to fold. Well, the family fell behind on their mortgage payments despite the fact that the father was still employed, they had filed for bankruptcy, and had been saving money for emergencies.

After some time, the husband found a job. Of course it paid less, and they are still unable to pay their full mortgage. They owed $8,825 in missed payments with late fees; plus, they had a balance of $482,000 on their mortgage. Thanks to the modification program, the debts were forgiven, and the balance was dropped by $357,000 so that they have a new balance.

Even with the loss of income, they are very thankful that they can keep their home and that they have a mortgage payment that they can make. The Home Affordable Modification Program allowed them to keep their home.

A family from Santa Ana was close to losing their home due to financial hardship as the husband’s hours and income were reduced. So to make ends meet, he supplemented his primary job with overtime. The family was not able to pay back the mortgage to the servicers, all the hard work and effort has not been sufficient and more must be done.

Even with an income reduction, this is what they are able to pay in their full mortgage. They owed $8,825 in missed payments with late fees; plus, they had a balance of $482,000 on their mortgage. Thanks to the modification program, the debts were forgiven, and the balance was dropped by $357,000 so that they have a new balance.

Even with the loss of income, they are very thankful that they can keep their home and that they have a mortgage payment that they can make. The Home Affordable Modification Program allowed them to keep their home.

I have had similar occurrences in my district where actually one gentleman had to pay back $42,000 worth of late fees as well as the penalties and the difference between the loan modification.

Let’s work together to find solutions for people because when you keep families in their homes, the stability of the family stays intact; and when you have that in particular, if you have children, they need that stability.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment, even though I am not opposed. The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. We will accept the amendment.

I have had similar occurrences in my district where actually one gentleman had to pay back $42,000 worth of late fees as well as the penalties and the difference between the loan modification.

That’s where I think this program has failed.

Yet I think your amendment is a sense for Congress to encourage the banks to work with our constituents and to provide loan modifications to those who are eligible. It also encourages banks to work with our constituents and to provide them with the best services. It encourages the banks to assist prospective homeowners with foreclosure prevention and counseling.

I think this is a help in the private sector and encourages the private sector to do this, so we would accept this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LORETTA SANCHEZ).

The amendment was agreed to.

Mrs. BIGGERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHENRY) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, had come to no resolution thereon.

RECESS

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

Accordingly (at 5 p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RESOLUTIONS FOR OPPORTUNITY AND RESULTS ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-45) on the resolution (H. Res. 186) providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program and other purposes, which was referred to the House Calendar and ordered to be printed.

THE HAMP TERMINATION ACT OF 2011

The SPEAKER pro tempore, Pursuant to House Resolution 170 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 839.

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

The Chair redesignated the amendment.

RECORDED VOTE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HANNA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

Amendment No. 1 by Mr. HANNA of New York

Amendment No. 6 by Ms. JACKSON LEE of Texas

Amendment No. 8 by Mrs. MALONEY of New York

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. HANNA

The Chair. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HANNA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

Amendment No. 8 by Mrs. MALONEY of New York

Amendment No. 6 by Ms. JACKSON LEE of Texas
The CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—aye 182, noes 299, not voting 11, as follows:

[Roll No. 196]

AYE—182

Acker

Baldwin

Barrow

Beccerra

Berman

Bishop (NY)

Blumenauer

Boren

Bowser

Brady (PA)

Brady (NY)

Brown (FL)

Buddington

Capps

Capuano

Cardona

Carney

Casado

Chaffetz

Cicilline

Clarke (NY)

Clyburn

Cohen

Connelly (VA)

Cooper

Costa

Costello

Cousins

Davis (GA)

Davis (IL)

De Lauro

DeGette

DeLay

DeLauro

DeLauro

Dicks

Dingell

Donnelly (NY)

Dodd

Dodd

Duncan

Durbin

Emanuel

Eny

Eskowitz

Farr

Fattah

Fink

Frank (MA)

Fudge

Gamar de


The CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye 173, noes 249, not voting 10, as follows:

[Roll No. 196]
The CHAIR (dancing). The question is on the motion to recommit the bill back to the House with an amendment.

Is a separate vote demanded on any amendment to the amendment adopted by the Committee of the Whole?

The Speaker pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment adopted by the Committee of the Whole?

The Speaker pro tempore. Under the rule, the previous question is ordered.

The Speaker pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Speaker pro tempore. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Speaker, I ask unanimous consent to dispense with the reading.

The Speaker pro tempore. The question is on the motion that the House resolve itself into the Committee of the Whole for the purpose of passing on H.R. 639 to the original project. There was no objection. The House resolved itself into the Committee of the Whole for the purpose of passing on H.R. 639 to the original project.

Mr. Speaker, we all know the Home Affordable Modification Program for members of the Armed Forces and Gold Star recipients. The Home Affordable Modification Program has not performed to the original projections, but this is an effort that has provided 600,000 permanent loan modifications. Six hundred thousand American families are still in their homes because of this effort. I doubt these families would tell you it is not working.

Mr. Speaker, some will say that terminating this program won’t affect those who have already received modifications or are working through a modification currently. Yet many more families still need help, especially military and gold star families.

Even though the economy is beginning to recover, the housing market is still struggling. HAMP is currently helping 30,000 additional families every month.

I would prefer that we keep this effort going for everyone. But if we are not to cut off the funding, we need to preserve this program for active military and gold star families.

Regardless of how anyone feels about the underlying legislation and regardless of how anybody feels about the funding for the original legislation, we can all agree that we owe our men and women in uniform a tremendous debt of gratitude for their service and sacrifice. While defending our country, servicemembers should not be afraid of instability for their service and sacrifice. While defending our country, servicemembers should not be afraid of instability for their service and sacrifice.

ENDURING FREEDOM.
modification under HAMP and began making reduced payments. After a few months, their modification became permanent and reduced their monthly payment by almost $400.

This program helps service members and their families. A study by the U.S. National Guard and Reserve located there. I am proud to represent these men and women and am honored by the work they do each day. These are men and women and their families sacrifice for our country. While they’re protecting our families, the least we can do is protect their homes.

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. We need to do all in our power to ensure the men and women who fight and die in our military. But, Mr. Speaker, you can’t live in a study. A study doesn’t provide shelter for your children. And a study won’t help you pay your bills when your mortgage rate skyrockets.

Mr. Speaker, our servicemembers and gold star families don’t need a stack of paper telling them the way we might help. They need actual help. As it currently stands, this bill takes something from our men and women in uniform, a mortgage assistance program, and gives them nothing in return.

My district includes two Navy bases, each home to thousands of service members and their families. Additionally, the district has the Washington State National Guard and Reserve located there. I am proud to represent these men and women and am honored by the work they do each day. These are men and women and their families sacrifice for our country. While they’re protecting our families, the least we can do is protect their homes.

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. We need to do all in our power to ensure the men and women who fight and die in our wars are safe to keep their homes. It’s very simple.

I urge my colleagues to vote “yes” on this final amendment. With that, Mr. Speaker, I yield the balance of my time.

Mr. MCHENRY. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, first of all, Veterans Administration loans are not permissible under the HAMP program. They must go through the HAMP program in order to get relief of their mortgage. Furthermore, veterans are already covered under an effective program which is assistance to veterans with VA guaranteed home loans. That program is actually working.

The program that my colleagues have offered this cynical motion to recommit for is merely a roadblock for us eliminating a failed government program.

I want to tell you, the Special Inspector General for TARP has said that HAMP recipients sometimes end up unnecessarily depleting their dwindling savings in an ultimately futile effort to obtain the sustainable relief promised by the program guidelines. Others, who may have somehow found ways to continue to make their mortgage payments, have been drawn into failed trial modifications that have left them with more principal outstanding in their loans, less home equity, or a position further underwater and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties and even late fees, that suddenly became due on their modified mortgages that they have been unable to pay. This Federal program that my colleagues on the other side of the aisle are standing up and defending leaves people with late fees, penalties under their modified mortgages, and oftentimes results in the loss of their very home.

Furthermore, I would tell my colleagues that some have been helped in this program. But for every one person that has been helped, there’s more than one other person that has actively been harmed. They deplete their savings, they ruin their credit, and their house is taken from them.

And this is a government program. I ask my colleagues, do not subject our veterans, with this motion to recommit, to a failed program. We don’t want our veterans to come home to a Federal program that is actively harming them. And that’s what this recommit does.

Furthermore, I would say to my colleagues, if we can’t vote to eliminate this Federal program, I ask you, what programs can we eliminate?

Vote against this recommit. Vote for final passage. Let’s move on.

I yield back the balance of my time.

Mr. Speaker, our servicemembers and gold star families don’t need a stack of paper telling them the way we might help. They need actual help. As it currently stands, this bill takes something from our men and women in uniform, a mortgage assistance program, and gives them nothing in return.
Mr. ROYCE changed his vote from "aye" to "nay." So the motion to reconsider was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Is there any further question? The ayes have it.

The result of the vote was announced as above recorded.

Mr. BIGGERT. Mr. Speaker, I demand a recorded vote.

A motion to reconsider was laid on the table.

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 899, the Clerk be authorized to correct omission numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, to include striking paragraph (1) on page 5, line 16, and inserting in lieu thereof "paragraph (A)."

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

There was no objection.

RE-REFERRAL OF H.R. 1148, STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that H.R. 1148 be re-referred primarily to the Committee on Financial Services and additionally to the Committees on Agriculture, on Financial Services and the Committee on Oversight and Government Reform.

There was no objection.
CONGRATULATIONS TO THE MOUNT VERNON HIGH SCHOOL BASKETBALL CHAMPIONSHIP

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

Mr. ENGEL. Mr. Speaker, I rise today in honor of the 10th annual celebration of Tartan Day on Ellis Island. The tartan is the definitive symbol of Scotland. No other fabric or pattern is so steeped in tradition, and for the past 10 years, Tartan Day on Ellis Island has promoted Scottish history, heritage, and culture under the leadership and guidance of the Clan Currie Society, the largest Scottish heritage organizations in the United States. This year, the Clan Currie Society will be unveiling a new American tartan, the Ellis Island tartan, in honor of National Tartan Day on April 6.

The American tartan’s fabric is steeped in colors that represent the experiences of all of those who have traveled to the United States over the last century in search of the American Dream. The tartan’s blue illustrates the great Atlantic Ocean, the copper-green in honor of the Statue of Liberty, red signifying the bricks of the historic buildings on Ellis Island, and the gold representing America’s golden door, walked through by millions as they looked to this new land as the land of opportunity.

I ask all of my colleagues to join me in honoring and congratulating Mr. Bob Currie and the entire Clan Currie Society in the unveiling of this American tartan, the Ellis Island tartan, and for their years of hard work honoring and recognizing the contributions that Scots and Scottish Americans have made to our great Nation.

CONGRATULATIONS TO THE MOUNT VERNON HIGH SCHOOL BASKETBALL CHAMPIONSHIP

(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 am proud to represent the entire city of Mount Vernon, New York, and today I rise to congratulate the Mount Vernon Knights high school basketball team for winning the New York State Federation Tournament of Champions, Class AA. They beat Christ the King from New York City, the winner of last year’s championship, 84–78 in overtime on Sunday in Albany, New York.

Jabarie Hinds led his team with 14 of his 31 points in the fourth quarter and overtime to earn MVP honors as Mount Vernon won its fifth State Federation title in program history.

Congratulations also to Coach Bob Cimmino on his fourth championship. His team won their last 10 games and snapped the 12-game winning streak of Christ the King.

Mount Vernon showed its grit and determination by coming back after being down 20–11 after one quarter and 33–28 at the half. The Knights took the lead with less than 1 minute in regulation and never trailed after that.

Other high scorers for Mount Vernon were Khalid Samuels with 21 points and Isaiah Cousins with 12.

Mount Vernon, representing the Public High School Athletic Association in Westchester, got to the title game with a 70–63 win over Boys and Girls High School of New York City in Saturday’s semifinal round.

Congratulations to these players and their coach. While March Madness has gripped the rest of the Nation, in Mount Vernon we are very proud of our Knights. I am sure these champions have a bright future and will look back proudly at their accomplishment in the years to come.

WAR IN THE NAME OF HUMANITY

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

Mr. POE. Mr. Speaker, the Middle East is in turmoil. Citizens are in revolt and are ousting their dictators. One of the worst rulers is Muammar Qadhafi in Libya. Qadhafi is so bad, the President has involved the United States military in support of the rebels there.

However, Secretary of Defense Gates has stated our national security interest is not at risk in Libya. So why are we there?

It seems to me this war is being waged under a new “Doctrine of Humanity.” In other words, the United States will now decide when to drop bombs on another country in the name of humanity when a ruler we don’t like acts against humanity. This fuzzy emotional doctrine gives a President the unilateral ability to intervene militarily anywhere the President doesn’t like the way a foreign ruler treats his people.

The President needs to clarify this doctrine of “War in the Name of Humanity.” What constitutional authority gives the President the right to enter another country’s civil war when our national security is not at risk? America needs some answers.

And that’s just the way it is.

OBAMA’S LACK OF LEADERSHIP ON LIBYA

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

Mr. FLEMIN. Mr. Speaker, with regard to the “kinetic military action” in Libya, it appears the tail is wagging the dog. The President first says we won’t go but Qadhafi must. Then he says we must go but not Qadhafi. He consults the Arab league before his own Congress and then telegraphs to the enemy our mission limitations, yet does not clearly define the mission or goals to the American people. Then he bomb people and calls it a humanitarian act.

I’m sorry, Mr. Speaker. I don’t understand this new value system the President is asking us to accept. Let me suggest instead that our President in full consultation with the American people and Congress first, then build a coalition, then lead that coalition with a clearly defined mission, taking nothing off the table rather than being pressured into action by other world leaders.

THE NORTFORK AND GREERS FERRY NATIONAL FISH HATCHERIES

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

Mr. CRAWFORD. Mr. Speaker, I rise today to enter into the CONGRESSIONAL RECORD Arkansas House Resolution 1014 that was recently passed on February 24 of this year by the Arkansas House of Representatives.

Fish hatcheries at the Norfork and Greers Ferry Dams are vital components to the economic well-being of north central Arkansas. They provide vital fish stock not only to Arkansas’ waterways but to Arkansas’ neighbors as well, and
they help draw sportsmen and outdoor enthusiasts from all over the world.

State of Arkansas
88th General Assembly
Regular Session, 2011

By: Representatives Linck, Hopper, Benedict

House resolution—Requesting that the President of the United States and the Arkansas congressional delegation support and continue the immediate and future funding of the Norfork and Greers Ferry National Fish Hatcheries.

Subtitle—Requesting that the President of the United States ensure the Arkansas congressional delegation support and continue the immediate and future funding of the Norfork and Greers Ferry National Fish Hatcheries.

Whereas States Fish & Wildlife Service plans to cut the budgets for the trout hatcheries below Norfork and Greers Ferry dams; and

Whereas, these fish hatcheries provide the foundation for Arkansas’s world-renowned trout fishery waters that produce a total economic impact of over one hundred fifty million dollars ($150,000,000) annually but only cost taxpayers approximately one million five hundred thousand dollars ($1,500,000) annually to operate; and

Whereas, the Chief Clerk of the House is recommended by the Clerk of the House, that the Chief Clerk of the House be officially entered in the Congressional Record.

Resolved, That the Chief Clerk of the House of Representatives forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Arkansas congressional delegation with the request that this resolution be officially entered in the Congressional Record.

THE EPA

(Mr. AUSTIN SCOTT of Georgia) asked and was given permission to address the House for 1 minute.

Mr. Speaker and ladies and gentlemen, I rise today to speak about H.R. 872.

I was pleased to see this resolution pass the Agriculture Committee with a bipartisan vote. Not one single objection. I want you to think about that. Not one objection from a Democrat or a Republican in the Agriculture Committee.

It somewhat baffles me that we have to waste floor time in the U.S. House of Representatives. The EPA understands that they’re creating regulations that they themselves do not understand.

Mr. Speaker, the EPA already requires pesticide permits from every farmer, rancher, forest manager, State agency, city, county, municipality, mosquito control district, water districts, and golf courses, just to name a few of those that they require permits from. If we do not enact H.R. 872, the EPA would then require an additional Clean Water Act permit for pesticides.

I will add again, Mr. Speaker, that many of these permits are already redundant as pesticide applications are already highly regulated under the FIFRA Act.

We all care about the environment, but these EPA regulations fail the common sense test, Mr. Speaker. That agency is on a regulatory path of the destruction of our economy. They are destroying our jobs, and they must be reined in.

Mr. Speaker, perhaps we need a permit for the EPA that says the EPA must understand a rule before they pass one.

Whereas, investment in the Norfork and Greers Ferry fish hatcheries has consistently demonstrated positive returns for more than half a century. The federal government’s goal to subsidize and increase economic growth would be damaged, not enhanced, if funding for trout programs is reduced or eliminated to the detriment of its promise to Arkansans and to these small towns whose livelihood depends on the fish hatcheries; Now therefore, be it

Resolved by the House of Representatives of the Eighty-Eighth General Assembly of the State of Arkansas, That the President and Congress of the United States work together to continue the immediate and future funding of the National Fish and Wildlife Service on Greers Ferry and Norfork Dam and allow the investment in these hatcheries to continue to contribute to the economic vitality of these towns, the state of Arkansas, and the entire country.

Be it further

Resolved, That the Chief Clerk of the House of Representatives forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Arkansas congressional delegation with the request that this resolution be officially entered in the Congressional Record.

FEDERAL REGULATIONS

The SPEAKER pro tempore (Mr. FLEISCHMANN). Under the Speaker’s announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the desigee of the majority leader.

Mr. CARTER. Mr. Speaker, once again, we are going to talk about the fact that the regulators are kind of like the fox watching the henhouse. They just overreach everywhere. And we just heard an example of that actually. Mr. Austin Scott was just up here talking about what is going on with this pesticide. We will talk a little bit about that today.

I have been trying for the last 6 or 8 months, now to talk about some of the regulations that are being imposed upon people. You see these regulations and you see how onerous they are on both large and small businesses, and then we sit around and wonder why we’re tittering around 9 percent unemployment in this country. It is because not only do we have to wonder about are we going to raise taxes. Folks have to wonder about are we going to spend ourselves into the poor house. Folks have to wonder about a $1.65 trillion deficit this year. They worry about all those things. They worry about how their children and grandchildren are going to pay off this massive accumulation of debt in this country that is coming down as a result of the policies of the last Congress, the Democrat-led Congress, and the Obama administration. Then you take that and you take on top of that the executive branch’s regulations that they are putting on people, many of which are so onerous and make so little sense that, quite honestly, you wonder what’s going on.

We’ve got a lot of things that have been going on, and we’ve got some tools that we’re using to get rid of those things. And a tool that I have been talking about is using the Congressional sauce to challenge some of these things, and we will talk a little bit about that. But first let’s just go back and talk a little bit about what others are doing right now.

First off, tomorrow morning I am going to drop a bill, and this is kind of a nuclear weapon, if you will, of fighting regulations. Because of the continuous onslaught of regulations that seem to be designed to cause unemployment rather than to help with unemployment. I think it’s time we just put a big old hold on the regulatory agencies and tell them that unless this is of major national importance, we don’t think there ought to be any regulation. And that’s what I think we ought to do.

It’s because not one objection from a Democrat or a Republican in the Agriculture Committee.

We all care about the environment, but these EPA regulations fail the common sense test, Mr. Speaker. That agency is on a regulatory path of the destruction of our economy. They are destroying our jobs, and they must be reined in.

Mr. Speaker, perhaps we need a permit for the EPA that says the EPA must understand a rule before they pass one.

This would remove, in this period of time we’re trying to bring our job
numbers up and bring our unemployment numbers down. This would give the country an opportunity to take, at least in one area, a deep breath and relax, that the regulators are not going to change the playing field on them halfway through a year or through a month.

There are so many regulations that we’ve talked about in the past few months and for the balance of this year that are surprises to everybody, and they’re throwing big, big monkey wrenches in the machinery that drives our economy.

Now, if you read the newspapers or you hear people commenting on why aren’t people creating jobs, why is capital investment on the sidelines, why are people holding on to their money instead of investing their money in their businesses or investing their money in some other people’s businesses so we can grow this economy, they’re sitting on the sideline and they’re waiting.

And you will hear both sides of the aisle in this House talk about the trillions of dollars that are being held back from investment. You’ll hear arguments made by the other side, by the Democrats, by this House, that’s the greed of the big corporations that’s doing this.

But then when you study the problem, it’s not just the big giant corporations that are kind of sitting back and waiting. It’s the small businessman. It’s the guy that’s got one shop, and he’s thinking about adding on to that shop, and he may be thinking about adding one more machinist or one more salesman. But you know what? There are too many questions about what’s over the horizon for them to take the chance of investing their money when they don’t know what’s going to happen. And as I explained as I started out, part of it is they wonder about the possibility of new taxes.

Secondly, because there’s been a lot of talk from this administration about taxes, they’re backing off of it now, but many of the things they do seem to change depending on which way the wind’s blowing, and so they’re worried about the possibility of new taxes.

They’re worried about the fact that they can look at numbers, they read balance sheets, even the small businessmen can read balance sheets and profit statements, and they look at this Federal Government and they say, my Lord. Just this year alone, based on President Obama’s proposed budget for 2011, they’re projecting about a $1.6 trillion deficit this year.

And most businesses know what deficit means. And most of all of us do, but sometimes we think it’s some big word coming out of Washington, not realizing what it really is. It means you’re spending money you don’t have. In fact, argue every time you buy something with your credit card, you’re deficit spending. You don’t have the cash in your pocket to buy the new television set so you put it on your credit card. You borrow the money. You spend money that you don’t have.

Now, if we were like the great State of Texas where we have a balanced budget requirement in the constitution, and you asked them, “And isn’t it—sometimes—and you ask the good members of our legislature, sometimes it’s real tough to make things work. But you know what? They always somehow figure out a way to get it done. And this year is no exception.

It’s tough in Texas. And they’re doing the things we’re trying to do here in this House. They are reducing their spending, as are States across the country. All you have to do is turn on the television. You see the issues in Wisconsin, and other places, and Minnesota—well, not Minnesota, Indiana, all these people are addressing it. New York, Virginia, they’re addressing the fact that they’ve just got to cut back on their spending.

Well, we’re addressing that fact too in this House right now. But the businessman looks at that and says, well, what’s their track record? Well, our track record’s not real good. In fact, our track record is such that they say, odds are they’re not going to do these cuts that are necessary to stop it.

Here’s something kind of interesting. Right now, in H.R. 1, the Republican majority has set forth a series of cuts that total up to about $253 billion. They’ve agreed now to about $10 billion. So let’s call it $53 billion just kind of on the table out there waiting for some kind of action from the Senate. This is attached to a continuing resolution.

Now, that business owner back home, he looks at that and he says, let’s see, $63 billion—that’s a tiny little bandaid on a gigantic rear end of an elephant, but that’s the tax cuts that are being proposed, and they don’t seem to be able to get those things. Not tax cuts. That’s the spending cuts that are being proposed. They don’t even seem to be able to do that. What in the world are they going to do about this $1.6 trillion?

So he says, I don’t think I want to play in that ballpark. That’s too dangerous for me. I have a little savings in my back pocket to invest in my business. But now’s not a good time. There’s way too much debt floating around out there. There’s way too much uncertainty about the economy floating around out there. I think I’ll wait. My plan to create one or two new jobs to grow my profits for my business is going to have to wait. Even though I got some money to invest, it’s going to wait because I don’t feel the environment’s good for it. It’s another one of those unknowns that’s keeping capital and keeping the growing of the labor force from happening.

Finally, these regulations. When, as our friend from Georgia was just talking about—just take, for instance, the issue that has to do with this, these new regulations that have come out. It came out and then it was—I think, some court has gotten involved in it.

But what they’ve done, basically, is tell the people who use pesticides, and I think everybody knows, pesticides are to kill bugs that eat crops. That’s kind of the general use for pesticides. So that means that your farmers, your ranchers, and some of your business people are going to be impacted by this.

And they look at it and say, wow. I used to have to have a permit. I got one. Now all of a sudden I’ve got to have a new permit. It’s going to cost me some more money. They changed the rules in the middle of the game. Now, I’m sitting here wondering what in the world am I going to do if they change the rules again.

So what am I going to do with my money? I’m going to keep it in my pocket. I’m not going to invest in my business. I’m not going to expand my farm. I’m not going to buy that new combine. I’m not going to trade for some more cattle. I’m basically going to sit where I am and hold pat. And I’m not going to hire anybody to help me with those issues.

These are things that are typical of what causes the people who invest in the real world of private business, who make up two-thirds or more of the American public, to sit on the sidelines. So big business or small, if you don’t understand the playing field, and there are people out there that can change your life at a whim, you get concerned about it. We’ve seen so many examples of that.

I’ll just throw out the flex permitting Clean Air Act issues that are going on in Texas, which we’ve talked about before. After 15 years of using a flex permit in Texas, never a word said by the EPA, all of a sudden, out of the clear blue, they decide, oh, you know what? I don’t think we like that flex permit, so we’re just going to do away with it, and we’re going to change the rules.

Without going into what a flex permit is, it’s very simple. If flex permit worked for your business 1 day and the next day you had to have a completely different permit with a whole new set of rules and a whole new set of obligations, you would be very concerned about the environment within which your business is being operated. And, by the way you’d be really upset when you realized that your clean air issues in your State where you’re using a flex permit, the clean air reductions have met the demands of the EPA and, in fact, probably exceed many, many States who don’t go to a flexible permitting system.

For some reason, your State who is doing good has to change permits to do
like some of the States that aren’t doing as good as your State. And you have to say to yourself, What is the motive for all this? Well, would you put your money into a project when something like that could happen to you?

We ask ourselves. Why have we been having unemployment in this country somewhere between 10 percent and 8.9 percent over the last 25 months? Well, part of it is the people who create the jobs, the real jobs, the jobs that make our economy grow, are the business people of this country; and for 25 months they have not been hiring because we have created a world of mistrust in what might happen to you that you couldn’t even imagine as a result of actions of this Federal Government.

To me, the most important thing we have to do in this Congress right now is create jobs. It will change the very makeup of our Nation if we get our Nation back to work. And it is time for the get out of the way of small business, get out of the way of the entrepreneurs in this country, and give them the opportunity to create jobs. With all the playing defense that we are trying do here in the House with the Congressional Review Act and other proposals that are out there, it seems to me we ought to just say, at least for a 2-year period, just, Time out. Time out. No more regulations. Just stop right where you are.

There are enterprising regulations in effect right now by the Federal regulatory agencies to fill this entire Chamber to the ceiling with books, so I don’t think it would hurt us too much. If it turns out it is a national emergency and you have such an issue that it is just so overwhelmingly necessary to come up with a regulation, then maybe we will put it out and submit it to Congress and let Congress make a determination whether or not it is of that dire importance. But right now, just quit messing with us. Just get out of the way and let us have a chance to go do what we do best.

I forget who it was. I want to say it was Calvin Coolidge, but it was one of our past Presidents who said that the business of America is business. And it still is.

Two or three Saturdays ago, I was at South by Southwest, which is a very exciting place to be. It is a place in Austin, Texas, that not only promotes the live music industry, which is huge in Austin—it is the live music capital of the world—but, in addition, it promotes entrepreneurship among people with new great ideas. And great people, I talked to them and they were so exciting, such great young people, many of them in the high-tech industry, but in all of the industries. And those young people sat there and told me that, The one thing you can do that would really prevent me doing what I need to do in my project. So, if the government will stay out of my way and if you won’t impose taxes on the very source of investment money that I am seeking as a new entrepreneur, if you don’t do those two things and you stay out of the way, I have got an idea that can change the world. And many of them have just those ideas.

Some of the things we have now like Facebook, those things like that they made a movie about and all that stuff, all that was the idea of a young entrepreneur. And they got someone to invest in it and, boom, it swept the world. So that’s why I have got a moratorium on regulations.

But in addition, we have got a couple of folks that are taking off after regulations that are clearly hurting the opportunity to create jobs. The Regulatory Flexibility Act, RFA, is being proposed and requires Federal agencies to assess the economic impact of their regulations. We’ve got something like this now, but it is going to be expanded and made more clear. And, if the impact is significant, consider alternatives that are less burdensome. The agencies must balance the burdens imposed by the regulations against the benefits, and propose alternatives to the regulations which create economic disparities among different size entities.

The Small Business Committee has held hearings on the RFA and they are holding some tomorrow, on Wednesday, to discuss this agency compliance with the act. Bad regs are killing good jobs, and that is what I have been talking about, and here is the Small Business Committee looking at small business with really a focus on small business.

Now, why do you hear people talk about small business in Congress when you have got all these giant international corporations that you have on the other side of the aisle love to talk about? Well, for one thing, seven out of 10 Americans get a job in small business. Small business creates seven out of 10 private sector jobs in the United States. Those private sector jobs are real well-paying jobs.

In fact, some of the people that I was talking to at this little entrepreneur group that I was with, they said, Well, the first ten people we will employ, we expect their salary range to be somewhere between $100,000 and $150,000 a year. Now, that’s darned good jobs. But they are looking to hire highly skilled technical people to advance a concept they have in the high-tech industry.

What do we get in those concepts? Well, you have probably got a cell phone in your pocket. You may have the new Apple iPad sitting on your desk, or you may actually be commuting on airplanes with one which has a camera in it so you can talk to your spouse around the world or your friend around the world and both of you can see each other. These are all ideas that came from entrepreneurial thinking that began with one person with an idea.

The one thing Americans still have to sell is ideas, and we are the only innovation idea creators on Earth. Everybody else is good at copying, but we are the guys with the original thoughts. We don’t want to kill that. We don’t want regulations to kill it. And we don’t want bad regs to keep this unemployment number above 8 percent, almost 9 percent.

Another act is H.R. 872. This is a bill about Congress battling a bad ruling by the Federal courts. The bill eliminates a costly and duplicative permitting requirement for the application of pesticides. That is what our friend from Georgia was talking about just a few minutes ago, Mr. SCOTT. This will now require a different type of permitting system and it will, quite honestly, place the burden on farmers, ranchers, and anybody who uses pesticides, I assume exterminators and so forth, and will put a huge burden on them. And the only thing you can do is clearly put a halt to this EPA new regulatory activity. Even though the court recently ruled, we won’t require this until October, it doesn’t matter whether it is required today or whether it is required in October; whenever it is required, it is still a burden. So my friends on the Ag Committee are very, very serious about challenging the creation of this new ruling.

We have been using the Congressional Review Act, and we have got several things that we have dealt with on the Congressional Review Act. This is a new ruling. This law was created in the Clinton administration. It has been used once, and that is the only time it has ever been used, which surprises me. But we are trying to use it on multiple bills that are out there that are creating a regulatory burden on individuals or industries of this country. □ 2020

Last year, the Federal Government issued a total of 3,316 new rules and regulations, an average of 13 rules a day. Seventy-eight of those new rules last year were major rules. A major rule is a rule that may result in an annual effect on the economy of $100 million or more, a major increase in costs or prices for consumers or significant adverse effects on the economy.

If it is a new rule, it is required under the Congressional Review Act that it be submitted to the committees of jurisdiction that cover that rule in the House and Senate and that they have the opportunity within 60 legislative days, that is days that the Congress is in session, not counting the days it is not in session. And if there is a vote, and let’s say the House passes it and sends it to the Senate, then it only requires 30 Senators to co-sponsor the bill to bring that vote to a full vote in the Senate.

Then we will have the opportunity to send some bad regulations that passed the House back to the President, and he told us less than a month ago that one of his goals this year was to get rid of these onerous...
regulations that are costing us jobs in America. And I think that if both this House and the Senate, the Senate across the way, if both those entities feel it is a bad rule, I think the President will look at it, and I am very hopeful that he will dispose of that rule. With this being said, we are not talking just about the EPA. There are a lot of rules out there, but EPA just seems to have more than their share right now.

I talked about the Flexible Permitting Act. We have filed a CRA challenge, a Congressional Review Act challenge, to the flexible permitting program. Chairman Upton of the Energy and Commerce Committee has been or is holding hearings on the Clean Air Act and on this issue. That will be one issue that we are going to be working on trying to get done.

The FCC has a regulation for net neutrality. This rule grants the Federal Government new power to regulate the Internet, restricting access and stalling innovation. One of the things that those young people that I met with the other night, it was about 100 of them now, it is not a small group, they all said, most of them, that the Internet was a tool they were using to come up with good ideas or to promote their good ideas or to use the Internet for their good ideas; and they were very much opposed, as am I, to any regulation of the Internet.

The Internet of the United States, it is a freedom of expression, a freedom of expression which creates a freedom of ideas, and the exchange of ideas creates innovation, which is the fuel to drive our economy. So Mr. Greg Walden is addressing this issue under the CRA of net neutrality.

HHS has a rule on medical loss ratio. This regulation will require all health care plans to pay a minimum of 80 percent of premiums toward health services, versus coverage for 47 percent of Americans in small group and individual health plans. This is an area which we have filed, my office and John Carter have filed this. However, I am going to have a lot of assistance from the medical professionals in this House in going forward on this medical loss ratio. It is a serious regulation which will seriously harm the advancement of health care in America.

Then we have a NEShAP rule for portland cement manufacturing industries. This has to do with cement kilns that make portland cement. “Portland” is not named after a town. It is a process whereby you make the cement that binds concrete to create concrete for this country. There are 18 cement kilns that are likely to close as a result of this. This kills good-paying jobs. The average paying job in one of these kilns starts at around $60,000 to $70,000 a year and goes up. These are good jobs.

Now, where are these jobs going to go? You have to have cement. A great number of the kilns that make portland cement have moved offshore already, and they are over in China and places like that where they have no regulation on particulates that go into the air. Meanwhile, we have actually reduced a lot of the things that go into the air under the present regulations. But these new regulations would move American jobs out of the country to another country; and rather than help the air, because the same air is in India and China as is over here, it is all part of this great big place we call the world, we will still be polluting the air, but 10 times worse than we do under our current regulations in the United States, and we lose the jobs.

So we are going to seek a vote on portland cement manufacturing regulations. And the argument that this increases mercury pollution is absolutely false because we have evidence to show that mercury pollution, if it is in the United States, it is coming from offshore.

So all these things are things that are proposed right now. We have got charts over here to look at each one of them.

Here is the regulatory moratorium, an outright ban on Federal regulations. It removes_ACTION_ the top obstacle to economic recovery. Business won’t hire with ObamaCare and EPA regs hanging over their head.

The Regulatory Flexibility Act. The shaded areas indicate U.S. recessions. The 09 research—that is a word I can’t read—organization. Look at this. This is what is happening from regulations. It is going up on the unemployment scale.

The RFA requires the Federal agencies to assess the economic impact on small businesses—we talked about that—to come up with alternatives, because unemployment rates are around or above 9 percent for the last 22 months, and it is time that we make these things be assessed, and seven out of 10 new jobs are created by small businesses.

When you hear us talk about the Pesticide Act, very clearly there are the folks that are dealing with it right there, the farmers of America. It is duplicative. That means they already have a permit that allows them to put out these pesticides, and because of this ruling they are having to get another permit at another cost and meet other requirements which have not been solved by the Federal Government.

The Sixth Circuit we think with this Cotton Council versus the EPA made a bad ruling, and these higher costs to producers and consumers and the government are all built into this one bad regulation. This act that we talked about, 872, is to block this bad ruling. This is the kind of fight we have to have to prevent the regulators from getting so involved that they actually shut down our businesses.

Now, no one here, including me, I am certainly not, and I don’t think anybody in this House, is proposing that we are going to do things that are harmful. It is not like they weren’t already regulating that pesticide. They just came up with a new permit, new money to spend, new hoops to jump through in order to apply pesticides.

But maybe we could save ourselves a whole lot of time and effort by just passing the newest proposal that I have put forward, and that is a law that says, time-out until 2013 on any regulations from the government, and let’s just hold off and let’s give this economy a chance to grow. And when it grows, we will prosper, we will get out of this mess we’re in, and we will get back to being the America we all treasure and love.

It’s not hard to imagine that if there’s something really bad, of course, this House will protect it. But many of these things are people in closed rooms, some of which understand the industry they’re regulating, coming up with rules because they have a concept of government that is all government—all roads lead to Rome—all government leads to Washington, and that all government decisions and all life decisions should be made here, in Washington. There are people in this city, literally tens of thousands, maybe hundreds of thousands of people in this city, that believe that all life issues should be resolved by the Federal Government.

The perfect example that just really upsets me is the fact that, kind of randomly, when the opposite party, the Democrats, took over in the House, they decided to get rid of all the light bulbs in all the office buildings, and they put in these curly Q light bulbs all over everywhere. These lights, you turn some of them on, it takes you a while, before you turn them on, because you can’t see enough light to see. That’s very uncomfortable, especially in the bathroom. But we’ve got them. And if you take yours out and put the old incandescent light bulb in there, the next day you’ll come back and the maintenance man will have taken it out and put one of those curly Q light bulbs back in there, because the government knows better what light bulbs you ought to have than you do. In fact, they passed a law that says you’re not going to be allowed to have anything but those light bulbs.

They fail to realize that if you accidently drop one of those light bulbs
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said, I drove 2½ hours to get here. It's get an answer. I just opened my mouth who I was and what I was there for. the State, and they knew when I we're here to defend this rule. you don't know what it means? Well, asked the question. And here's how lan-
gerates for the EPA. And I began to language gets stretched. I asked the ques-
tion that to be a wetland on the top of the hill and the foxtail would grow. It photographs. And the aerial photographs. And the aerial photog-
kind that there be an exception to that moratorium that so that we would basically just call a king's X, time out, and let's wait for the end of this administration and we'll see what happens in the next one. And by that time we can settle down and create a few jobs in this country because they wouldn't have to, at least for the next 2 years, worry about regulations. So I'll get you a copy of that rule—no regulations for the next 2 years.

Mr. CARTER. Reclaiming my time, my friend from Kentucky has been down here with me talking just about that act. I don't know if you were in when we first started this. I have just proposed because I see this tidal wave of regulation, this hurry up and regulate everything you can in a hurry going on by the administration, I will tomorrow morning file a bill to declare a moratorium on all regulations. And they would show to Congress showing good cause why it's in the national interest for the good of all mankind that there be an exception to that moratorium so that we would basically just call a king's X, time out, and let's wait for the end of this administration and we'll see what happens in the next one. And by that time we can settle down and create a few jobs in this country because they wouldn't have to, at least for the next 2 years, worry about regulations. So I'll get you a copy of that rule—no regulations for the next 2 years.

Mr. KING of Iowa. If the gentleman would yield.

Mr. CARTER. Yes, I will. Mr. KING of Iowa. If the title of that bill is the king's X bill, I'm going to be very interested in signing on.

Mr. CARTER. I like king's X.

I thank you, STEVE KING. You're a good friend for coming down here and joining us tonight. I have to say here tonight. I just want to finish up by saying nobody is against doing the right thing. I'm against people who are creating regulations for the sake of regulations and damaging the people who are job creators in this country. I'm for protecting the environment, but if you're belching out pollutants in China because you moved out of the United States because of on-
erous regulations and you weren't belching out those pollutants in Amer-
ica, I don't have much of an interest.

Act in place before you wrote the bad regulations, then you're not helping the environment at all by sending that to an unregulated place in China or India.

So let's get real. Let's try to set up an environment in this Nation that creates jobs so Americans can go back to work. It's all about going back to work.

Mr. Speaker, I yield back the balance of my time.
Let’s just say there’s a young person who gets elected to Congress, like—well, yes, I would think that there are some Members of the new class that would fit very close to that category. Would one really think that they would come in at age 25 and transition from being a parents’ health insurance on over to the Federal opportunity of health insurance that they can access and pay their share of the premiums that come with this job of working in this Congress and maybe never, ever where they are responsible to go out in the marketplace and buy their own health insurance?

I think that’s actually a bad idea, but if people want it, let them drive that through their States.

Some will say that we want to cover preexisting conditions so that children cannot be denied insurance on policies that their parents have. Well, that’s a good idea, and it’s one that can be sustained in the marketplace. If that doesn’t do it, it can certainly be sustained by mandates within the States, but it does not require, Madam Speaker, that the Federal Government get involved in mandating to the States, mandating to everybody in America, what shall be done with insurance.

So now I’ve used up, I think, the two things that had some popularity in ObamaCare. That’s it—insurance for 26-year-olds and preexisting conditions for children whose parents have policies. If I want to go out and buy a policy that ensures that my children could stay on it, that policy is available in the marketplace, I will say this, that before ObamaCare wrecked the markets and drove out a number of health insurance companies, we had 1,300 health insurance companies in this country which were viable in the marketplace, providing all kinds of policy varieties for customers to choose from—in fact, over 100,000 health insurance policy varieties and 1,300 companies. There were 100,000 policy varieties. We had plenty of competition. ObamaCare has driven out competition. It has not added to it. It has driven out competition. It has made it harder. It has driven up the cost of health care.

The indecision and the fear of what’s happening has caused the entire health care industry to be frozen in place. Now they come along and say, Well, if you’re not going to repeal it, can you accommodate me in some way?—perhaps in some way like granting them a waiver. I’m hearing individuals say, I want my waiver. Now I know that there have been 1,040 waivers to ObamaCare.

Madam Speaker, I know that there are people out there who are listening who maybe don’t understand what that means. It is this: ObamaCare is the law of the land. It is imposed upon every one in America. A law is to be applied to every individual in an equal fashion. We might sit in different categories. We might have Medicare that applies differently to somebody who’s 65 than it does to somebody who’s 60 years old; but these are waivers to statutes and to individuals and to entities.

From my standpoint, it’s unheard of, and it’s unheard of from what I did not see coming; but this administration has found out that they pushed a law that’s so bad—so bad—that they are granting waivers to companies, to entities, and to entire States, like the State of New York.

Now we find out that one of the people who has taken credit for helping to write ObamaCare, the gentleman from New York, who, I believe, is a candidate for the mayor of New York City, is now calling for a waiver for the City of New York to ObamaCare. So maybe, if he gets his way, it won’t be 1,040; it will be 1,041 waivers.

That’s appalling to think that you would sit in a strategy meeting/session and try to dream that, I believe, is flat out socialized medicine and argue that it’s good for everybody in America because they’re too ignorant to take care of their own health care and now find out that the policy is so ignorant you want a waiver from it for the city of New York. That’s appalling to think that that would happen.

1,040—1,040 waivers. Let me see. The IRS will enforce this. It will punish people with an extra penalty if they don’t get an E-Z formula. The E-Z form for the IRS is the 1040EZ. We’ve had 1040 waivers, 1,040 waivers. It’s E-Z for them, Madam Speaker, but it’s not going to be easy for anyone who doesn’t get a waiver.

We have this thing called the equal protection clause. It’s in the Constitution, the 14th Amendment. Everybody is going to be protected with equal protection. ObamaCare, itself, violates the equal protection clause because it gives an existing policy that exempted them differently to somebody who’s 65 than it does to somebody who’s 60 years old; but these are waivers to statutes and to individuals and to entities, and it increases taxes almost to that amount.

All these things are bad. There are so many bad things about ObamaCare. I don’t think there is any one person in the country who could stand up in 30 minutes and list all of the bad things about ObamaCare. It boils down, though, to this: it’s unaffordable. It’s unsustainable. It reduces research and development. It reduces the quality and lengthens the lines. It delays the service. It rations the care.

It takes away one more thing. The most important thing that we care about ObamaCare is this: I believe it is the unconstitutional takings of American liberty. It is unconstitutional in numbers of ways, three or four ways at least. American liberty is something that the Founding Fathers understood.

This is the pursuit of happiness. That’s the pursuit of happiness in the American Constitution. It was the pursuit of perfection, the pursuit of happiness. That pursuit of happiness was given by our Creator with certain unalienable rights. Among them are life, liberty, and the pursuit of happiness. That pursuit of happiness wasn’t the pursuit of hedonism; it was the pursuit of perfection, just the pursuit of perfection—both in the physical and spiritual realms. That’s the pursuit of happiness in the Greek form, and that’s what our Founding Fathers understood.
They’re unique, vigorous people with rights that come from God, and of all the things that flow through with this, these rights, many of them laid out in our Bill of Rights: freedom of speech, religion, and the press; freedom to peaceably assemble and petition the government for a redress of grievances; the right to keep and bear arms—the right to keep and bear arms; the property rights that are the Fifth Amendment; the right to protection of trial by jury, the right to trial by a jury of your peers, and the right to protection against double jeopardy; the rights that are endowed to the States and then the people, respectively, in the Ninth and mostly the Tenth Amendment.

All of those are unique things to Americans. They don’t apply to Western European democratic socialist states or, should I say, social democratic states. They don’t apply to people in Italy, the poorest and land in the world or the poorest and most unchallenged greatest Nation in the world. And we have a unique vigor, and that is the focus of the foundation of these rights.

But, Madam Speaker, I would take the position this, that you could take all of these rights that we have, that we identify as coming from our Creator, from God, and you can bestow them upon any other people on the planet and ask them to go out and build a vigorous society that would match and mirror that of America, and I will submit that that effort would fail. It would fail no matter if they had unlimited natural resources, if they had free enterprise to no end, if they had the same level of rights. They don’t apply to people in Mexico or anyplace in this hemisphere or anyplace else on this planet. These rights, as understood and envisioned by our Founding Fathers, apply only to Americans. And they are the foundation of why Americans are a unique and vigorous people, and they’re the foundation of why we are the unchallenged greatest Nation in the world. And we have a unique vigor, and that is the focus of the foundation of these rights.

And we are a people that have been blessed by the vigor of every contributing, every donor civilization on the planet, no matter the country. The people that came here, the legal immigrants that came to the United States, came by the tens of millions; the people that had a vision, that had a dream, that had a vision, that wanted to test themselves, that wanted to build something that went beyond their generation; people that wanted to leave the world a better place than it was when they found it; people that wanted to prepare the ground for the next generation to farm, to speak, and in some cases literally, these are the people that we got that came to America from every country, whether it’s England or Wales or Poland or Germany or Italy or any of the countries on the planet, all across Asia, all across Central and South America; people that had a vision that they wanted to live free and self-sufficient and own something and have children and grandchildren that could benefit from their labors.

And their vision and their intuitive ness and their creativity and the entrepreneurial nature, they came to America, and that set up a natural filter, a natural filter for people to save enough money and to get passage to come to the United States. Some of them sold themselves for as long as 7 years of labor just to pay the passage to get here. That’s a dream. You don’t get any calls that come like that. You get people that are vigorous, and we attracted them, and that’s the American spirit.

This vigorous American spirit is totally unsuitable for a social democracy or socialisma or hardcore leftist communist Marxism or any of those other utopian philosophies that many of them emerged out of the non-English speaking portion of Western Europe, and their philosophies permeated a lot of the components of the globe because they’re built upon class envy, but they’re not built upon the truths of human nature nor are they built upon our rights coming from God. And so, Madam Speaker, fantastic that we are the recipients of such gifts, and the gifts that we have and the vigor that we have, we need to understand what it’s rooted in. And it’s rooted in these freedoms and it’s rooted in the filter, the filter that filtered out people that wanted to come here but didn’t have quite the ambition to make it happen. It was hard to get here, and you had to have a dream to want to come here; and when you came here, we respected hard work and the people that planned their lives and invested and they were rewarded, and we admired them and raised our children to emulate them.

How many people like Donald Trump today, even though—I like I said, I don’t have anything bad to say about Donald Trump, not here into the RECORD. It’s because he’s been successful, people admire him. Bill Gates, because he’s been successful. Steve Jobs, because he admired him because he’s been successful. They’ve been successful because they’ve been entrepreneurs. They’ve been creative. They’ve worked within the free market system. They have made our lives better and improved the quality of our lives and lowered the cost of the services that we need for our quality of life to be upheld and made those contributions and gotten rich in the process. That’s the free enterprise system.

So here we are, these vigorous people, and some of the nancy state advocates here in this Congress—actually, it was a majority of them last year—decided they want to impose ObamaCare on us and take away our personal vigor. They wanted to take over the responsibility of managing our health care. What they finally did was, because ObamaCare is right now the law of the land, they nationalized our skin and everything inside it, a government takeover of our skin and everything inside it. The government took my body over and the body of 308 million Americans, and now they’re going to tell us when we get health care, under what conditions we get health care, that we must have a health insurance policy that they prescribe for us. They’ve taken away our individual responsibility. They’ve nationalized our skin and everything inside it.

And they had the audacity—and the President’s fond of that word “audacity.” It was in the title of one of his books, “The Audacity of Hope.” The President of the United States had the audacity to impose a 10 percent tax on the outside of the skin that he nationalized. You and I, as citizens and police officers, the government took my body over and the body of 308 million Americans, and now they’re going to tell us when we get health care, under what conditions we will pay the tax. They want to tax your non-Diet Coke. They want to manage our lifestyles in such a way that they will tax us if we eat fat foods and then presume we should get a discount if we eat healthy foods.

This is a nancy state personified. ObamaCare is so bad. It’s bad because of all the things that I’ve listed about their health insurance policy that they and the rationing and the net result of all of that, Madam Speaker, but the worst part is it is an unconstitutional taking of American liberty. It takes from us the ability, the right to manage our own health care, and it must go.

And when that legislation was passed and signed into law—I believe the anniversary date was March 23 of this year—I laid awake most of the night and slept a little bit and got up in the middle of the night and drafted a piece of legislation to repeal ObamaCare. It was waiting at the door of the service team to be formally put into the form
of a bill when they opened up that morning.

Very interestingly, Congresswoman MICHELE BACHMANN of Minnesota had done the same thing, and her legislation came down within 3 minutes of mine, exactly the same 40 words that said we were going to repeal ObamaCare, and, ‘‘as if it had never been enacted’’ were the last words in the bill. Forty words, repeal ObamaCare, gives the names of the bill, the numbers of the bill, et cetera, the last line, ‘‘as if it had never been enacted.’’

 Rip it out by the roots, Madam Speaker.

Now, that was not necessarily unheard of, but there aren’t many precedents in the history of Congress for repeal legislation to be filed actually the next day after a huge piece of legislation has been passed. But that is what we did, and we started down that path immediately, working to get signatures on the bill and building up the support to repeal ObamaCare.

Mid-by mid-summer we had a discharge petition. By the end of the 111th Congress, the election, as the only part that counted, we had 173 signatures on my discharge petition, people that wanted to see ObamaCare repealed came to the floor, bypass the committee process, bypass the Speaker’s ability to kill the bill before it got here, and bring it to the floor for a vote. We had 173; we needed 218.

And the message that went out across America was useful in that some Members of Congress that are here today will say straight up they wouldn’t be here if it were not for the discharge petition and they could challenge their opponent to sign it. And almost every Democrat refused to do so. And now there are 87 new freshmen Republicans. Every single one has run on the repeal of ObamaCare. As far as I know, everyone has run on the defunding of ObamaCare. And I know that every single Republican in the House of Representatives voted for H.R. 2, which is the repeal of ObamaCare. And I know that every single Republican in the United States Senate voted to repeal ObamaCare. The language that we generated then is the language that emerged into H.R. 2. And now every Republican and some Democrats agree to a continuing resolution to vote to repeal ObamaCare.

Now, that didn’t stop there. The strategy that I put together almost a year ago was this: that we needed to win the majority, which we did; bring the repeal of ObamaCare, which we did. It didn’t succeed in the United States Senate, but behind that always was this majority here in the House of Representatives has an obligation to cut off all funding that would be used to implement or enforce ObamaCare.

And I have been consistent with that language all the way through last summer into last fall and past the election and beyond. Repealing ObamaCare, then cut off the funding to ObamaCare. Stop the implementation of ObamaCare and stop the enforcement of it by shutting off the budget dollars and hold this waste of money to this unconstitutional bill of ObamaCare until such time that we can elect a President who will sign the repeal.

The date for that to happen in my strategy is January 20, 2013, Madam Speaker. And that’s the date that the next President of the United States will be inaugurated on the west portico of the Capitol Building.

And when that President stands there and takes that oath of office, it’s my vision and my dream and my commitment to work towards it, I am going to ask you take your oath of office with pen in hand, Mr. President-elect, and I’m going to ask you to solemnly swear to preserve, protect, and defend the Constitution of the United States to the best of your ability so help you God. And once that statement and the oath are made and the oath of office is finished and he’s formally the President of the United States, and before that new President on January 20 of 2013 shakes the hand of Chief Justice John Roberts, I want that president to come right down to the parchment, and I want him to sign the repeal of the ObamaCare right there on the podium of the west portico of the Capitol, right out there as the first act of the next President of the United States. That’s my vision. That’s my commitment.

But until then shutting off funding to ObamaCare is a must-do. And most of America knows by now that there is $105.5 billion automatically appropriated in a deceptive way by the way the bill was drafted up in NANCY PELOSI’s office, not going through committee, not having the work of the will of this Congress, but drafted up in her office and dropped on us with hardly any notice and certainly no time to inform the American people of what was in it, automatic, unprecedented in their scope, appropriations to the tune of $105.5 billion, Madam Speaker.

And already it automatically appropriated in the 2010 budget. So that’s $18.6 billion and $4.95 billion in the 2011 budget. It totals up to $23.6 billion, already appropriated, almost all of it set aside for the purposes of implementing ObamaCare.

We may have a showdown. We must face the President down. If the President demands that ObamaCare be funded, what are we going to do? Say, no, Mr. President, that he vetoes legislation that would otherwise fund all of government.

And if President Obama does that or if HARRY REID continues to perform as his proxy and shuts off anything that we send over that way even though we’ve demonstrated our desire to keep the legitimate functions of government intact, then functional, if the President shuts it down or HARRY REID shuts it down and this government comes to a halt, here’s the irony.

The irony is this: lights would go out in Federal offices around this land. Not all of them because essential services will keep going. But lights will go out. And as the lights go out in the non-essential service Federal offices, what will be going in the other offices? The government will continue even in a government shutdown to be implemented because there’s $23.6 billion sitting in their pot to spend out of to implement ObamaCare, and we could have shutdown after shutdown, and ObamaCare is implemented and implemented.

We must hold the line. We must stand on this principle. It is our obligation. It is unconstitutional. We take an oath to uphold the Constitution too. And that includes defending the Constitution and opposing unconstitutional legislation with every tool at our disposal.

The President and the Democrats, I believe, Madam Speaker, plan to shut the government down, but that’s why they agreed to a continuing resolution in December that funds the government until March 4. It was to bring this to a head. They wanted to box us into a corner and then blame Republicans for shutting the government down.

Well, it’s real clear: Republican leadership wants to avoid a shutdown. It’s clear to me that Democrats are determined to provide a shutdown and try to blame it on Republicans. And it’s clear to me that if we fund all the functions of government except ObamaCare and if the President brings about a shutdown, it won’t be the House Republicans; it will be HARRY REID as proxy for the President.

If that happens, what we’re going to see happen here is the President of the United States could veto an appropriations bill that funds everything except ObamaCare. It would be a Presidential act of unconstitutional and be throwing tantrum that he would be throwing tantrum would be saying this: that his signature piece of legislation, ObamaCare, means more to him than all of the other legitimate functions of government combined.

That’s the scenario that we are in. The American people will render a verdict when that day comes that there is that kind of a showdown. And it must come. The American people will render a verdict. They will not stand for shutting the government down, and they’re not going to side with the President who has imposed ObamaCare when 62 percent of Americans want it repealed. 51 percent intensely want to do so, and only 24 percent want to keep it in any kind of a vigorous way.

So, Madam Speaker, I will say this: we have an obligation to stand and hold our ground. This showdown will come. It must come. If it doesn’t, we will be capitulating to the President in every way that he’s willing to fight. I say a showdown and a vigorous one. Let’s have our fight now. Let’s get it over with, and let’s get on with the business of the 112th Congress.
With that, Madam Speaker, I would yield back the balance of my time.

CONCERNS ABOUT LIBYA

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 5, 2011, the gentleman from New Mexico (Mr. PEARCE) is recognized for 30 minutes.

Mr. PEARCE. Madam Speaker, I appreciate the opportunity to address the assembled body tonight.

As one of the few combat veterans in the U.S. Congress, I rise to express deep concerns about what we are doing in Libya at this moment.

Madam Speaker, we have committed the U.S. taxpayers and we’ve committed U.S. troops to engagements that have extended almost a decade. Having been involved in one of those long overseas engagements before in Vietnam, I know the strain that these actions place on our families and on our youth, and I don’t think that the administration has adequately thought out what we are doing and what we’re asking the taxpayers of this country to do and the young people of this country to do, engaging in yet a third conflict with questionable ideas and questionable values at the heart of why we’re engaging in the discussion.

12:30

I’ve been an ardent supporter of the war on terror. I believe that we’re going to be committed to the war regardless if it is there in their back yard or in our back yard.

But I rise tonight to say that I’m adamantly opposed to extending our forces any further than what we’ve already extended them without asking our allies to provide their tax money and to put the lives of their young people on the line.

The entire world is benefiting from the sacrifices that this country is making to establish order and to establish some modicum of peace in regions that are not given naturally to such. And since the world benefits, then the world has a responsibility. So I think the President should be calling on our allies to fund the NATO mission and to provide the people, the personnel, and the weapons.

And, yet, as I look at a breakdown of the missions that have been flown and fought so far, I find a dominance of U.S. cost in lives, in hours, monetary resources and in morale.

As a veteran, I find it disturbing that we’re in two wars and now intervening in a third with no end in sight. Our mission is unclear.

Having served in Vietnam at a time when our Nation was beginning to withdraw support for that war, and remembering being there in those countries when funding was made short and gasoline and fuel was taken from side-state and in order to fly combat missions, I remember with dismay a Nation that was not fully supporting the combat troops.

I find these actions to be questionable on behalf of our Commander in Chief as it regards Libya. Despite his speech last night, President Obama simply raised more questions.

He explained that America is different. I’m not certain that rationality applies to putting young men and women in harm’s way, but I don’t think it is a deep enough explanation.

What is the time frame? The President has yet to clarify. Are we there to enforce a no-fly zone? Then let our friends and neighbors in the U.N., the United Nations, enforce the no-fly zone.

If we’re there to enforce a no-fly zone, why then are we bombing ground troops? They don’t affect the no-fly zone.

If the goal is to protect civilians, why did Secretary Clinton meet with the rebel leader in London? Why is Secretary Clinton calling for Mr. Qadhafi to step down if we’re only enforcing the no-fly zone and protecting civilians?

This war is going to go back and forth, and already you see our leaders wondering if we will be out by the end of the year. And I wonder if we can be out by the end of the decade.

Now, make no mistake about it: if Libya had done something to harm us, I would be 100 percent supportive, but I question extending us and our troops to one more war zone.

Why are we fighting a war that Secretary of Defense Robert Gates said bears no strategic interest to the U.S. and does not jeopardize our national security?

Why are we working on the side of the rebels?

Their own commander has stated that al Qaeda members who fought our troops in Iraq are now fighting Mr. Qadhafi. In Libya we’re working with the same people we’re trying to kill in Afghanistan.

Not only that, but it looks like we’re arming those same troops. And I worry that our armaments supplied to troops in Libya will show up in the fight against Americans in Afghanistan and Iraq.

As a combat veteran, I find these concerns to be deeply disappointing in an administration who, for nearly 2 weeks, could not point to whether NATO, the U.S., France or the United Kingdom was in charge. This is poor management, a management I saw during the Vietnam war, with little sense of purpose and always a confusion about exactly why we were there and how long we would stay.

Humanitarian missions are admirable. However, sending troops into battle without an overarching mission is dangerous. Everyone in this room remembers Somalia in 1993.

Why are we singling out Libya? There’s a war going on in the Ivory Coast right now. Saudi troops have cracked down on protesters in Bahrain in recent weeks, with civilian deaths reported. Not a whisper of American intervention there.

According to the Genocide Intervention Network, since 2009 almost 1 million people have been displaced in ongoing fighting in the Democratic Republic of the Congo; 5.6 million civilians are estimated killed since 1996.

And we’re going to tell the civil authorities, yet, here he is leading us into this new conflict.

The President needs to consider the fact that the mission is unclear, despite his speech last night. He needs to realize that America cannot intervene in wars where we face no threat to our national security and have no strategic interest. He should listen to his Secretary of Defense.

In the past 10 and in this yet third conflict, we’re going to continue to put budget pressure on a budget that is strangling beyond belief. In this country, the greatest threat that we face right now is a mounting national debt that is almost $15 trillion, almost the equivalent of our entire gross domestic product.

At the time when we’re expending more resources and more dollars in a conflict that has to be yet determined as to its scope, purpose, and length, we’re straining our budget even further. And while we’re conducting these outside forces to greater cost to our U.S. Government, we are conducting a war on the West in this country, in New Mexico.

New Mexico.

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New Mexico.
Today, no one makes their living in the timber industry in New Mexico. Over 20 mills have been idled. The woodcutters and the choppers no longer have work.

Our mountain communities that used to depend on logging now depend on tourism, which is a very distant second as it provides incomes for our families to live and pay their bills on.

Our government put an entire industry out of work in the 1970s with a regulation based around the spotted owl. The theory was that if we wanted to protect the owl, we had to limit all the activity in the forest; and so we simply killed the timber-cutting jobs in our national forests across the country, and nowhere did it hit harder than in New Mexico. Our government said you can no longer go into the forest and cut trees because we are going to preserve the amount of land for the spotted owl, and an industry was killed overnight.

Right now, in New Mexico, the oil and gas industry hires about the same number of people that the timber industry used to hire. About 23,000 people now work for oil and gas. We provide energy for much of the country. And yet those jobs now are at risk because the Fish and Wildlife Service just recently announced that they are going to list a lizard as an endangered species.

Now, keep in mind that this lizard is seen everywhere. But when people ask me what is so significant about this lizard, I tell them, well, you just can’t count the lizards out there. You have to stop them, raise their arm, and count the number of scales between the elbow and shoulder underneath their arm. And the endangered lizard has one less scale or one more scale, I’m not sure which, than the other lizards. And people say: Wait, your government would kill our jobs over one scale under a lizard’s arm, his front leg? And they are simply aghast that this government would be killing jobs at a time when our economy is struggling so bad. And at the very time that we are struggling to keep our industry alive from some nameless bureaucrat, we find our President going to South America to see what he can do to invigorate an oil industry there. My friends, this is a time for us to produce American jobs and not American energy. Now, I believe that we can produce energy and protect the species. I believe that we can produce energy and keep our environment clean. And I believe that we can produce American jobs while protecting species, the environment, workers. I believe that we can do it all, and I believe that Americans insist that we do it. They don’t want to see the species go extinct, but neither do they want jobs to be shipped overseas in the name of some value they don’t quite understand.

Now, the truth is that where we have stopped logging, the trees are too dense for the spotted owl now. The habitat, instead of getting better, has gotten worse. And right across the street in the Mescalero Indian reservation, where they can log at their own will, they have stopped logging, the trees are too dense for the spotted owl now. The habitat, instead of getting better, has gotten worse.

And so the habitat we are trying to protect actually is simply not suitable now for the spotted owl and they are moving on to the next door, and we have done this in the name of some science that has never been made clear to us and it is very similar to what is going on with the lizard listing trying to list some species that I suspect there is no DNA difference between the five-scaled lizard and the six-scaled lizard. I suspect that is a mutation rather than a DNA difference. I suspect that there is no science on it.

And so we joined with people in our district this week to begin to say publicly to the government: Enough is enough. You are making promises with our money that you can’t keep. You are committing us to more wars. You are committing us to more social payments. You are committing the taxpayer to a higher burden. At the same time, you are causing dwindling tax into the government coffers by killing our jobs, and people are saying it is enough.

We saw in the last election a turnout of incredible magnitude of people saying: The government is not listening, and we don’t care about what the government is doing and the frustration is deeper and deeper. And, frankly, I encourage that, because I believe that the only hope in turning back a government that is too strong, a government that does not care, a government that is willing to take jobs from its people, a government that is willing to commit our troops anywhere in the world in the name of whatever vague policy they have is a government that is out of control. This needs to return to be a government of the people, by the people, and for the people.

We have set up on our Web page places where you can go and make comment to the government. You can call our office here and make those comments, and we will relay those comments for you.

So understand that we are in a fight for the future of this Nation, for a fight for our economy, and the greatest enemy is the government itself. The government intervenes in ways that it has no constitutional authority. The government intervenes with increasing tax policies so that even our President said in his State of the Union message that we are too highly taxed in our corporations and we need that in control. Let our President get that in control. We will vote gladly for such tax decreases here on the floor of this House in order to ensure that jobs are created.

The greatest reason that our jobs are going overseas are two: taxation policy and regulation policy. Regulations like the spotted owl. Regulations like the listing of the lizard. Regulations like the choking down of our financial system by the regulators now who are taking out and taking them by threats of fines. We are choking our economy down in the name of safety and security and achieving neither.
The sad thing is that we could cure most of our economic ills if we simply grow the economy.  

Actuarial tables tell us that if we had a 3.5 percent rate of growth, that our economic problems in the States and in this government begin to disappear. And you would ask, is 3.5 percent possible? Well, that is exactly the rate we have averaged for the last 75 years. But, today, because of our policies of overtaxation, overregulation, our unfriendliness to business in general, we find ourselves stuck at about a 1 to 1.5 percent rate of growth.

Thus, we are finding the pressure on Social Security, Medicare, and Medicaid. We are finding the pressure of the $15 trillion debt. We are finding the pressure of $1.5 trillion deficits. In order to raise the labor force, that Federal Reserve is beginning to print more and more money, so we are seeing prices skyrocket.

So at a time when jobs are scarce and people worry for the future, we are seeing the price of gasoline go up, the price of vegetables going up, the price of gold, silver, iron, everything is going up; not because their value has increased since last year or last month, but because the value of your dollar is decreasing because we are printing so many.

And even then we still are having increased pressure. We find the Japanese are not going to be able to lend us money. They typically were large buyers of our Treasury Bills, meaning they were loaning the government money. Not for a long time. China is beginning to decrease its holdings of Treasury Bills. And we are hearing these vague messages from our Federal Reserve. From our Japanese, our own citizens, think our economy is out of control, our debt and our deficits are out of control, so they are saying no more, we are not going to lend you any more. That then drives the price of goods up and this somehow creates a difference by printing money.

That is an avenue that some of the German economists have used to cure their ills. That is an avenue that some of the Argentine economists have used to cure their ills. But, today, because of our policies of overtaxation, overregulation, our unfriendliness to business in general, we find ourselves stuck at about a 1 to 1.5 percent rate of growth.

Meanwhile, let us begin to cut the spending here in Washington. We can cut many ways without cutting the actual outcomes to people. We have duplicate agencies. We have waste, we have fraud, we have abuse. Cut those, but, on the other hand, begin to grow our economy and create jobs in industries that used to be here, industries that would start up overnight.

These are the 20- and 20-year plans. These are ideas that can begin immediately. The people would begin to work in the forest immediately if we would let them. They would begin to drill wells again. Offshore we could get our deepwater platforms working once again. Those have been idled by a government that is too powerful and has shut down over 100,000 jobs offshore.

These are the reasons that we are having the economic difficulties that we do. And when we have difficulties, as the world's largest economy, the Germans said it best: When you sneeze, you—the U.S.—sneeze economically, you give the rest of the world the flu.

If we will begin to set about creating American jobs, producing American energy, American timber, American manufactured goods up and down the economic spectrum, then we can cure not only our economy, but we can cure the world's economy. And I believe that we are going to do that. I believe that because the American people are beginning to stand and insist on it. Their insistence is patient, their insistence is respectful, but it is consistent nonetheless, and it has no waver and no quiver to it.

It says fix the problems. Come to this city of Washington and vote not like Republicans, not like Democrats, but like Americans. And when we begin to do that in this body, I believe that the American people will come together and support us in rekindling that greatness that lies within this country, that American exceptionalism that people for generations have come here to find, leaving everything behind, leaving families a culture behind, leaving their own language behind, and they have come here for generations to find the " oportunuty" and "hope" which have been so deeply ingrained into the fabric of this Nation. And that is what I believe that we should be engaged in at this moment in this body.

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

**LEAVE OF ABSENCE**

By unanimous consent, leave of absence was granted to:

**Mr. RANGEI (at the request of Ms. PELOSI) for today on account of official business in the district.**

**Mr. PRINGLEHUSSEN (at the request of Mr. CANTOR) for today and the balance of the week on account of surgery.**

**BILLS AND JOINT RESOLUTIONS**

Presented to the President:

Karen L. Haas, Clerk of the House reports that on March 03, 2011 she presented to the President of the United States, for his approval, the following bills:

H.R. 662. To provide an extension of Federal-aid highway, highway safety, motor carrier, safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Karen L. Haas, Clerk of the House further reports that on March 17, 2011 she presented to the President of the United States, for his approval, the following joint resolution:

H.J. Res. 48. Making further continuing appropriations for fiscal year 2011, and for other purposes.

**ADJOURNMENT**

Mr. PEARCE. Madam Speaker, I move that the House do now adjourn.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

923. A letter from the transmitting the Department's "Major" final rule — Regulation to Implement the Equal Employment Provisions of the Americans with Disabilities Act, as amended (RIN: 3046-AA85) received March 18, 2011, pursuant to 5 U.S.C. 301(a)(1)(A); to the Committee on Education and the Workforce.

924. A communication from the President of the United States, transmitting a message on the United States' involvement in the international effort authorized by the United Nations Security Council; (H. Doc. No. 112-14); to the Committee on Foreign Affairs and ordered to be printed.


Pursuant to clause 2 of rule XIII the Committee on Science, Space, and Technology and the Judiciary discharged from further consideration. H.R. 658 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 or rule XIII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1034 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 or rule XIII the Committee on Ways and Means discharged from further consideration. H.R. 1621 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

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. BILIRAKIS (for himself, Mrs. MALÉN, Mr. BILIRAY, and Mr. WESTMORELAND): H.R. 123. A bill to require the cessation of activities of the Committee on House Administration. Report on the activities of the Committee on House Administration During the 111th Congress (Rept. 111-713). Referred to the Committee of the Whole House on the State of the Union.

By Mr. BURGESS: H.R. 1215. A bill to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. SCHAKOWSKY, Mr. TERRY, Mr. WITTMYRE, and Mr. BARROW: H.R. 1219. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of optometrists; to the Committee on Energy and Commerce.

By Mr. Young of Alaska: H.R. 1220. A bill to require the conveyance of the decommissioned Coast Guard Cutter USCGC BORS; to the Committee on Transportation and Infrastructure.

By Mr. BACHUS (for himself, Mr. GARRETT, Mr. HENSARLING, and Mr. Pearce): H.R. 1222. A bill to increase the guarantee fees charged by Fannie Mae and Freddie Mac with respect to mortgage-backed securities guaranteed by such enterprises; to the Committee on Financial Services.

By Mr. BACHUS, Mr. HENSARLING, and Mr. Pearce: H.R. 1223. A bill to amend the Securities Exchange Act of 1934 to generally allow exchanges to hold or securitize assets guaranteed by Fannie Mae and Freddie Mac and asset-backed securities issued by such enterprises are treated similarly as other mortgages and asset-backed securities for purposes of the credit risk retention requirements under such Act; to the Committee on Financial Services.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mr. GARRETT, and Mr. Pearce): H.R. 1224. A bill to increase the rate of the required annual reductions of the retained portfolios of Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. PEARCE (for himself, Mr. BACHUS, Mr. GARRETT, and Mr. HENSARLING): H.R. 1225. A bill to prohibit Fannie Mae and Freddie Mac from issuing any new debt without approval in advance by the Secretary of the Treasury; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING): H.R. 1226. A bill to repeal the affordable housing goals for Fannie Mae and Freddie Mac; to the Committee on Financial Services.

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:

[The following action occurred on January 3, 2011]

Mr. BISHOP of Utah: Committee on Rules.


By Mr. BURGESS: H.R. 1215. A bill to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. PITTS: H.R. 1217. A bill to repeal the Prevention and Public Health Fund; to the Committee on Energy and Commerce.

By Mr. SHUSTER: H.R. 1218. A bill to amend title 23, United States Code, to allow a State to use as a credit toward the non-Federal share requirement for funds made available to carry out such title the Appalachian development highway system program; to the Committee on Transportation and Infrastructure.

By Mr. HALL (for himself, Ms. SCHAKOWSKY, Mr. TERRY, Mr. WITTMYRE, and Mr. BARROW)
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By Mr. SCHWEIKERT (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1227, A bill to prohibit Fannie Mae and Freddie Mac from offering any new products during the term of any conservatorship or receivership of such enterprises; to the Committee on Financial Services.

By Mr. LANDRY:

H.R. 1228, A bill to provide for payments to certain natural resource trustees to assist in restoring and conserving natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Virginia (for himself, Mr. LAMBOIRN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHN- son of Ohio, Mr. DUNCAN of South Carolina, Mr. Tipton, Mr. BROWN of Georgia, Mr. Tipton, Mr. GOMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. Nunes, Mr. BOUSTANY, Mr. HICKS, Mr. SCALISE, Mr. Ross of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGRATY of Georgia, Mr. POMPRO, Mr. GLESTON, Mr. WITTMAN, Mr. WESTMORE- LAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HILLER, Mrs. HARTZLER, and Mr. POSEY):

H.R. 1229. A bill to amend the Outer Continental Shelf Lands Act to facilitate the sale and timely production of American energy resources in certain areas of the Gulf of Mexico, the Atlantic, and the Pacific Oceans, to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCY of Washington (for himself, Mr. LAMBOIRN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHN- son of Ohio, Mr. DUNCAN of South Carolina, Mr. Tipton, Mr. BROWN of Georgia, Mr. Tipton, Mr. GOMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. Nunes, Mr. BOUSTANY, Mr. HICKS, Mr. SCALISE, Mr. Ross of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGRATY of Georgia, Mr. POMPRO, Mr. GLESTON, Mr. WITTMAN, Mr. WESTMORE- LAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HILLER, Mrs. HARTZLER, and Mr. POSEY):

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By Mr. LAMBOIRN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHN- son of Ohio, Mr. DUNCAN of South Carolina, Mr. Tipton, Mr. BROWN of Georgia, Mr. Tipton, Mr. GOMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. Nunes, Mr. BOUSTANY, Mr. HICKS, Mr. SCALISE, Mr. Ross of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGRATY of Georgia, Mr. POMPRO, Mr. GLESTON, Mr. WITTMAN, Mr. WESTMORE- LAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HILLER, Mrs. HARTZLER, and Mr. POSEY):

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By Mr. MANDEL: H.R. 1234. A bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. KIND, Mr. BOUSTANT, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. PASCRELL):

H.R. 1234. A bill to amend the Internal Revenue Code of 1986 to suspend for a limited period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture.

By Mr. KILDEE:

H.R. 1234. A bill to amend the Act of June 18, 1994, to require the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. CARTER:

H.R. 1235. A bill to provide a Federal regulatory moratorium, and for other purposes; to the Committee on Oversight and Government Reform, 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. GERRLACH (for himself, Mr. NEAL, Mr. PAULSEN, Mr. BLUMENAUER, Mr. HUNTER, and Mr. DIFazio):

H.R. 1236. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on certain small producers; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 1267. A bill to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of certain acreage in the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mr. LaTOURETTE, and Mr. TUCKER):

H.R. 1240. A bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used for legal assistance to homeowners to avoid foreclosure; to the Committee on Financial Services.

By Ms. KAPTUR (for herself, Mr. MAN- DAKOVICH, and Mr. MANZANILLO), 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. LOESBACH (for himself and Mr. Plat- tos):

H.R. 1240. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PHILICHHI:

H.R. 1241. A bill to establish the Rio Grande del Norte National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. MARKEY:

H.R. 1242. A bill to amend the Energy Policy Act of 1992 to provide for a Federal regulator insolvency program, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources.

By Mr. ROONEY (for himself and Mr. MERCER): H.R. 1249. A bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial to the men of the Navy SEAL Teams and their predecessors; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1246. A bill to amend title 5, United States Code, to provide that civilian employees of the Department of Defense performing unsatisfactory work shall not be eligible for annual nationwide adjustments to pay schedules; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of California: H. Res. 185. A resolution supporting the goals and ideals of National Tsunami Awareness Week; to the Committee on Science, Space, and Technology.

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CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa- tives, 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. BILIRAKIS: H.R. 1211. Congress has the power to enact this legis- lation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make “all Laws which shall be necessary and proper” for carrying out the constitutional powers vested in the Government of the United States.

By Mr. AMASH: H.R. 1212.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution states that Congress shall have the power to "raise and support Armies, ... Toprovide and maintain a Navy, ... To make Rules for the Government and Regulation of the land and naval Forces." Although the Constitution's Article II, Section 2 designates the President as "Commander in Chief," that title does not empower the President to order constitutionally unauthorized force when the United States has not been attacked or is not in imminent danger of attack. This bill reclaims Congress's core constitutional prerogative to control when offensive military force is used.

By Mr. UPTON:
H.R. 1213.

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. BURGESS:
H.R. 1214.

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. 1215.

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. GUTHRIE:
H.R. 1216.

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. PITTS:
H.R. 1217.

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. ROYCE:
H.R. 1218.

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. HALL:
H.R. 1219.

Congress has the power to enact this legislation pursuant to the following:

The Indian Commerce Clause is applicable to this bill: “This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. YOUNG of Alaska:
H.R. 1220.

Congress has the power to enact this legislation pursuant to the following:

Article 1, 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," and 18 ("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. NEUGEBAUER:
H.R. 1222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3: ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"). and 18 ("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. GUARDIAN:
H.R. 1223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3: ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"). and 18 ("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. HENSARLING:
H.R. 1224.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clauses 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")., 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("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. PEARCE:
H.R. 1225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 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")., 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("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. CAMP:
H.R. 1226.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KILDEE:
H.R. 1227.

Congress has the power to enact this legislation pursuant to the following:

The Indian Commerce Clause: Clause 3 of Section 8 of Article I and the Necessary and Proper Clause: Clause 8 of Section 8 of Article I of the Constitution.

By Mr. CARTER:
H.R. 1228.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GERLACH:
H.R. 1229.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. HASTINGS of Washington:
H.R. 1230.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. HASTINGS of Washington:
H.R. 1231.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. BACHUS:
H.R. 1232.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOSWELL:
H.R. 1233.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Article I of the U.S. Constitution.

By Mr. HASTINGS of Washington:
H.R. 1234.

Congress has the power to enact this legislation pursuant to the following:

The Indian Commerce Clause: Clause 3 of Section 8 of Article I and the Necessary and Proper Clause: Clause 18 of Section 8 of Article I of the Constitution.

By Mr. BACHUS:
H.R. 1235.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HASTINGS of Washington:
H.R. 1236.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HASTINGS of Washington:
H.R. 1237.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.
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. ROONEY:

H.R. 1240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (Necessary and Proper Clause).

By Mr. ANDERSON:

H.R. 1241.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (Commerce Clause).

By Mr. TAYLOR:

H.R. 1242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 16 (Necessary and Proper Clause).

By Mr. ROONEY:

H.R. 1243.

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 1, Section 8 of the United States Constitution.

By Mr. Schiff:

H.R. 1244.

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 1, Section 8 of the United States Constitution.

By Mr. HASTINGS of Florida:

H.R. 1245.

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 1, Section 8 of the United States Constitution.

By Mr. CASTOR:

H.R. 1246.

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 1, Section 8 of the United States Constitution.

By Mr. LOWEY:

H.R. 1247.

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 1, Section 8 of the United States Constitution.

By Mr. NADLER:

H.R. 1248.
H. R. 905: Mr. Walden, Mrs. Myrick, Ms. Sewell, and Ms. Berkley.
H. R. 910: Mr. Poe of Texas, Mr. Brady of Texas, Mr. Turner, Ms. Jenkins, Mr. Simpson, Mr. Kelly, Mr. Pfenning, Mr. Tipton, Mr. Calvert, Mr. Fleischmann, and Mr. Gravert of Missouri.
H. R. 912: Mr. Crenshaw, Mr. Wittman, Mr. Ellison, and Mr. Jackson of Illinois.
H. R. 938: Mr. Neal, Mr. Lamborn, Mr. Kissell, and Mr. Runyan.
H. R. 941: Mr. Luna, Mr. Loeb, Mr. Latham, Mr. Boswell, Ms. Eddin Bernick Johnson of Texas, and Mr. Michaud.
H. R. 943: Mr. Towns and Mrs. Napolitano.
H. R. 946: Mr. Blumenauer, Mr. Larson of Connecticut, Mr. Kissell, and Mr. Moran.
H. R. 969: Mr. Benshrek.
H. R. 973: Mr. Rigell.
H. R. 984: Mrs. Adams, Mr. Jones, Mr. Rokita, Mr. Sessions, Mr. Grimm, Mr. Westmoreland, and Mr. Mack.
H. R. 987: Mr. Bilbray.
H. R. 1004: Mr. Reichert.
H. R. 1006: Mr. Franks of Arizona, Mr. Herberg, and Ms. Berkley.
H. R. 1013: Mr. Lynch.
H. R. 1033: Mr. McCotter.
H. R. 1040: Mr. Jones and Mr. Forbes.
H. R. 1047: Mr. Lankford, Mr. Pompeo, and Mr. Tipton.
H. R. 1049: Mr. Farenthold and Mrs. Lummis.
H. R. 1055: Mr. Johnson of Georgia.
H. R. 1058: Mr. Gutierrez, Mrs. Miller of Michigan, and Mr. McKinley.
H. R. 1066: Mr. Langevin, Mr. Lujan, Mr. Pallone, Mr. Van Hollen, Mr. Courtney, Mr. Pascrell, Mr. Moran, Mrs. Maloney, Mr. Ross of Arkansas, Mr. Heinrich, Mr. Boren, Ms. Speier, Ms. Hirono, Mr. Rothman of New Jersey, Mr. Holden, Mr. Barlettta, Ms. Moore, Mr. Hastings of Florida, Mr. Jones, Mr. Conyers, Mr. Cleaver, Ms. Sutton, Mr. Grijalva, Ms. Richardson, Mr. Shires, Mr. Levin, Mr. McGovern, Ms. Matsui, Mr. Crowley, Mr. Rahall, Ms. Bordallo, Mr. David Scott of Georgia, and Mr. Smith of Washington.
H. R. 1070: Ms. Eshoo and Mrs. Bachmann.
H. R. 1075: Mr. Chaffetz, Mrs. McMorris Rodgers, Mr. Flake, and Ms. Herrera Beutler.
H. R. 1081: Mr. Butterfield, Mr. Hastings of Florida, Mr. David Scott of Georgia, Mr. Filner, Mr. McIntyre, Mr. Paul, Mr. Ruppersberger, Mr. Flores, Mr. Holden, and Mr. Coffman of Colorado.
H. R. 1112: Mr. Flores.
H. R. 1113: Mr. Honda, Mr. Baca, Mr. Cleaver, Mr. Al Green of Texas, Mrs. Christina, Mr. Hinchey, Mr. Stark, Ms. Moore, Mr. Payne, Ms. Pudge, Mr. Fattah, Mr. Cummings, Mrs. Maloney, and Ms. Woolsey.
H. R. 1121: Mr. Wilson of South Carolina.
H. R. 1131: Mr. Hastings of Florida.
H. R. 1132: Ms. Moore, Mr. Jackson of Illinois, Mr. Stark, Ms. Woolsey, and Mr. Norton.
H. R. 1153: Mr. King of New York.
H. R. 1161: Mr. Hastings of Florida, Mr. Goodlatte, Mr. Barrow, Ms. Sutton, Mr. Sherman, Mr. Quigley, Mr. Flores, Mr. Poe of Texas, Mr. Rooney, Mr. West, Mr. Andrews, and Mr. David Scott of Georgia.
H. R. 1173: Mr. Griffin of Arkansas, Mr. McClintock, and Mr. Duncan of South Carolina.
H. R. 1175: Mr. Smith of Washington, Mr. Bartlett, and Mr. Marino.
H. R. 1184: Mr. Graves of Missouri, Mr. Burton of Indiana, and Mr. Gingrey of Georgia.
H. R. 1185: Mr. Gingrey of Georgia.
H. R. 1186: Mr. Sessions and Mr. Paul.
H. R. 1187: Mr. Connolly of Virginia.
H. R. 1192: Mrs. Blackburn, Mr. Griffin of Arkansas, Mr. Ruppersberger, Mr. Yoder, Mr. Sessions, Mr. McCaul, Mr. Burton of Indiana, Mr. McCotter, Mr. Mulvaney, Mr. Kissell, and Mr. Frick of Georgia.
H. J. Res. 13: Mrs. Myrick, Mr. Posey, Mr. Rogers of Michigan, Mr. Runyan, Mr. Austria, and Mr. Jordan.
H. J. Res. 49: Mr. Chaffetz and Mr. Stark.
H. Con. Res. 7: Mr. Peterson and Mr. Hastings of Florida.
H. Con. Res. 31: Mr. Kucinich.
H. Res. 23: Mr. Sessions.
H. Res. 25: Mr. Connolly of Virginia, Mr. Lewis of Georgia, Mr. Coffman of Colorado, Mr. Scott of South Carolina, Mr. Honda, and Mr. Smith of New Jersey.
H. Res. 47: Mr. Berman, Mr. Van Hollen, and Mr. Schiff.
H. Res. 60: Mr. Westmoreland, Mr. Cole, and Mr. McGovern.
H. Res. 81: Mrs. Maloney.
H. Res. 82: Mr. Bentsen, Mr. Guinta, Mr. Ross of Florida, Mr. Lamborn, Mr. Neugebauer, and Mr. Jones.
H. Res. 85: Mr. Van Hollen.
H. Res. 87: Mr. Al Green of Texas.
H. Res. 111: Mr. Capuano, Mr. Rogers of Michigan, Mr. Andrews, Mr. Sires, Mr. Pascrell, Mr. Yarmuth, Mr. Gene Green of Texas, Mr. LoBiondo, and Mr. Walls of Minnesota.
H. Res. 134: Mr. Johnson of Illinois, Mr. Grimm, Ms. Speier, and Mr. Sensenbrenner.
H. Res. 137: Mr. Baca, Mrs. Emerson, Mr. Boswell, Mr. Kissell, Mr. Holden, Mr. Blumenauer, Mr. Latham, Mr. Brady of Pennsylvania, Mr. Braley of Iowa, Mr. Jackson of Illinois, Mr. Costa, Mr. Stark, Mr. Garamendi, Mr. Peterson, Mr. Tiberney, Mr. Inslee, Mr. McGovern, Mr. Wu, Mr. Schrader, Mr. Israel, Mr. Critz, and Mr. Michaud.
H. Res. 139: Mr. Kind, Ms. Schwartz, Mr. Cohen, Mr. Schock, Ms. Jackson Lee of Texas, Mr. Weiner, Mr. Johnson of Georgia, Mr. Lewis of Georgia, Mr. Rush, Mr. Sensenbrenner, Ms. Wilson of Florida, Mr. Austria, and Mr. Johnson of Ohio.
H. Res. 140: Mr. Calvert and Mr. Rigell.
H. Res. 143: Mr. Tsongas.
H. Res. 172: Mr. Hoeffling, Mr. Conyers, Mr. Bishop of New York, and Mr. Stark.
H. Res. 173: Mr. Ross of Florida.
H. Res. 177: Mr. Hinchey, Mr. Davis of Illinois, and Mr. Honda.
H. Res. 179: Mr. Crowley and Mrs. McCarthy of New York.
H. Res. 182: Mrs. Lowey, Ms. Clarke of New York, and Mr. Grimm.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS
Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:
The amendment to be offered by Delegate Eleanor Holmes Norton, or a designee, to H.R. 471, the Scholarships for Opportunity and Results Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.
The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
Almighty God, who has made and preserved us as a nation, make our lawmakers people of high integrity and steadfast fidelity to Your wisdom. Use them to lift the banner of righteousness, which exalts a nation. As they work together, deepen their understanding of one another’s perspectives so that they will treat their colleagues as they would want their colleagues to treat them. Purge them from all that blenishes, corrupts, and defiles our common life. Heal our land, Lord, and use our Senators as agents of Your healing.
We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE
The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).
The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 29, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE
Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for an hour, with Senators permitted to speak for up to 10 minutes each, the majority controlling the first half and the Republicans controlling the final half.
Following morning business, the Senate will resume consideration of S. 493, the small business jobs bill. The Senate will recess from 12:30 until 2:15 to allow for weekly caucus meetings. Rollecall votes in relation to amendments to the small business jobs bill are possible today. Senators will be notified when votes are scheduled.
We have 10 amendments now pending. I spoke yesterday afternoon to the Republican leader, and I think we are in good shape now to hopefully resolve the 1099 matter this afternoon. We are looking forward to having a consent agreement we can vote on. I think we are at a point where, in the morning, we can vote on the McConnell amendment dealing with EPA and a couple other amendments relating to EPA to get rid of that issue one way or the other.
There are other matters with the bill we would like to set up votes on, and if people are willing to allow us to do that, we could do some of those this afternoon. But we are making progress on this very important bill. With all the amendments being offered, we sometimes lose sight of the fact that this bill, which has been led by Senators LANDRIEU and SNOWE, is an extremely important bill for creating jobs with small business. It is an innovation bill, and the programs this bill covers have done some tremendously important things for the country.
With the CR, I spoke with the White House this morning, and there are conversations going on with the White House and the Republican leadership in the House, and I think this matter, with a little bit of good fortune, could move down the road in the next day or two to get us to a point where we could have something done so there doesn’t have to be a government shutdown. I certainly hope that is the case.

RECOGNITION OF THE MINORITY LEADER
The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY TAX
Mr. MCCONNELL, Madam President, as lawmakers return to Washington this week, we did so against the backdrop of many world crises. From recovery efforts in Japan, to battles everywhere from Afghanistan to Libya, to an unfolding economic crisis in Europe, the scope and intensity of world events in recent months has been nothing short of breathtaking.
Yet in the middle of all this, it is important we not lose sight of the struggles and concerns of so many around us here at home. At a time when roughly 1 in 4 American homeowners owes more money on their mortgage than their home is worth, at a time when nearly 1 in 10 working Americans is looking for a job, at a time when the Federal debt has reached heights none of us could have even imagined just a few years ago.

The amendments being offered, we sometimes lose sight of the fact that this bill, which has been led by Senators LANDRIEU and SNOWE, is an extremely important bill for creating jobs with small business. It is an innovation bill, and the programs this bill covers have done some tremendously important things for the country.
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again, now is not the time to lose focus on the paramount issue on the minds of Americans every day, and that is the very real crisis we face when it comes to jobs.

Americans look around them and they see their friends and neighbors struggling to find work. Yet all they seem to get from the White House are policies that handcuff small businesses with burdensome new regulations and red-tape that create even more uncertainty about future, including the administration’s inexplicable and unexplainable inaction on trade deals that would level the playing field with our competitors overseas.

They are tired of it. Americans are tired of the White House paying lip-service to their struggles while quietly promoting effort after effort, either through legislation or some backdoor regulation, that makes it harder, not easier, for businesses to create new jobs. But the administration outdid itself last week, when the President told a Brazilian President the United States hopes to be a major customer in the market for oil that Brazilian businesses plan to extract from new oil finds off the Brazilian coast.

We have got to shake it up. Here we have the administration looking for just about any excuse it can find to lock up our own energy resources here at home, even as it is applauding another country’s efforts to grow its own. It is simply breathtaking to find work. Yet all they seem to get from the White House are policies that handcuff small businesses with burdensome new regulations and red-tape that create even more uncertainty about future, including the administration’s inexplicable and unexplainable inaction on trade deals that would level the playing field with our competitors overseas.

For 2 years, the administration has canceled dozens—dozens—of oil and gas leases all across America. It has raised permit fees. It has shut down deep-water drilling in the gulf. It would not even allow a conversation about exploring for oil in a remote 2,000-acre piece of land in northern Alaska that experts think represents one of our best opportunities for a major oil find. It continues to press for new regulations through the Environmental Protection Agency that would raise energy costs for every business in America and stop businesses from creating jobs by tapping into its energy sources.

In other words, the White House is selling out the very American job creators and to the jobs they want to create. I urge my colleagues in both parties to support it.

RESERVATION OF LEADER TIME

The Acting President pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The Acting President pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each. When the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The Acting President pro tempore. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

The Acting President pro tempore. Without objection, it is so ordered.

BUDGET NEGOTIATIONS

Mr. SCHUMER. Madam President, I rise to speak on the current state of partisan budget negotiations.

For weeks now, the offices of the Senate majority leader, the House Speaker, and the White House have been engaged in serious talks seeking a long-term budget agreement. It has been a long hard process. There have been a lot of fits and starts in the negotiations. But it is no exaggeration to say that as of last week talks were on a smooth path toward a compromise. The Speaker’s office was negotiating in good faith. The parties significantly narrowed the $51 billion gap on how much spending should be cut. House Republican leaders had agreed to come down from H.R. 1 and move us halfway. We could begin to see light at the end of the tunnel.

But suddenly, at the end of last week, House Republicans did a strange thing: They pulled back from the talks. They changed their positions at what level of spending cuts they could accept. We were on the verge of a potential breakthrough, and they suddenly moved the goalposts. We felt a little bit like we were left at the altar. Not only did they abandon the talks, they started denying that they were ever close to a deal in the first place. Majority Leader CANTOR issued a statement Friday saying that reports that progress was being made were “far from the truth.” It was as if that even the appearance of a looming compromise was a political liability. It was surreal.

It is no surprise what happened. The headline of today’s story in the National Journal says it all:

With Revolt Brewing, GOP Backs Off Deal.

Let me repeat that because that is really what is going on here and the news of the day in the last few days:

With Revolt Brewing, GOP Backs Off Deal.

The story reads:

Concerned about a revolt by the conservative, tea-party wing of the party, GOP leaders have pulled back from a tentative deal to cut roughly $30 billion in cuts from current spending levels. The influence that tea-party conservatives now exercise over the process means the chances of a compromise seriously in doubt.

The story continues:

The GOP pulled back from that agreement last week after House Majority Leader Eric Cantor, R-Va., and Majority Whip Kevin McCarthy, R-Calif., warned House Speaker John Boehner, R-Ohio, that the deal would trigger a revolt from tea-party conservatives.

But in other words, as soon as House Republicans leaders took one step toward compromise, the tea party rebelled, so they took two steps back.

The National Journal story describes an offer that was put on the table by the White House that would have met House Republicans halfway. The offer falls squarely in the ballpark of Congressman Ryan’s original budget proposal with roughly $70 billion in spending cuts compared to the President’s budget request. This is a significant move in the Republicans’ direction. These are more cuts than many on our side might support, but it shows how seriously the White House is about wanting a compromise to avert a shutdown. If they are planning to reject such an offer, it is clear they won’t take “yes” for an answer and are seeking a shutdown. The Republican leadership in the House, with the tea party breathing down their back, won’t take
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“yes” for an answer and won’t support the original proposal made by Budget Chairman RYAN of roughly $70 billion in spending cuts. We know Congressmen RYAN is hardly a liberal or a moderate. It shows how far to the right the Republican leadership is being forced to move by the tea party.

This level of spending cuts was good enough for House Republicans earlier this year when HAL ROGERS released his own plan. But the tea party.hollered, and House Republicans were forced to double their proposed spending cuts to an extreme level of $70 billion. When that happened, HAL ROGERS said the House was moving beyond what was reasonable and into territory where they could never get a deal. Tom LATHAM of Iowa agreed that in forcing H.R. 1 to go from $30 billion to $60 billion in cuts, the tea party was forcing mainstream Republicans to go beyond what was reasonable and into territory that looks at this factively sees that is what is happening.

The Speaker has said all along that he wants to avoid a shutdown at all costs. I believe him. He is a good man. The problem is, a large percentage of those in his party don’t feel the same way. They think “compromise” is a dirty word. They think taking any steps to avert a shutdown would mean being the first to blink. So Speaker BOEHRER was caught between a shutdown and a hard place. He has caught a tiger by the tail in the form of the tea party. There is even a tea party rally planned for later this week to pressure the Speaker not to budge off H.R. 1. To do so, divisions in their own side, Republicans have resorted to lashing out in a knee-jerk way at Democrats. Their latest trick is trying to accuse Democrats of not having our own plan. That is a diversion. It rings hollow. The only proposals that have been made that would actually avoid a government shutdown are numerous compromises that Democrats have offered Republicans.

I would like to remind my House friends, as they all know, the Senate needs 60 votes to pass a bill. We can’t pass anything without Republican agreement. Yet our Senate Republican colleagues are nowhere to be found. Since it was rejected the Republican job-killing budget proposal that would cost Americans 700,000 jobs a month ago, Republicans have not moved an inch off their plan.

Speaker BOEHRER knows when it comes to government shutdown on April 8, it is the tea party, not the Democrats, that is causing the trouble. At this point, the only hurdle left to a bipartisan deal, the only obstacle in the way is the tea party. But for the tea party, we could have had an agreement that reduces spending by a historic amount. We could have had a deal that keeps the government open.

A tea party rebellion may hurt House Republican leadership politically, but a shutdown will hurt Americans, all Americans, much more. It is time for House Republican leaders to rip off the bandaid. Mr. Speaker, it is time to forgo the tea party in favor of the deal. There are 10 days left before the current CR expires. There is no new stopgap being prepared by House Republicans. It seems the only viable proposal is the one the Speaker walked away from. So the Speaker faces a choice: Return to the deal he was prepared to accept before the tea party rebelled last week or risk a shutdown on April 8. I think we know what the right answer is. It is clear. The Speaker has a choice: Appease the tea party and shut down the government or take the right and principled stand and move the government forward by coming to a reasonable compromise between both parties that cuts the budget significantly.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

REPEAL OF 1099

Mr. JOHANNES. Madam President, it feels a bit like deja vu standing here today discussing the ongoing saga of the 1099 repeal. Two weeks ago, I offered amendment No. 161 to the small business bill. If we read all the press releases and public statements, it appears that absolutely nobody could possibly oppose repeal of the 1099 requirement in section 9006 of the health care bill. Yet once again the other side is attempting to delay or derail the 1099 repeal by offering a second-degree amendment. I might have been open to a second-degree amendment when we started this process many long months ago. But now we are approaching the 1-year anniversary since we began fighting to repeal this unnecessary mandate. It had no place in the health care bill in the first place.

I can’t help but question why on Earth we are still swinging and missing at this one. Is it a lack of support in my caucus? The answer to that is no. Support amongst Republicans is absolutely unanimous. Lack of Republican support certainly has not held this up. I ask myself if there is a lack of bipartisan support that is holding up the effort. The answer to that is also no. My colleague, the junior Senator from West Virginia, has cosponsored the last several versions of this repeal legislation in the Senate. Together, Senator MANCHIN and I have secured dozens of Democrat sponsors to support the repeal, and 76 Democrats voted for identical 1099 repeal in the House of Representatives. Bipartisan support is enormous, if not unusually, strong.

Might our problem be a lack of support in the White House? The answer to that is also no. The President has publicly called for repeal of this 1099 mandate on several occasions in press conferences. He even referenced it in his State of the Union Address. Is it possible there is still confusion about how our small businesses feel about the mandate? That is not the case. The chorus of job creators opposing the mandate is deafening: the chamber of commerce, the National Federation of Independent Business, the American Farm Bureau Federation. I could go on and on listing organizations arguing for its repeal.

Has the House proposal been a case of pay-for that has slowed down progress? Interestingly enough, an almost identical budgetary offset passed this Chamber unanimously only 4 months ago. Requiring someone to repay what was given to them erroneously is, plain and simple, good government.

Even Secretary of Health and Human Services Sebelius noted that repayment of improper subsidies is “fair for recipients and all taxpayers.” So arguments about the pay-for simply are how excuses to justify a non-existent problem.

Our job creators are seeing it for what it really is. It is more nonsense. It astounds me that we can seemingly pass benchmark after benchmark without going over the finish line. How can we make so much important progress only to be stymied again and again by some silent opposition?

My friends across the aisle have often complained about the slow pace of the Senate. They have blamed the other side of the aisle for preventing progress. Well, my side of the aisle has been ready for a long time to repeal this job-killing mandate. I want you to know we stand ready to vote.

Considering the high unemployment rates plaguing our country, it seems absolutely incomprehensible that we would waste even another day without addressing this mandate in the health care bill. Our job creators have watched dueling amendments and proposals, been forced to negotiate and compromise, and in the end all we get is a delay tactic in the form of a second-degree amendment to the 1099 repeal. They have been frustrated time and time again—when it failed to advance in September and November and appeared stalled well into the new year.

Today, we have a simple choice: We can pass my amendment with strong bipartisan support and demonstrate we have the 60 votes necessary for the House version or we can pass the second-degree amendment and push this repeal off into limbo. Neither choice will be easy. But we can actually fix the problem in a bipartisan way or we can continue to kick this can down the road.
If we pass the second-degree amendment, quite simply, what we have voted yes to do is delay the repeal of the 1099 amendment and eventually we are going to flirt with disaster on this and it will not get done.

We are using all our energy on helping our job creators grow and create more jobs, not force them into worrying about hiring more accountants. Pardon my boldness but there is no reason to delay. An identical version of my amendment passed the House with large majorities. Just ask any of the 1099 amendment is absolutely baffling. Here we are in the ninth inning and somehow we are saying, let's get this done and get it on the President's desk for signature.

Let's be clear: This latest distraction from 1099 repeal is just that—it is a distraction. We all know it is not truly about a study to look at health care costs. If we want to do a study, put the amendment on some other piece of legislation. This is about derailing and delaying until the last minute of this 1099 amendment passes, it says: Instead of sending this to the President to become law, we need to go back to the drawing board.

While the proponents of the second-degree amendment claim it is innocuous, make no mistake, it is designed to obfuscate this amendment because of a budgetary offset. Again, I remind us, a similar offset was passed unanimously recently by the Senate. Just like a Politico article from yesterday noted: "Senate Democrats are working on an amendment that could kill the [Republicans' pay-for in the future]." If the second degree passes, then we are essentially adding nearly $25 billion to our debt over the next 10 years. While some may preach the virtues of pay-as-you-go rules, when it comes down, the American people will claim this idea when we rejected the 1099 amendment on the Senate floor and everybody can celebrate. Small businesses, our job creators, deserve no less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

GOVERNMENT SPENDING

Mr. SESSIONS. Madam President, government funding is set to expire next week on April 8. We are in the heat of this fiscal year that ends on September 30, and the Congress has only appropriated money through April 8. If Congress does not act by that time, the government would shut down.

Congress needs to act, but Congress needs to listen to the American people and listen to the financial experts whom we have dealt with and reduce spending and reduce the surging deficit we face this year, last predicted to be $1.4 trillion. Nothing has ever been seen like it before, and it has to be addressed. There is no way around it.

So we have this deadline hanging over our heads, and the reason is, my colleagues in the Democratic leadership in the Senate will not agree to the kind of substantial but realistic spending reductions the House of Representatives has sent to us. The House has sent us a budget plan that I think will work. But what we hear is, the sky will fall if we trim the $61 billion from a $5.7 trillion budget—$5,700 billion that we spend—if we reduce that spending by $61 billion, somehow this will cause the country to sink into oblivion.

The American people know better than that. That is not realistic. Of course, we can cut those kinds of numbers out of this huge budget we have, and the American people will be better off for it.

As ranking member on the Budget Committee, I have looked at the numbers, and that $61 billion reduces the baseline of Federal spending by $61 billion this year, but over 10 years—because it is a baseline reduction—it would save $860 billion. This is the kind of small but significant step that does make a difference.

People ask: It does not make any difference. Why don't we just increase spending? Why do we cut spending at all? Of course, we have to reduce spending. The American people know the borrowed money and overspending of the past 2 years have failed to produce what it promised. Instead, all that has been achieved through this massive surge in Federal spending, through the stimulus package and other programs, is a clogging debt burden that threatens our economy and is a drag on our economy, as expert witnesses have told us. It threatens our economic future. Alan Simpson, former Republican Senator, Erskine Bowles, Enrolleen the Chief of Staff to President Clinton, were appointed by President Obama to cochair the debt commission. The fiscal commission reported to us, and jointly they submitted a written statement that said if the United States falls to act, it faces "the most predictable economic crisis in its history." This is a real warning. They said such a crisis could arrive in as soon as 1 or 2 years.

People have been saying: Oh, we are on the wrong track. If we do not get off it now, in 1 or 4 or 5 years, we are going to have a crisis. More and more people are warning us that crisis is sooner. Mr. Bowles said: In 1 year, give or take a little bit, we will have a crisis. Mr. Simpson said: I think within 1 year. The American people will expect their elected leaders to confront this threat with seriousness and candor. But the President has never once looked the American people in the eyes and told them the truth about the financial crisis we face. Has he ever discussed those kinds of words with the American people, that we face an actual crisis? We could have a debt problem that hits us very quickly, just like the one in 2008 that put us in a deep recession. We are in a fragile recovery now, and we need to keep that recovery going. The last thing we need to do is have another recession, or some sort of other financial collapse that puts more people out of work and weakens an already struggling economy. It is not necessary this occur.

The President and his Budget Director have, instead of being truthful with us, falsely boasted to the American people that under their budget we will "live within our means" and "not add more to the debt" and that "we're not going to spend any more money than we're taking in." He submitted his 10-year budget to the Congress, and that is what he says his budget will do. But none of those statements is true—not one.

When the budget was announced, Mr. Bowles, whom the President appointed to head the debt commission, said it is nowhere close to what we need to be doing to get our house in order. In fact, the Congressional Budget Office finds this: that our annual deficits never once fall below $748 billion. I was saying $600 billion before based on the President's estimates of his budget. Now the Congressional Budget Office has done a new analysis of the President's budget, and they say the lowest single annual deficit, in 10 years, would be $748 billion.
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Is it going down, you ask? Is this budget going to put us living within our means and live on what we take in? In the outyears, the deficits out 7, 8, 9, 10 years of the President’s budget, they are going up. In the 10th year, the budget is $2.2 trillion—a $1.200 billion deficit that year.

You might ask: What do those numbers mean? We spend, this year, about $3.7 trillion through September 30. We take in $2.2 trillion. This is why we are on an unsustainable path and we have to get off of it. It is not a partisan matter; it is a matter of facing reality. We still have Members of the Senate in denial. We have the majority leader down here complaining that he might not get money for his cowboy poetry festival in Nevada. Give me a break. This country is headed on the path of great danger and we need to turn around.

Imagine the fate a CEO would face if, in the process of asking for shareholders to buy company stock, he declared, “We are not adding to the debt,” while his accountants were telling him the company’s debt was on a path to double, as our debt is. The President even nominated a deputy director for OMB, Heather Higginbottom, who has no experience and who attempted to defend these claims before the Budget Committee last week. I don’t know, maybe they couldn’t find anybody with experience who would take the job. The best I can tell, she has no business or an economics course, never managed any kind of organization on budget, ever. She majored, I think, in political science and campaigned for President Obama and Senator John Kerry.

We need some seriousness here. We in Congress are not stepping up to the plate, frankly. We are not taking the kind of decisive action needed to curb our rising debt. And the majority leader, my good friend, Senator Reid—

Mr. Bernanke said. He talked about the Congressional Budget Office debt projections. I have made some reference to those and how dangerous they show our path to be.

This is what Chairman Bernanke said:

The CBO projections, by design, ignore the adverse effects that such high debt and deficits would likely have on our economy. But if government debt and deficits were actually as great as the pace envisioned in this scenario, the economic and financial effects would be severe. Diminishing confidence on the part of investors that deficits will be brought under control could lead to sharply rising interest rates on government debt and potentially to broader financial turmoil. Moreover, high rates of government borrowing would crowd out private capital formation and increase our foreign indebtedness, with adverse long-run effects on U.S. output, incomes, and standards of living.

He goes on to say:

It is widely understood that the federal Government is on an unsustainable fiscal path. Yet, as a nation, we have done little to address the critical threat to our economy. Doing nothing will not be an option indefinitely; the longer we wait to act, the greater the risks and the more wrenching the inevitable changes to the budget will be. By contrast, the prompt adoption of a credible program to reduce future deficits would not only enhance the economic growth and stability in the long run, but could also yield substantial near-term benefits in terms of lower long-term interest rates and increased consumer and business confidence.

This is the head of the Federal Reserve, the man supposedly most knowledgeable about the economy. He goes on to say:

We have a proposal from our Democratic majority in the Senate to do nothing, basically—to do zero, nada—despite this kind of warning.

We are living in a fantasy world if we don’t think we can cut $1 trillion from this budget. My friend John McMillan, just elected the director of Agriculture and Rural Federal Budgeting, was facing a critical crisis in his department. I saw the headline in the paper. He has 200 employees. He is going to have to lay off 60 of them. Cities and counties are doing this kind of thing all over the country. Do we think the State of Alabama will ever really dig ourselves out of this crisis and put this Nation on a real path to prosperity unless we bring our spending under control. America’s strength is measured not by the size of our government but by the scope of our freedoms and the vigor and vitality of the American people and their willingness to invest and work hard for the future. That is what makes us strong.

We have to try to reach a compromise so people are talking and they are working things out and they said they are trying to reach something because we don’t have to shut down the government, and I certainly hope that is true. But I do not believe we need any tax-and-spend compromise. I will not support that. I don’t think the American people will support it. They know we spend too much. They know we have ramped up spending $800 billion with the stimulus package, that nondefense discretionary spending has gone up 24 percent in 2 years, and they know we can reduce Federal spending without this country sinking into the ocean. That is what they expect us to do. That is what Governors and mayors are doing, county commissioners are doing, all over my State and all over America.

I have a proposition for my colleagues who wish to raise taxes before we consider asking the American people to pay another cent in taxes: Why don’t we first drain every cent of waste out of the Federal budget? Let’s get to the point. I think we need to look and see what we can take care of this thing. You just have to keep these people under control.

I want to recognize that Washington is spending too much—not taxing too little. How can we ask Americans to pay more in taxes when Washington is not even willing to cut $1 billion?

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to rebound. So let’s take some good steps today. Let’s pass this $61 billion reduction in spending this fiscal year. It will amount to about $860 billion over 10 years. It will be a very significant first step. That is what is before us today. I urge my colleagues to decide what we are going to do about funding the government between now and September 30. That is the rest of this fiscal year. Let’s take a firm step on that. Let’s begin to look at what we could do for our next year’s budget and what we are going to do about our surging entitlement programs that are on an unsustainable course. We can do all of those things and live much as big and prosperous for the future. I truly believe that is the kind of thing we need to be doing now.

I am baffled that we don’t know why the President is not leading more. He is not telling the American people why this is important. Is it just a political squabble to be ignored, with the President going to Rio and talking about Libya? Or is it true, as Mr. Bernanke says, we are on an unsustainable course? Or is it true, as Mr. Erskine Bowles, the President’s own director of the fiscal commission, says that we are facing the most predictable economic crisis in this country’s history, and he said it could happen within 2 years? Are we making this up?

The American people get it. They say, What is going on in Washington? You have to get your house in order. That is what this past election was about. People understand we need some action and some leadership, but we are not getting it. I truly believe if we could get together and if we could get a bipartisan effort to look at this $61 billion problem, we could reduce that spending; maybe the Republicans have this idea and the Democrats have this idea—let’s work all of that out. But let’s reach an agreement that actually reduces spending by enough to make a difference. That is what the world would say, Wow, now the Congress is beginning to take some steps. That was a nice, good, strong first step. Now if they will stay on that path, maybe the United States is going to get on the road to prosperity again and stay out of this dangerous debt crisis area we are in today and get on the right path to prosperity. This country is ready to grow. It is ready to rebound. It just needs a clear signal from Washington. This is in your election.

America’s leaders, those of us in this Congress, have no higher duty, no greater moral responsibility, than to take all appropriate steps to protect the good people we serve from the clear and present danger we face. It is time to get busy about it, Madam President. I believe if we act strongly and with clarity the American people will not only support it but they will be happy with it, and it will make a positive difference for our country. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning order.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF 1099

Mr. MENENDEZ. Mr. President, later, as we move to the bill on small business, I will be offering, I hope, a second amendment. My amendment offered by Senator JOHANNS, and I speak today on behalf of middle-class families and on behalf of small businesses.

I wish to start by saying that I fully support—as we have already done in a series of votes—repealing the 1099 reporting requirement, but I strongly believe we have to do so in a manner that does not—does not—increase the burden on our small businesses and employees. The amendment of Senator JOHANNS certainly helps only small businesses through the repeal of the 1099 provision, but—and this is less well-known—I believe it actually hurts small business employees. It is a double-edged sword. The amendment risks driving up health insurance costs and cutting health insurance coverage for small businesses.

As you know, the affordable care act provides for a tax credit to families who earn under $74,000 per year to help them purchase health insurance. Those tax credits are set at the start of the year. At tax time, when families actually report their annual income, the tax credits are reconciled with their annual household income to ensure they receive the correct amount of assistance. But because income and other family circumstances can change during the course of a year, individuals might end up getting excess tax credits even though the amount of the payment was correct at the time.

For example, a family with an unemployed worker who secures a job at a small business midway through the year—and, hopefully, can do so as we continue to work on this economy to have it grow—has rightfully received a tax credit while unemployed but could face a stiff tax hike to repay the amount of the subsidy because the family’s annual income ends up higher for the second half of the year. This family received the correct amount and did nothing wrong. Let me say that again. These individuals did nothing wrong. While unemployed, these individuals needed those tax credits to be able to get health insurance. That is why we passed this reform, to help those very same middle-class working families in need.

Now, under current law, we provide a reasonable repayment requirement if the tax credit an individual receives exceeds the amount they should have received because of unexpected changes in income or family status. We don’t want them to pay back as much as $70,000 to have $10,000 in savings to pay the surprise tax bill they will get in April, either. So we set caps on what they would have to pay back depending on how much they earn. The Johanns amendment makes harmful changes to these repayments for middle-class families. Under the Johanns amendment, some families could have to pay back as much as $12,000 in some cases, and that is too high a price. We shouldn’t ask small business employees to take that much of a hit. They are the ones who are going to the exchanges to purchase coverage. They are the ones who will risk going to a Wind-pop shop that doesn’t offer coverage.

My amendment isn’t about these families alone, however, as difficult a situation as they may be in. This amendment is about the debt crisis. The Johanns offset could do to health care costs and coverage for small businesses and for those who make their living from small businesses. This risky offset could drive up premiums and force more individuals to refuse coverage. We are not talking about paying back tax credits; we are talking about driving up the costs on families and small businesses, many who have never even taken a tax credit to begin with.

My amendment would simply direct the Secretary of Health and Human Services to decide the offset in the Johanns amendment and determine its effect on small business. What is so wrong about that—determining its effect in the first place? We are trying to help small businesses by eliminating the 1099 provision. Let’s make sure we continue to help them and not put extra costs on them. Specifically, we want to determine whether there is an offset in health insurance costs or a decrease in health coverage for small businesses. If the study finds either, then current safe harbor provisions would remain in effect—the same safe harbors we supported in the SGR bill, as the doc fix, in December.

Passing 1099 would not be affected. That would move forward. So the claim that somehow, ultimately, 1099 wouldn’t be eliminated is false. The 1099 amendment would not be affected. That would move forward. We would eliminate that responsibility from small businesses. So you can be both for my amendment and the Johanns amendment because it would still repeal 1099.

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We all want 1099 repealed, and I have voted in a series of ways to do exactly that. My amendment does not in any way affect or delay the repeal of 1099. The only potential change my amendment makes would be to the risky offset in the underlining amendment and only if this study finds that it actually hurts small businesses.
My colleagues on the other side of the aisle have come to the floor arguing that a study would simply delay repeal of 1099; that further studying this risky offset would prolong the 1099 issue; that if we just passed the amendment without protecting small businesses, this bill would not harm small businesses. Well, we have actually passed 1099 repeal already and shown we have the votes necessary to make this become law. It is not going to the President to become law in this bill because this bill hasn’t even cleared the House.

At the same time, I have heard no mention of what this offset could do to small businesses and their health care costs—not one word. I did hear that further studying the impacts it may have on small businesses would only delay repeal of 1099. A simple read of my amendment would be enough to know that is incorrect. My amendment directs a study to be done after—after the offset has been signed into law. Let me make it clear. Nothing in my amendment slows down repeal of 1099.

My colleagues on the other side of the aisle are also trying to frame this debate as either you are for or against small businesses. But they are helping and harming them at the same time with the Johanns amendment. With this second-degree amendment, we can have a conversation about helping small businesses and ensuring that small business employees will not get hurt at the end of the day.

Now, we haven’t had the Joint Tax Committee determine a revenue score as yet, but it is important to point out that this amendment does not spend—does not spend—an additional dime. It simply protects small businesses from higher health care costs and coverage cuts.

If there is any revenue score associated with it, that would only be due to the situation that this offset drives up health care costs or drives down health care coverage for small businesses. Would we not want to know that?

We are all here supposedly arguing to try to enhance the opportunity for small businesses to have less burdens, to be able to grow, to be able to prosper, to be able to create jobs. Well, we certainly would want to know—we certainly would want to know whether this offset drives up health care costs associated with small businesses or drives down the health care coverage for small businesses.

Why is anyone afraid of that? Why is anyone fearful of that? So to those who may consider opposing my amendment, think of this: On the one hand, if you do not believe this offset will hurt small businesses, there is no harm in voting for it because you believe the study will not show premium increases or coverage cuts. So the offset would remain in place. If you believe my amendment have a revenue score, then you are assuming the offset hurts small businesses. It is one way or the other, not a gray area.

The idea of protecting small businesses in this manner has precedent. I have a history working across the aisle to support small businesses, including cosponsoring a Republican amendment to the Wall Street reform bill which requires regulators to ensure new rules do not harm small businesses. We thought it was a good idea then to protect small businesses in the event new rules might unfairly impact them. I strongly believe we should come together now to protect small businesses if this health care reform drives up health care costs on small businesses or forces cuts in their coverage.

I would just simply ask, who in the world, especially during these fragile economic times, would want to do anything that could raise costs on small businesses? Let’s protect them and the 1099 repeal by supporting my second-degree amendment.

Now, I listened to my colleague from Nebraska with whom I have worked on some corporate housing for the disabled. We get along very well. I respect him, and actually I supported 1099 repeal as one of the 20 Democrats who voted for his amendment in November and other issues such as housing for the disabled. So it is with some regret that we find ourselves in a different view.

There have been questions raised about the sincerity of our opposition to the manner in which the offset is included in the Johanns amendment. The Senator from Nebraska says an almost identical offset was passed unanimously by the Senate just 4 months ago. I think our definitions of “almost identical” are very different.

Yes, it is true we made changes in the paycheck tax to pay for the doc fix in December, but that provision was very different from the one we are debating today. The one today, unlike before, removes protections we included in the Johanns amendment. The Senator from Nebraska says an almost identical offset was passed unanimously by the Senate just 4 months ago. I think our definitions of “almost identical” are very different.

Then, there have been questions raised about the savings from the permanent section 199 tax credit, which could be as high as $12,000. I mean, you are talking about taxing these families, through no fault of their own. What family of three making $74,000 annually, gross, can afford an unexpected $12,000 tax bill in April? I cannot think of many. But that is exactly what could happen under the Senator’s amendment.

That was not the case—not the case, in the provision that was enacted at the end of last year in the doc fix. We provided a phaseout that would have avoided this clip and thus tax shock on middle-class families.

The Senator from Nebraska also said my second-degree amendment was just a delay tactic. That simply is not true. I and 80 of my colleagues have already passed 1099 repeal in the Senate this year. So to question our support for 1099 repeal would be misleading.

My understanding is that the Johanns proposal in an amendment to the small business bill we are debating, which has not passed the House. So this amendment we are debating today would not go directly to the President for his signature. It still needs to go through the whole process of the House. We are not delaying anything in that regard.

Finally, the only way there would be any revenue shortfall—I say to those who would make the assertion that our amendment creates a revenue shortfall, well, then, what you have to be saying, if you make that statement, is you believe the savings from the Johanns offset comes from increasing premiums and reducing coverage on those who earn it through making our Nation’s small businesses run. That is not a proposition I think they want to assert.

So I will come back to the floor later to offer this second-degree amendment. And because it works to both repeal 1099 and ensure there is not a tax on our small businesses and small business employees or a diminution of health care coverage, I am sure we will get the support of our colleagues.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

The assistant 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.

Bunten amendment No. 184, to provide a list of programs administered by every Federal department and agency.
The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, could I ask the Chair—I know we are discussing the bill. But do we have a time constraint? I understand that at 12 o’clock there may be some additional commentary.

The PRESIDING OFFICER. There is no formal time constraints at this time.

Ms. LANDRIEU. Let me try to recap for just a moment because it is my understanding there may be some colleagues coming down to the Senate floor around 12 o’clock to pay tribute to an extraordinary woman and extraordinary American, Geraldine Ferraro, whom we lost this week. I most certainly want to be respectful to the Members who are coming to the floor to pay tribute to our former colleague and an extraordinary leader. But let me remind colleagues we are still trying to finish this bill, an important bill for the country, an important bill to help put this recession in our rearview mirror, an important bill that gives us yet one more very carefully crafted tool to help create jobs on Main Street, in rural areas in suburban areas and in urban areas all across this country; that is, the 8-year reauthorization of the Small Business Innovation and Research Program and Small Business Technology Transfer Program.

This program is approximately 20 years old, first passed by Senator Warren Rudman, when a report found its way to Congress that said, alarmingly, agencies of the Federal Government, whether it was the Department of Defense or NASA or NIH, were not accessing the power and the technology of the small business community; that when they went out to do research they were just looking at research offered by either just universities and we are very proud of the work that our universities do, but they were looking at large businesses. What did GE have to offer? What did IBM have to offer?

It occurred to many Members of Congress at that time that there was a tremendous need to make sure that brain power and agility and quickness and cutting-edge, innovative technologies resting in the minds and hearts and dreams of entrepreneurs and small businesses in America the taxpayers were not benefiting from.

As you can imagine, people might think of all this technology coming out of New York or California. They might skip over a place such as Montana where the Presiding Officer is from or Louisiana where this Senator is from. So there were some very wise Members who said: Let’s create a program that will direct at least a portion of the research and development funding of these large agencies so small businesses can compete.

Now, these are grants not given out by formula or on a first-come/first-served basis. These grants and contracts are given out based on merit, about what looks promising, about potential, and about what the taxpayers need in terms of dealing with problems.

One thing that comes immediately to mind is the terrible tragedy unfolding in Japan as we speak with the potential meltdown of a nuclear reactor melting down. Some of the technology being deployed to that situation, which is technology developed in the field of robotics, was developed, a portion of it, through this SBIR Program. So that makes very relevant the debate that we are having on the floor today.

When people go home and now are turning on their televisions or listening to their radios or over the Internet following those unfolding dramatic developments in Japan, they know that one of the companies that has been deployed and some of the material from the United States was actually developed through this program. So that is just one of a thousand examples that Senator Rudman and I have provided in terms of testimony before the Small Business Committee to the Congressional Record, and in our numerous speeches on the floor to talk about the importance of this program.

I would like, as the manager of this bill—I am not sure it is going to be possible, but I would most certainly like to have this bill voted on and passed by the end of this week. I am not sure the leadership has decided that is something that is possible. But I would like to send a strong bill over to the President; hopefully, a bill that does not have amendments on it that would warrant a Presidential threat of a veto—and get this bill passed through the Senate and then passed on to the House—and I have provided in terms of testimony before the Small Business Committee to the Congressional Record, and in our numerous speeches on the floor to talk about the importance of this program.

I would like to have this bill voted and passed on to the President so he can sign it and send a very positive signal for his agenda and all of our agendas for innovation—having America be the best educated, the best competitors in the world in terms of the economy, and giving our small businesses yet another tool.

We have worked on reducing the abuses in the credit card industry. We have worked on capital access through a new lending program. We have reduced fees, reduced taxes to the tune of $12 billion in tax breaks to businesses throughout the country in the last Congress. We want to continue to work on lowering taxes where we can, eliminating regulations and supporting programs like this that work.

Let’s eliminate or modify those programs that are not working, and let’s step up our support and reauthorize the programs that are. The assessments done and the reviews of this program by the independent researchers have been very positive across the board and outstanding.

Senator SNOWE and I have taken into consideration those many reports in the drafting of this bill and made some changes to the program so that as it moves forward for the 8 years it will even be better.

One of my key goals and objectives is to make sure States such as Louisiana or Mississippi or Montana or Wyoming, States that have not already been awarded many of these grants, know we have stepped up some technical assistance and help so we can find the best technology in this country to apply to some of our most pressing problems, regardless of whether they are in the big cities and big places such as New York, Los Angeles, CA. But we need our entrepreneurs around the country to benefit by a program that they have access to as well.

So I am pleased that we can get back on the small business innovation and research bill and small business technology transfer bill. Senator SNOWE and I will be coming to the floor periodically during the day to continue to move this bill along.

I see my colleague, the Senator from Maryland, who is scheduled to speak in just a few minutes. So at this time I will yield the floor. Again, I hope, and I thank our colleagues for their cooperation that they have been working in in terms of trying to get our bill passed that will be so important to so many people in all of our States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING GERALDINE FERRARO

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the following Senators be permitted to speak for 5 minutes each on the subject of Geraldine Ferraro: Senators BOXER, HUTCHISON, STABENOW, SHAHEEN, SNOWE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. We come to the floor with a heavy heart and great sadness. Geraldine Ferraro, a former Member of the House of Representatives, a Congresswoman from New York who was the first woman to be nominated by a major party for Vice President, has lost her gallant and persistent fight against cancer and has passed away.

I thank the leadership for offering the resolution noting the many contributions she made to America and to express condolences to her family.

For we women, before 1960, Gerry was a force of nature, a powerhouse. She changed American politics. She changed the way women thought of themselves and what we believed we could accomplish.

On July 11, 1984, when Walter Mondale called Gerry Ferraro and asked her to be his Vice Presidential running mate, an amazing thing happened. Gerry took down the ‘men only’ sign on the White House. For Gerry and all American women, there was no turning back, only going forward.
America knows Gerry as a political phenomenon. I knew her as a dear friend and colleague. We served in the House together in the late 1970s. She left in 1984 to run for Vice President, and I left in 1986 to run for the Senate. We were early-birds—single women, early-birds—in the House of Representatives. And as early birds, we were not afraid to ruffle some feathers. We had some good times and passed some good legislation. It must be historically noted that when we came to the House, Bill, only 16 women were there. In 1984, when she left, we had moved to 23. But in 2011, on the day of her death, 74 women now serve in the House, 50 Democrats, 24 Republicans, and 26 of those women are women of color.

In the Congress, Gerry was a fighter. She was a fighter for New York. She fought for transit, for tunnels. She loved earmarks, earmarks that would help move her community forward. She also fought for the little guy and gal. She knew her attention to constituent services—the senior getting a Social Security check, the vet who needed his disability benefits, the kid from a blue-collar neighborhood like herself who wanted to go to college. But for these fights, for women. She fought for our status and she gave us a new stature.

When the campaign was over, she continued for all of her life to be a source of inspiration and empowerment for women. As she said, in the early days of the second wave of the American women’s movement, the movement defined women on what we did not have, what we did not have access to. What was it we didn’t have? Equal pay for equal work. It is hard to believe we were not included in research protocols at NIH. And when it came to having access to credit, we could not get a loan or a mortgage in our own name in many circumstances. We needed a husband, a father, or a brother to sign for it. But when Gerry was chosen for Vice President, she showed us what we could be, what modern women in America had become. Women felt if we could go for her seat, we could go for anything. Gerry inspired.

On the night of July 19, 1984, in San Francisco at the Mosconi Center, Gerry gave her acceptance speech. She became the first woman to be nominated for Vice President for a major party. What she said was there—the excitement in the room, the turbo energy that was there: 10,000 people jammed the Mosconi Center. Gerry’s supporters gave their tickets away to alternates, to their daughters, to people who worked and helped out. They wanted to be there. For days, for weeks, people brought their children. They carried them. They put them on their shoulders to see what was about to occur.

When Gerry Ferraro walked on that stage, she electrified all of us. The convention gave her a 10-minute standing and resounding ovation. We couldn’t sit down because we knew a barrier had been broken. And for the rest, as she history, there would be more on the way.

The campaign was hard fought. She traveled over 55,000 miles, visited 85 cities, campaigned her heart out. But it was not meant to be. The ticket lost. But when she lost the election, she did not lose her way. Gerry never gave up and never gave in. She stood the campaign continued: a teacher at Harvard, a U.N. Ambassador on human rights, always teaching, always inspiring, always empowering thousands of women here and around the world.

Then in 1998, she was diagnosed with blood cancer. Once again, she was determined not to give up and not to give in. She began the greatest campaign of her life. She began the campaign for her own life. She fought her cancer. She not only fought her cancer, she also fought for cancer victims. She forged a relationship with Senator Kay Bailey Hutchison as well as my friend—Senator Kay Bailey Hutchison and I did, and we introduced the Gerry Ferraro Research Investment and Education Act. I wanted it to be Ferraro-Bailey, but Allan graciously said, Gerry is a marquis name. She will attract a lot of attention, and we can get more money for research and more interest in this dreaded disease.

That legislation passed. It showed sometimes when we come together out of common adversity, we find common cause and we get things done. That bill passed, and it is changing lives. Gerry did various clinical trials. Often we talked. This is what she said to me during the last few weeks. She said, I am glad I could be in those clinical trials. In many ways they helped me live. But we also knew the research would provide lessons so that others could live. Once again, her mantra was: Never give up, never give in. She had toughness, persistence, tenacity, and an unflailing optimism in the face of adversity.

I believe it came from her own compelling and often riveting story. It was that personal story that brought us together. She told it in such clinical trials. In many ways they helped me live. But we also knew the research would provide lessons so that others could live. Once again, her mantra was: Never give up, never give in. She had toughness, persistence, tenacity, and an unflailing optimism in the face of adversity.

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Saturday, March 29, 2011

CONGRESSIONAL RECORD — SENATE

S1915

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I thank Senator Mikulski. Her remarks touched on every single point that Senator Boxer and Senator Hutchison made. She is a trailblazer. We all remember the first female Vice Presidential nominee of a major party, the first in U.S. history. She cracked open that glass ceiling for women seeking higher office. She went on to run for the Vice Presidency of the United States, to be an Ambassador for human rights, and to make a difference in the lives of her family and her community.

Gerry, we will miss you, but your legacy will live forever.

Mr. President, I now turn to the Senator from California, Barbara Boxer, and to Senator Kay Bailey Hutchison.

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seen anyone as excited as I appear to be and was in this picture. Arms open wide, body language, just incredulous that we had reached this milestone, all the while knowing what a tough, tough time it would be for Gerry, as it is for many women, whether they run for the Senate or the Governor or for the Vice President. It is a tough road still, especially all these many years ago, more than 20 years.

Gerry was given a very hard time by the press. Gerry was given a very hard time by the press. Gerry proved it. When her campaign took a tough turn and a lot of others would have tried to contain the problem, she stood there in front of the press and said: Here I am. You ask me anything you want, and I will stay here the whole hour. They knew she meant it. She would have stayed there for days because that was Gerry. She was open-hearted. She was straight to the point. She meant it. She would have stayed there for days for that reason. She knew that was the way that was also very appealing because you knew this was a woman who didn't want to look you in the eye and not give you any song and dance. It was what it was. And for that she will be missed as a friend, as a colleague.

It is difficult today to imagine what it was like then. Now we see our women figures here in the Senate and in the President's Cabinet and in the Republican and Democratic Parties making a run for President and Vice President. It is hard to imagine today that women were not actively engaged in the highest of offices. Frankly, that is Geraldine Ferraro's abiding legacy because, as Senator MIKULSKI so eloquently stated, she did not win that race—it was a tough race; it was a very tough race—but she proved a woman could do this.

When Gerry spoke about change, she felt in her heart the history-making moment. I remember her in a white suit, as if it were yesterday. In those years, TV people always said: Don't wear white. Gerry wore white.

Ms. MIKULSKI. She was beautiful.

Mrs. BOXER. She was magnificent. And that smile and her togetherness—at that moment in history, when not only you and I but the whole country watching, the whole world was watching—it was an electric moment. I want to read what she said that night. She said:

By choosing a woman to run for our nation's second highest office, you sent a powerful signal to all Americans. There are no doors we cannot unlock. We will place no limits on our achievements.

If we can do this, we can do anything.

And those words resonated not just with people who were interested in politics but with women who were in the corporate world; women who were going to law school—just a few in those years, now so many more; women who just dreamed of going into health care, not as a nurse, although some chose that—and some men do so well—but as physicians. This was something I truly believe changed.

Mr. President, I ask unanimous consent for 5 additional minutes, and then turn to Senator SPECTER.

The PRESIDING OFFICER. Without objection, it is so ordered. It is going to run us way past the recess time.

Mrs. BOXER. Well, Mr. President, the story was that I was 2 women out of 2000, so I would go 5 minutes and turn it over to Senator HUTCHISON for as long as she would want.

After graduation from college, Gerry got a job as a second grade teacher at a public school in Queens. She applied to Fordham Law School. That is the law school my husband went to. She was accepted into the night program, despite a warning—listen to this—from an admissions officer that she might be taking a man's place. She got into law school. She was accepted into a class of 179. Imagine, they said to her: You will be taking a man's place in law school. She persevered—one of just 2 women out of 179 students graduating in 1960.

Yes, she raised her family. She adored her family. There was not a second that went by without her saying to one of us, anywhere in earshot: I have to tell you about Laura, I have to tell you about John, I have to tell you about what beautiful things.

Did my colleague want to ask a question?

Mr. DURBIN. I ask if the Senator from California will yield for a brief statement.

Mrs. BOXER. As long as it will not interrupt my statement.

Mr. DURBIN. I will have a longer statement for the RECORD because I know Senator HUTCHISON is waiting, but I want to make one or two comments about Geraldine Ferraro.

Mrs. BOXER. Yes.

Mr. DURBIN. First, my image of Geraldine Ferraro is this young Congresswoman from California, with her arms outstretched, as you raced toward one another in an iconic photograph of the two of you after she won the Vice Presidential nomination. I will remember you and her in that context forever. Second, it was my honor to serve with her in the House and to count her as a friend. Third, unlike long, long battles she had, this medical battle, she never failed to remind all of us that she was indeed one of the fortunate ones who had the resources to be able to fight the battle, where many people did not.

I am going to miss Geraldine Ferraro. She was a great American. Mrs. BOXER. I am very glad the Senator made that statement, and I appreciate it very much.

When Gerry worked as an assistant district attorney, she formed a Special Victims Bureau. She investigated rape, child and women abuse, and abuse against the elderly at a time when no one was talking about it.

She was elected to Congress. Senator MIKULSKI has gone into that, the work on the Economic Equity Act. I was proud to work with both Senator MIKULSKI and Gerry Ferraro on that and Senator SNOWE and others.

Mr. President, I say Senator MIKULSKI, OLympia SNOWE, Gerry Ferraro, and myself—we worked to open the House gym to women. It was a battle. We had to resort to singing and everything else. We finally got into the House gym. We said yes, women need to work out too. That is the way it was then. We only had 24 women in the House and Senate. Now we have 88 of us.

I will skip over her time as a broadcaster and all the things she did that Senator MIKULSKI talked about—her work in women's rights—but I wish to conclude with her brave spirit as she faced multiple myeloma, the bone cancer that ultimately took her life. I wish to do it in this context.

I have a good friend now, whose name is Robin, and her mother is battling the same kind of cancer Gerry was battling. As we know, Gerry was given 4 or 5 years and went on, thank God, for much longer.

This woman lives far away from her daughter Robin. When Gerry passed, she called her daughter and said: I need to see you. Will you come out and stay with me, as I battle this cancer? Robin said: Well, what is it, mom? You are doing great.

She said: We just lost Gerry, and she was the one who kept my heart and soul together and my spirits up, and I knew she was there for us. Now that I have lost her, I don't know what to feel, I feel a hole, I am empty.

That is just the most eloquent thing I could say about Gerry. This woman never met Geraldine Ferraro in person, but Gerry had that way about her that she could reach you as if she was touching you. It is a tremendous loss, first and foremost for the family, whom she adored beyond words, and, secondly, for all the rest of us who just knew someone like that out there standing up and being brave and telling it like it is and never giving up.

Mr. President, I am so honored I could be here with my colleagues, and I am proud to yield to Senator HUTCHISON for as much time as she needs.

Ms. MIKULSKI. Mr. President, I say to Senator HUTCHISON, the time is allocated as 5 minutes, but I know you want to speak and were a very dear friend, please proceed.

The PRESIDING OFFICER. The Senator from Texas.

Ms. HUTCHISON. I thank Senator MIKULSKI and Senator BOXER.

Mr. President, I do want to talk about this remarkable woman because I think, as has been mentioned before, her loss is being felt throughout America for many different reasons. She was a trailblazer, and she was one of the great female role models of her generation.

I wrote a book in 2004 called "American Heroines: The Spirited Women
Who Shaped Our Country." It was to profile the women who were the earliest trailblazers in different fields—education, sports, politics, journalism. Then I interviewed contemporary women who were still breaking barriers in their fields.

In the public service chapter, I profiled Margaret Chase Smith because she was the longest serving woman elected to the Senate in her own right at the time and she was a true trailblazer. I then interviewed Sandra Day O'Connor, our first woman Supreme Court Justice, and Geraldine Ferraro, our first woman nominee for Vice President of a major party.

I asked Gerry Ferraro in my interview with her: What was your most important trait for success?

And she said:

I think the ability to work hard and, if something doesn't work, to learn from the mistake and move on. That's what happened to me. I go to the social side from watching my mother, who moved on after becoming a widow with two kids to support. She was thirty-nine years old, and I watched her move on and do whatever was necessary to get the job of educating her children done. I'm exactly the same way. I'll do whatever is necessary to get the job done, whatever it is. And then if I do something that doesn't work, then I go to the next goal.

I asked her what was her biggest obstacle. She almost laughed. She said:

I'm sixty-eight. The obstacles in my life have changed with time. An obstacle when I was a kid was being in a boarding school away from my mother because my father had died. I had no choice. It wasn't like the boarding schools or the prep schools of today. I was in a semicloistered convent. It was lonely, and I had to work hard. I wanted to go to college, but we didn't have the money for college, so I knew I had to get top marks in order to get scholarships. That was my obstacle then.

Money was always an obstacle when I was a kid. I taught when I went to law school at a kid. I taught when I went to law school at night, because I couldn't afford to go during the day. When I applied [for law school], they would say, "Gerry, are you serious, because you're taking a man's place." you know... And then [after getting out of law school]—

As was mentioned earlier, she was one of only two women in her class—

I was faced with the challenge of trying to find a job. I interviewed at five law firms. I was in the top ten percent of my class.

But she did not get a job offer. Well, I relented because I graduated from law school, after her, in 1967, and law firms in Texas did not hire women then either. So I know how she felt as she went through obstacles and obstacles and obstacles. But she said: In the end, "each thing was an obstacle that I had to get by at the time. But she didn't have too many obstacles because she just picked herself up and kept right on going. She truly was an inspiration and a trailblazer for women of our time.

Throughout her life as a public school teacher, as an assistant district attorney, as a Congresswoman, and as a candidate for Vice President, Gerry Ferraro fought for the causes that were important to her. When she learned she had multiple myeloma, a somewhat rare blood disease that is incurable, she drew upon that same fighting spirit. As she waged the battle with her own disease, Gerry stepped into the spotlight because she knew if I didn't talk about it, with her high profile, she could bring help to others.

Her testimony before Congress was instrumental in the passage of a bill that will bring the House of Representatives, our next floor leader, this floor leading this effort today, and I co-sponsored together in 2001 and 2002. Our legislation gave the research community the tools they need to discover what triggers these deadly blood diseases, to devise better treatments, and to work toward a cure. In our bill, BARBARA and I and I decided to name the Geraldine Ferraro Blood Cancer Education Program for Gerry Ferraro to raise awareness and spread the lifesaving information about myeloma, leukemia, and other forms of blood cancer. Geraldine Ferraro was on the floor of the House when her bill—our bill—passed the House of Representatives on April 30, 2002. Her daughter was in the gallery with her staffer, and there was so much joy in her daughter's face.

But then Gerry Ferraro went about the business of fashioning the education program. She consulted with the doctors at Harvard, at Dana-Farber, with Dr. Ken Anderson, her doctor. She worked on this bill, on an interactive Web site because she knew that doctors all over the country were searching for information on the treatment of this disease because they were so unaware at the time of what you could do to help patients.

Well, this is personal to me because my brother Allan also has multiple myeloma, and I got involved in this because I watched him bravely fight like Gerry Ferraro was doing. And my brother as a He's tough, like Gerry. He is fighting like Gerry. And he is doing really well. But we knew how hard it was because we watched Allan fight this disease and take many of the same drugs and have the same doctor consultations as Gerry. So Gerry and Allan knew each other and traded information, and the patients with these diseases do that. They reach out, they help each other because they know it is the person with the experience who knows how you feel when you just don't feel as though you can get up in the morning. People such as Kathy Giusti, who was also a good friend of Gerry Ferraro's, and Ken Anderson, they traded information, and it helped all of them to know they had that kind of support.

So she was an inspiration. Her dignity and grace in fighting multiple myeloma will be one of the trademarks in her life, along with the other great trailblazing she has done.

Just last month, the women of the Senate pulled together to return the encouragement. We knew Gerry was having a hard time, and we took a picture of the women of the Senate, we all signed it around the edges and we sent it to her, saying: Thanks for being our champion. Thanks for all you do for the women of our country.

Gerry was not just a champion for women running for office, she was a champion for women to succeed in every field, in every sector. She took the first powerful swing at the glass ceiling. She will not be here to see the woman President who is sworn into office, who will finish the breaking of that glass ceiling. But we will all be standing on the shoulders of Gerry Ferraro, and certainly that first woman President will as well, because she took those first steps, such as so many of the early trailblazers in all the different sectors. The first ones don't see their success, but what they do by showing the dignity and the courage and the tenacity and the grace does prepare the way for the next generation to take the next level, and that is what Gerry Ferraro has done for all the women of our country.

I will always remember her friendship. I appreciate her leadership. We will all miss her in our personal level, but we will always remember in the bigger picture what she did for this country.

Thank you, Mr. President. I thank Senator Mikulski. I yield the floor to Senator Snowe.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I rise today to join with my good friends and esteemed colleagues, Senator BARBARA MIKULSKI of Maryland and Senator BARBARA BOXER of California, as we honor a compatriot of ours from the House of Representatives, an electoral trailblazer, and political torchbearer—the incomparable and courageous, Geraldine Ferraro, who passed away last Saturday after a brave and resilient 12-year battle with cancer.

As this august body will hear many times over, Geraldine was a pioneering champion and a dynamic force for women and women's rights, a stalwart legislator and colleague of all three of ours in the U.S. House of Representatives, and always a dear friend through more than three decades. As America's first female Vice-Presidential nominee for a major party, Geraldine has forever secured a legendary position along the timeline of American history, as Walter Mondale selected her as his running mate in the 1984 Presidential election. (Ms. MIKULSKI assumed the Chair.)

While America was learning about Geraldine on the national stage, BARBARA MIKULSKI, BARBARA BOXER, and I knew her as a legislative, sister-in-arms, if you will, as all of us served together in the U.S. House of Representatives. Geraldine and I were members of the same House freshman class that began service in January 1979 that brought the total number of women in the 96th Congress in the House to 16.
And all four of us fought for myriad causes, most especially those affecting America's women. Looking back, I take enormous pride, as I know both Senators Mikulski and Boxer do, that we spoke as women first, not as Republican or Democratic Party units, that we stood together for issues transcended partisan lines for us. The fact was, we just couldn’t afford to draw partisan lines with women underrepresented in Congress. And that idea is what drove our agenda at the bi-partisan National Caucus for Women's Issues, which I cochaired for over 10 years in the House of Representatives and where Geraldine Ferraro was also at the vanguard in amplifying issues for literally generations of women.

Our adherence to working together—and to the ideal of principle over politics—became our foundation. We determined if we didn’t act, who would? And we started to make a difference for women, and not a moment too soon. Indeed, there was indeed a time in America when our laws specifically worked against women, when economic equality pertained only to economic equality among men—not women, when our laws didn’t reflect the changing, dual responsibilities of women who were increasingly working as well as caring for a family.

Well, we weren’t going to accept the status quo any longer, and certainly Geraldine Ferraro was not going to ever countenance the notion of “that’s just the way it is.” To the contrary. We confronted these disparities for women head on and introduced a package of laws that opened the doors of economic opportunity for the women of America by revising laws and giving women the tools required to succeed. That package was the multifaceted Economic Equity Act. Among a litany of provisions, we called for a study of the government’s pay practices, sought to ensure equal pay for equal work, and encouraged women in business ventures, and battled with Geraldine Ferraro who led the effort to end pension award discrimination against women who were discovering upon their husband’s death that, unbeknownst to them, they had been left with absolutely no pension benefits.

And in a group of women legislators that was not, shall we say, comprised of shrinking violets, no one gave greater voice to these issues, no one demonstrated in their advocacy, and no one pressed for remedies to right these wrongs with more verve or skill than Geraldine Ferraro. She was a bulwark against injustice and a cherished champion for fairness in an America where women were increasing their roles in American life and their presence in the U.S. workplace and economy.

On a personal note, I can’t help but think that part of our mutual bond was that we came from similar backgrounds. Our families immigrated to this great land—hers from Italy and mine from Greece. Our heritages spoke this great land—hers from Italy and that we came from similar back- and the American dream where anything is possible and the only limits you have are those you place on yourself. Indeed, the New York Times mentions how Geraldine's mother crocheted beads on wedding dresses to help pay for her studies. Her Aunt Mary worked the 11 p.m. to 7 a.m. night shift at a textile mill in Lewiston, ME, to earn money to ensure my cousins and I received a good education. Although Geraldine and I didn’t agree on an unequivocal determination to make a lasting difference on issues for women and working families—an unerring focus that surmounted politics and party labels.

Not astonishingly, more than 30 years later, Geraldine’s legacy lives on through the 74 women serving the other body today, as well as the 17 women currently serving in the Senate. How fitting it is that on the Monday after she passed away, my 14th Senate women colleagues and I submitted a resolution advocating for women’s rights in North Africa and the Middle East. We have the moral high ground in that clarion call in no small part because of Geraldine’s historic leadership and legacy.

In closing, I can’t help but recall the great Lady Astor, who was the first woman to ever serve in the British Parliament. In fact, on the day she took her seat in that distinguished body, a Member of Parliament turned to her and said, “Welcome to the most exclusive men’s club in Europe.” Demonstrating the kind of moxie and sense of obligation that were hallmarks of America’s Geraldine Ferraro, Lady Astor responded “it won’t be exclusive for long.” She said, “When I came in, I left the door wide open!”

Geraldine Ferraro espoused and exemplified what Lady Astor so memorably articulated—that it is not enough to break old barriers and chart a new course, you have to ensure that those who follow are as well, Geraldine spent a lifetime making certain that the path she helped pave was available and accessible to every woman with the courage and will to travel it. And so, today, it is a privilege for me to extol this remarkable woman whose indelible imprint upon the political and public policy arenas will be felt for generations to come.

At this most difficult of times, our thoughts and prayers remain with her and her family—Donna, John Jr., and Laura and Geraldine’s grandchildren. May they be comforted by the knowledge that so many share in their profound sense of loss, as well as the memory of a trailblazing woman who, all else, was an adoring and beloved mother and grandmother who leaves an indelible mark upon her family, as well as an entire Nation.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I know we are about to recess, but I wish to take a minute or two to add my voice to all the women in the Senate who have been here today and thank the Presiding Officer for her leadership for encouraging us to honor Geraldine Ferraro.

I remember being on the floor of the 1984 Democratic Convention when she gave her acceptance speech for the Vice President of the United States, and it was electric listening to her. It empowered me, it empowered every woman there, the fact that women could do anything.

Geraldine Ferraro worked tirelessly on behalf of human rights and women’s rights around the globe. She dedicated her public service to the ideals of respect and equality and she lived a career that called on all women to challenge the glass ceilings of the world. I think it is particularly important because just because one woman breaks through the ceiling doesn’t mean opportunities are open to every woman, and she understood that and continued to encourage all the ceilings across the world to be broken for women.

Gerry’s life was a powerful example for all of us who were here today and for our daughters and grand-daughters. We thank her for leading the way. She will be missed.

Thank you. I yield the floor.

Mrs. FEINSTEIN. Madam President, I rise today to reflect on the life and legacy of Geraldine Ferraro who lost her heroic battle with cancer on Saturday.

Geraldine Ferraro was first elected to public office in 1978 to represent Queens in the U.S. House of Representatives.

As a member of the Public Works and Transportation Committee, she pushed to improve mass transit around La Guardia Airport.

She would cosponsor the Economic Equity Act, which was intended to accomplish many of the aims of the never-ratified equal rights amendment.

In 1981, former Vice President and a distinguished Member of this body, Walter Mondale, chose Gerry to join him as his Vice Presidential running mate, the first woman to be placed on a national ticket.

I was privileged to serve as the mayor of San Francisco in 1984 where the Democratic Party held its convention that election year.

Twenty-seven years later, as I look back on that time, I realize what an important and historical moment her selection was to American politics.

I recall the emotion and enthusiasm of people—men and women—that the Moscone Center in San Francisco when Gerry took the podium.

Sixty-four years after women won the right to vote, Geraldine Ferraro represented a new beginning for our politics. It was an amazing feeling.

While the election didn’t go the Democrats’ way that year, Gerry’s selection was a victory for a generation...
of young women who saw that anything is possible and no position in government has a “men only” sign on the door.

As the first Vice Presidential nominee of a major party, she not only put a crack in the glass ceiling that year, she also demonstrated the competence of women in the political arena.

I didn’t know her well, but I do know her experiences well.

I know how tough it was to be one of the first elected officials to speak using phrases like, “As a mother,” or “If I were pregnant . . .”

I know how tough it was to be a woman debating men in political debates and then when it was over, debating a dozen reporters.

I know how tough it was as a woman who was, but won for chance to live to see other women make a dozen other cracks in that glass ceiling.

But the same ideals Geraldine Ferraro fought for during her public life are the same ideals we fight for today.

Mr. DURBIN. Madam President, an incredible woman died this week after a long and hard-fought battle with cancer.

Geraldine Ferraro led a trailblazing life, constantly achieving and proving the naysayers wrong.

She was one of two women in her graduating class from Fordham law school—believed to be the only night classes after teaching all day.

She was an attorney in a male-dominated New York District Attorney’s Office.

She was the first woman to be elected to the U.S. House of Representatives from New York’s 9th District in Queens—a district that most people assumed would not elect her, not because she was a woman but because she was a Democrat.

She had done nothing more. Gerry Ferraro would have earned her place in history.

But then, on July 11, 1984, just 64 years after American women won the right to vote, Geraldine Ferraro agreed to be Walter Mondale’s running mate in his race for the White House—the first time in history that a woman had ever run on the Presidential ticket of a major political party.

“I didn’t pause for a minute” she later wrote.

It’s hard for many people today, particularly young people, to understand what a revolutionary act it was for Geraldine Ferraro to agree to break that barrier. Less than 20 years earlier, want ads in American newspapers were still segregated into “men’s jobs” and “women’s jobs”—and believe me, Vice President of the United States was not listed under “women’s work.”

As a result of Gerry Ferraro’s courage, the doors of opportunity swung open for millions of women—not just in politics, but in every profession.

She said often that “[c]ampaigns, even if you lose them, do serve a purpose . . . [the] days of discrimination are numbered.” She was right.

For the last 12 years of her life, Gerry Ferraro fought a terrible blood cancer called myeloma. Once again, she was a pioneer, using a new drug which enabled her to live well beyond her doctor’s initial estimate of only 6 months.

Each injection cost over $1,000 and she went to twice weekly treatments. She was always aware that she was fortunate to be able to afford those life-extending treatments. Even when times were the worst, Gerry Ferraro was an eloquent and energetic advocate for more funding for cancer research, and for help for the 50,000 Americans who are living with cancer and can’t afford the treatments for their illness.

Gerry’s mother taught her the first lessons about being a strong and independent woman.

When Geraldine was just 8 years old, her father died. She saw her widowed,
immigrant mother worked long hours as a seamstress so that she could afford to send her children to good schools. She was living proof for Gerry that, with hard work, you can make a good life for your children in America. She never forgot what her mother did for her and kept her maiden name after she married as a sign of respect.

Gerry Ferraro was a true egalitarian. When she learned that because she was married she was paid less than male attorneys she quit and ran for Congress. She fought for the equal rights amendment and cosponsored the Economic Equity Act to end pension inequality.


I had the opportunity to serve with Gerry in the House of Representatives in a time when few women did so, but her hard work and accomplishments will continue to live.

Mr. REID, Madam President, America's favorite people are pioneers. We are a nation that celebrates those who first touched the moon, discovered the technologies that changed the world, and fought for what is right before everyone else.

We believe in the brave and admire those who believe in their own dreams—those who pursue them fearlessly, who leave a trail for the rest of us to follow and a legacy to emulate.

This week, America honors a woman we will always remember for breaking one of the highest glassceilings in history. For two centuries, in election after election, Americans went into voting booths and saw lots of Williams and Johns and Jameses on the ballot. Then, in 1984, they saw the name Geraldine.

As the first woman on a major Presidential ticket, Geraldine Ferraro continued America's proud pioneer tradition. It wasn't the first time she led the way. Congresswoman Ferraro worked her way through law school at a time when few women did so. When the people of Queens, NY, elected her to the House of Representatives she was 1 of only 16 women Members. There was a time she was the only woman in the Senate. Today there are 76 women serving in the House—one of whom was the first woman Speaker of the House—and 17 in the Senate.

I served in the House of Representatives with Congresswoman Ferraro and am deeply saddened by her death. She was an inspiration to my daughter and nine grandchildren, and to all of us who believe in our Nation's eternal pursuit of equality. On behalf of the people of Florida, the State settled, built, and strengthened by pioneers—I honor the memory of my friend, Geraldine Ferraro.

FINANCIAL TROUBLES

Mr. NELSON of Florida. Mr. President, I wish to talk about our Nation's financial troubles. Over the years, I have opposed budget amendment, spending caps, and spending cuts. Recently, we had a proposal to fund the government for the remainder of the fiscal year, and I voted against it because I felt we needed to do more than the amendment proposed.

The fact is, we need to do much more. I agree Congress should cut expenses. But taking whacks at only 12 percent of the budget—that part of the budget that is the so-called discretionary spending portion outside of Defense, that is not part of the mandatory spending, such as all the entitlement programs, and that is only 12 percent of the budget and includes funding for education and roads and bridges and medical care and NASA and environmental research—even if we whacked all that, it is still not going to solve the problem.

Cutting this domestic discretionary spending alone is barely a bandaid, let alone a real cure.

What we need is a comprehensive long-term package. For example, when American families fall on hard times, they just do not cut back on eating out or going to the movies. The American family is famous to make wholesale lifestyle sacrifices. Or take, for instance, when a company, a corporation, faces the threat of bankruptcy. They do not only cut salaries or stop buying office supplies, they go in and restructure entire delivery schemes and future investments.

In the same way, we just cannot focus on slicing what is the conversation is going on down in the House of Representatives right now, slicing one small part of the budget, which is discretionary spending, because that is not going to reduce the annual deficit and get at the national debt. We have to do more.

Even if we cut huge swaths of discretionary spending, including the programs that help those who need it the most, our expenses for all the other programs in government, mandatory programs, are still growing exponentially. So everything has to be on the table.

Now, how in the world are we going to do this in the next few days? By the time the clock runs out on April 8, where we are faced with funding the government for the remaining 6 months of this fiscal year, how are we going to do it? What would it look like if our debt keeps growing?

Well, the Federal Government is going to have to start writing huge checks to our creditors. Who is a creditor? China is a creditor, and we are having to write for them huge checks on interest payments alone. We will not have anything left to pay for things that we promised to our people, and no one else will want to lend us any more money.

The money people have spent their lives paying in to Social Security may not come back to them unless we can solve this budgetary crisis. Bonds that have been bought and held for decades will go down in value if we cannot meet our debt obligations. Of course, if we do not get to the point that we can pay our debts, then the stock market could even have a worse crash than we had last time.

So if we do not address this pending debt crisis now, our children and grandchildren could be sorely affected by the financial condition of this country in the future.

Every economist we have listened to lately has said that we need to provide certainty to our creditors and to the markets. In other words, they need to know that we will get control over our debt and our expenses for all the other programs in government, mandatory programs, are still growing exponentially. So everything has to be on the table.

I am going to support cuts across the board. I am going to support cuts in discretionary spending. But I also want...
to see cuts in what we call tax expenditures, which are equivalent to spending, but are nothing more than outrageous tax breaks to big corporations that make billions of dollars in profits each year. For example, some of the royalty payments that are not being paid to the United States for their privilege of extracting oil from Federal lands, particularly those lands in the bottom of the Gulf of Mexico. There are corporations that ship massive amounts of jobs overseas, and they get tax breaks for it.

There is also money made by U.S. citizens that is being held offshore in foreign accounts, which is not reported to the United States, and tax is not being paid on that income. So there is plenty of opportunity to tighten up.

Another place that we can tighten up is to implement the changes that we made in the health care bill that cut the fraud that plagues programs like Medicare and Medicaid. It is costing us billions and billions of dollars.

So there are tireless efforts that are being made by a lot of Senators right now trying to work together to draft a comprehensive plan. I came to the Senate to fight for my State and for our country, and if we continue to allow a debt crisis to happen when, in fact, we had the opportunity to avoid it, it is going to be far more reckless than it had the opportunity to avoid it, it is going to be far more reckless than it.

It is worth remembering, especially for the critics of this legislation, exactly what we would be facing in Libya now had we not taken action. Just over 1 week ago, Qadhafi was bearing down on Benghazi, a city of 700,000 people, and the main seat of the Libyan opposition, as well as the provisional government that has now emerged.

Qadhafi pledged in his words: No mercy for these people. He pledged to go house to house, to crush everyone opposed to him. Had we not taken action in Libya, Benghazi would now be rendered the same breath as Srebrenica, a scene of mass slaughter and a source of international shame. Libyan refugees would now be streaming into Egypt and Tunisia destabilizing those critical countries during this time of political transitions. If we had allowed Qadhafi to slaughter Arabs and Muslims in Benghazi who were pleading for the U.S. military to rescue them, America’s moral standing in the broader Middle East has been devastated. Al-Qaeda and other violent extremists would have exploited the resulting chaos and hopelessness. The forces of counterrevolution in the region would have gotten the message that the world would tolerate the violent oppression of peaceful demonstrations for universal rights. This would have been a dramatic setback for the Arab spring which represents the most consequential geopolitical opportunity in centuries.

That is why Libya matters and why we were right to intervene. Yes, there are many other places in the world where evil resides, where monsters brutalize civilians. The United States cannot and should not intervene in all of these places. But we were right to do so in Libya because of the unique position this country now occupies at a moment of historic change in the Middle East and North Africa. This does not mean we should take the same actions toward other places in the region as we have toward Libya.

Each of these countries is different. Their challenges and situations are different. When governments, both friend and foe, use force and oppression to crush peaceful commands for universal rights, we need to be clear in our condemnation, and we need to support the aspirations of all people who seek greater freedom, justice, and economic opportunity.

But let’s be clear. Qadhafi’s brutal and vicious slaughter of fellow Arabs and Muslims has set Libya completely apart from other countries in the region, and it warranted the decisive military response we and our international partners have taken.

....
This is the Libyan people’s fight, but we need to continue to help make it a fairer fight, until Qadhafi is forced to leave power. I was very encouraged today to hear our ambassador to the United Nations suggest that the United States turns to the situation. We should also provide them, if requested and as appropriate, with resources, command and control technology, communications equipment, battlefield intelligence, and training. We need to take every responsible measure to help the Libyan opposition change the balance of power on the ground.

Yes, it has been documented that many eastern Libyans went to fight in Iraq. Many met their end there too. But Libyans are not rising up against Qadhafi now under the banner of al-Qaida. To the contrary, they have largely pledged their support to the Transitional National Council, which is based in Benghazi and represents the vast majority of tribes and communities across Libya. The leaders of this council are not unknown to us. They have met with senior administration officials, including the Secretary of State, as well as other world leaders. They are representatives of lawyers, students, and human rights advocates who just want to choose their own future free from Qadhafi. They have declared their vision for Libya as, quote, “a constitutional democratic civil state” based on the rule of law, that respect for human rights and the guarantee of equal rights and opportunities for all its citizens.” If these moderate, democratic forces do not succeed in Libya, we know exactly who would fill the void: the radicals and the ideologues. We have seen this movie before.

We cannot make the assumption that time is on our side. It is not. Perhaps Qadhafi’s regime will crack tomorrow. I hope it will. But hope is not a strategy. Our strategy does not succeed by forcing Qadhafi to leave power sooner rather than later, we run the risk of a prolonged and bloody stalemate. That is not in America’s interest or in the interest of the Libyan people. The risks are still too high of repeating a similar outcome from the first gulf war—where we had crushing sanctions and a no-fly zone in place, but still Saddam Hussein managed to hold onto power, threaten the world, and brutalize his own people for another 12 years. And only then, it took an armed invasion to remove him from power. That is not a definition of success in Libya. And it certainly is not a limited mission. It is a recipe for as costly and indefinite stalemate. We must avert that outcome.

Our mission in Libya is going well, but we have not yet accomplished our goal. I am extremely thankful and grateful for our many friends and allies, especially our Arab partners, who are contributing to this mission. However, we are in the early stages for sustained U.S. leadership. If our goal in Libya is worth fighting for, and I believe it is, then the United States must remain strongly engaged to force Qadhafi to leave power. Nothing less is desirable or sustainable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Webb. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SHIB/STTR REAUTHORIZATION ACT OF 2011—Continued

Mr. WEBB. Mr. President, I was originally going to call up a pending amendment, No. 215, the Rockefeller amendment. I am informed that amendment is at present the subject of some negotiation and a consent package. I do wish to speak briefly today in support of the amendment filed by Senator ROCKEFELLER and on his behalf, since he is away from the Senate today, attending the funeral of a close friend.

Like Senator MCCONNELL, I have expressed deep reservations about the consequences of unilateral regulation of greenhouse gases by the EPA. In my view, this new result in long and expensive regulatory processes that could lead to overly stringent and very costly controls on carbon dioxide and other greenhouse gas emissions. This regulatory framework is so broad and potentially unchecked it could eventually touch nearly every facet of this Nation’s economy, putting unnecessary burdens on industry and driving many businesses overseas through policies that have been implemented purely at the discretion of the executive branch and absent a clearly stated intent of the Congress.

Our farms, factories, transportation systems, and power-generating capacity all would be subject to these new regulations. This unprecedented, sweeping authority over our economy at the hands of the EPA is at the heart of the concern expressed by Senator MCCONNELL, and ultimately, whichever way one ends up voting on his amendment, that common concern defines this debate.

It is not a new concern for me. When this administration declared in November of 2009 that the President would sign a politically binding agreement at the United Nations framework on climate at Copenhagen, I strongly and publicly objected. I sent a letter to the President stating:

Only specific legislation agreed upon in the Congress or a treaty ratified by the Senate could actually create such a commitment on behalf of our country.

I have also expressed on several occasions my belief that this administration appears to be erecting new regulatory barriers to the safe and legal mining of coal resources in Virginia and other States. My consistent message to the EPA is that good intentions do not in and of themselves equal clear and unambiguous guidance from Congress. We can see this in the approach the EPA has taken or attempted to take on the regulation of coal ash, on regulating industrial and commercial boilers, on approving new levels of ethanol into gasoline, and, most importantly, its overreach to regulate greenhouse gas emissions.

My opposition to the EPA’s present regulatory scheme with respect to carbon dioxide or stationary sources stems in part from my reading of this case. I am not convinced the Clean Air Act was ever intended to regulate or to classify as a dangerous pollutant something as basic and ubiquitous as carbon dioxide. I say that as one of the few Members of this body who are engineers.

To quote one of the most influential Supreme Court Justices from the last century, Justice Cardozo:

The legislation which has found expression in this code is not a code for the banks that keep it from overflowing.

The case Justice Cardozo was commenting on dealt with a different issue but the constitutional precept still applies. Congress should never abdicate or transfer to others the essential legislative functions given to it and it alone by the Constitution.

The sweeping actions the EPA proposes to undertake clearly flow over the appropriate regulatory banks established by Congress, which is essential to affect every aspect of the American economy. Such action represents a significant overreach by the executive branch.

Notwithstanding these serious concerns, with what I view as EPA’s potentially unchecked regulation in a number of areas important to the economy, I do have concerns about the McConnell amendment for a number of reasons.

First, the McConnell resolution would jeopardize the progress this administration has made in forging a consensus on motor vehicle fuel economy and emission standards. The Obama administration has brokered an agreement to establish one national program for fuel economy and greenhouse gas standards. This agreement means that our beleaguered automotive industry will not face a patchwork of varying State and Federal emission standards. Significantly, this agreement is directly in line with the holding in Massachusetts v. EPA which dealt with motor vehicle emissions.

Both in the Clean Air Act and in subsequent legislation enacted by the Congress, there has been a far greater consensus on regulation of motor vehicle emissions than on stationary sources with respect to greenhouse gas emissions. It has been estimated that these new rules, which are to apply to vehicles of model years 2012 to 2016, would
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save 1.8 billion barrels of oil and millions of dollars in consumer savings. That agreement, however, and the regulations that would effectuate it rest upon enforcement of the Clean Air Act, which would essentially be overturned by the McConnell amendment.

We have before us a different but equally effective mechanism to ensure that Congress and not unelected Federal officials can formulate our policies on climate change and on energy legislation. The Rockefeller amendment, which Senator Rockefeller has sponsored, would suspend EPA’s regulation of greenhouse gases from stationary sources for 2 years. This approach would give Congress the time it needs to address legitimate concerns with climate change and yet would not disrupt or reverse the progress made on motor vehicle fuel and emission standards.

The majority leader had previously assured me and Senator ROCKEFELLER of his commitment to bring the Rockefeller amendment to the floor. I very much appreciate his stated intention to do so. I hope we will have the opportunity to vote on this measure within the next day or so.

Finally, let me say that I share the hope of many members of this body from both sides of the aisle that we can enact some form of energy legislation this year. I have consistently outlined key elements I would like to see in an energy package. I have introduced legislation, along with Senator ALEXANDER, that would create depreciable energy legislation that would in and of themselves help produce a cleaner environment and more energy independence. We should all be exploring these types of mechanisms that will, at the same time, incentivize factory owners, manufacturers, and consumers to become more energy efficient and to fund research and development for technologies that will enable the safe and clean use of our country’s vast fossil fuel resources.

The second thing I would say—just as a comment—since I was shown a letter earlier today from the Chamber of Commerce strongly suggesting the only viable alternative in this debate is the McConnell amendment. I ask unanimous consent to have printed in the RECORD a letter that was sent last September by the Chamber of Commerce and more than a dozen other business entities, associations in support of the Rockefeller amendment to the floor. I very much appreciate their stated intention to do so. I hope we will have the opportunity to vote on this measure within the next day or so.

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There being no objection, the material was ordered to be printed in the RECORD, as follows:

S E P T E M B E R 1 4 , 2 0 1 0.

HON. DANIEL INOUYE, Chairman, Senate Appropriations Committee, U.S. Capitol, Washington, DC.

HON. TRAD COCHRAN, Vice Chairman, Senate Appropriations Committee, U.S. Capitol, Washington, DC.

DEAR CHAIRMAN INOUYE AND VICE CHAIRMAN COCHRAN: Unless Congress acts this Fall new Environmental Protection Agency (EPA) rules regulating greenhouse gas (GHG) emissions under the Clean Air Act will go into effect on January 2, 2011. The rules impose a significant burden across the U.S. economy, including the sectors that will create jobs and lead us in our economic recovery. It is Congress’ prerogative to enact a national climate policy. But the EPA’s. Fortunately, there are opportunities for Congress to exercise its prerogative prior to the end of the legislative session.

We urge EPA to provide strong support for measures to temporarily restrict EPA’s authority to implement the GHG rules affecting stationary sources. Congress thus has time necessary to consider the appropriate regulatory approach for those sources.

According to EPA, as many as six million of America’s factories, hospitals, power plants, agricultural and commercial establishments eventually will be subject to these rules, at a considerable cost and burden on jobs and the ability to move forward on a national climate policy. State implementing agencies have no guidance on issuing the required permits, the measures needed to comply are not known, and both state implementing agencies and covered commercial facilities will be left in a bind. There is the very real prospect that investments in one sector of the entire economy—the investments that will drive economic recovery and job creation—will be delayed, curtailed or, even worse, cancelled. The approach we propose can ensure approval of the potentially damaging impacts of EPA’s rules are postponed for a two or three year period pending further action. Indeed, the approach would allow any restrictions on funding in a manner that still allows EPA’s rules on motor vehicles to continue in effect unchanged. More importantly, the appropriations process provides Congress an important oversight and management tool that will inform the further development of a national climate policy. Because, such as a codification of EPA’s “tailoring” rule to ease the potential burden on smaller businesses have been suggested. Unfortunately, the vast majority of American businesses affected by the GHG rules will not be protected by a simple codification of EPA’s rules. Representatives Nick Rahall and Rick Boucher and Senator Jay Rockefeller have introduced legislation (the Stationary Source Regulations Delay Act, H.R. 3753 and S. 3072, respectively) to place a two year moratorium on any new regulations to regulate GHGs from stationary sources. Senator Rockefeller has received a commitment from Majority Leader Harry Reid to hold a vote on his bill in September. We support the concept of a two-year postpone and urge your strong support as an appropriate legislative measure is developed and considered. Simplicity, a two-year moratorium will prevent the negative economic impacts anticipated from the EPA GHG rule.

In short, America, investment, and jobs need your active support. We urge you to support efforts to postpone EPA regulation of GHG emissions from all stationary sources. Our recommendations are intended to add relevant appropriations measures or legislation based on the Rahall/Boucher or Rockefeller bills.

Sincerely,


Mr. WEBB. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

MR. INHOPE. Mr. President, first of all, let me say to my good friend from Virginia, I agree with everything he said up to the last 3 minutes, because we have something that needs to be talked about. I would only make reference to the letter that has been entered into the Record that, yes, did make that statement, that if the choice is to do nothing at all or to have the Rockefeller amendment, it is better to delay something bad for 2 years. But that is not the choice.

The choice is—an agreement referred to it as the McConnell amendment; that happens to be the bill I introduced and is now offered as an amendment to the Small Business Act—and it is one that will actually resolve the problem. I think it is necessary to set the record straight as to what the two alternatives are. I call them covers. This is kind of a term that is used inside these Halls when someone is wanting to vote against something that people at home want and them something else to vote for so we can offer cover—something that normally is meaningless—such as these two cover votes.

The command-trade agenda—I think we all understand—is destroying jobs in America and certainly decreasing our domestic energy supply. As a consequence, the consumers are going to pay more for their gas, for their electric bills, in a tax on affordable energy. But I can be stopped by the passage of the Energy Tax Prevention Act of 2011 or, as we are looking at it now, that same bill being encompassed as an amendment called amendment No. 183 to the Small Business Act.

Let me go back, if I could, kind of in history to make sure people understand where we are today and how we got here. Many years ago, back in the 1990s, they came forward—and this was during the Clinton-Gore administration—with the Kyoto treaty. They went to Kyoto, Japan, and said: We want to join with all the other countries and we want to reduce emissions from CO2. This was a treaty you would sign on to and most of the European countries did and many others did.

I might add now, many years later, none of them that signed on to it were able to accomplish any kind of reduction, meaningful reduction in emissions. But nonetheless, we had that.

I can remember standing at this podium and saying back then that we are not going to ratify any agreement that
is made at Kyoto that does not affect the developing countries the same as the developed countries. In other words, if it is not going to cover China, Mexico, and different countries in Africa, then we do not want to be the only ones who have to pay. This is going to be a very punitive situation. Secondly, we were not going to ratify any kind of a treaty that was an economic hardship on our country. We successfully stopped it.

Then, in 2003, they started introducing legislation that would do by legislation what the Kyoto treaty would have done, but it would only affect the United States of America. At that time, Republicans were the majority. I was the chairman of the committee that is called the Environment and Public Works Committee. We had the jurisdiction over this issue. So I almost unilaterally was able to stop this legislation from taking place. We had the same legislation that came up again in 2004, 2005, and 2006, and it has been before us for votes now in the Senate seven different times. Each time we defeated it. I might add, we defeated it by a larger margin each time we defeated it.

It is kind of interesting because I have had so many people say to me: Inhofe, what if you are wrong? What if CO₂ is damaging to the environment? What if it causes some of these problems people say it does? Well, I have to say, yes, I feel that way. The science has been cooked in many cases. The United Nations came up with the IPPC, which was the science that was used to base all these new programs on, and it has been pretty much scandalized in the climategate situation. But, nonetheless, that is something we do not need to talk about. The point is, we were able to stop any legislation.

Why did we want to stop legislation that puts restrictions on CO₂? Well, one reason is—and it came up very clearly—and I always give my appreciation to Lisa Jackson. Lisa Jackson is the Obama-appointed Administrator of the Environmental Protection Agency. I asked her the question some time ago in a public hearing, live on TV. I asked: If we were to pass any of these pieces of legislation—at that time I think it was the Waxman-Markey bill—would this have any meaningful reduction in terms of CO₂ emissions in the world? The answer was: and it would only affect the United States of America. If we do it here, we will take all the financial hardship of doing it; however, as we lose our manufacturing base, they will go to other countries where there are less emission requirements. China is a good example. China’s doors are open. It would come up very clearly. China has been accused of this. China is a good example. China’s doors are open now to try to say: Come, we are cracking out three to four coal-fired generating plants in China every week. So, manufacturers, come here. We have the energy, you need. So they were then able to do it.

When the Obama administration came in, with a strong majority in both the House and the Senate, they said: All right, we will tell you what. Since you are not going to pass cap and trade, then we will do it through regulations.

What would cap and trade do to America? Americans wanted it. By everyone’s admission, it would not reduce emissions at all worldwide. So what would it cost? Well, the cost was put together—during the Kyoto treaty by the Wharton School at that time. Since then, MIT, FRA, many others have come in. They said costs of between $300 and $400 billion a year.

I am not as smart as a lot of guys around here, so when I hear about billions and trillions, I say: How does that affect people in my State of Oklahoma? So I have the math that I do. I say to the Presiding Officer, I take the total number of people and families in my State of Oklahoma who file a tax return, and then when they come up with something that is going to cost our Nation—let us just do the math. What would that amount to for my average family in Oklahoma who files a tax return is $3,100 a year, and they do not get anything for it.

Anyway, the President came in with the new cap and trade. He said: Well, if you are not going to pass this, we are going to go ahead and do it by regulation. We will have the Environmental Protection Agency do it by regulation.

To do that, they had to have what is called an endangerment finding; that is, a finding that CO₂ is an endangerment to health. The courts never said we have to regulate CO₂. They said: If you want to, you can. That was the choice of this administration and of the Environmental Protection Agency.

So I asked the question again at one of the hearings—this is of the same Administrator Jackson; this was a year ago. December—I said: I have a feeling you are going to come up with an endangerment finding so you have justification for regulating CO₂ the same as if we were passing legislation to do it. Her response was kind of a smile. I asked: To have an endangerment finding, you have to base that on science. What science are you going to base it on? She said: Well, primarily, the IPCC. That is the Intergovernmental Panel on Climate Change. That is the United Nations. They are the ones that started all this in the first place.

With that, it was not more than 2 weeks later that the scandal broke with the recovery of some of the e-mails that were sent out by the IPCC that they had, in fact, cooked the science. Nonetheless, there are lawsuits that are pending right now and all that to try to stop the EPA from regulating CO₂.

They are doing other regulatory things right now. They are trying to do regional haze regulation. They are trying to do regulation on ozone changing the standards, trying to do what they call boiler MACT, utility MACT, other regulations. But, nonetheless, this one we are talking about today is the regulation of greenhouse gases.

This is what is happening right now. To keep them from doing it, I introduced a piece of legislation called the Energy Tax Prevention Act of 2011. My friend of mine, Fred Upton, has been a friend of mine for many years. He is the chairman of the appropriate committee over there; the same as I am the ranking member of the appropriate committee. So we introduced together the Upton-Inhofe legislation or, if you are over on this side, I call it the Inhofe-Upton legislation. That would take away the jurisdiction of the Environmental Protection Agency to regulate greenhouse gases. If we take away the jurisdiction, they cannot do it. That is the ultimate solution. That is the moment of truth, as we are going to read in tomorrow morning’s Wall Street Journal. So they are taking that up. They will pass it over there. But on a partisan basis over here, they will try to kill it.

So what we have done is, Leader MITCH McCONNELL and I have offered an amendment that encompasses my bill, the Energy Tax Prevention Act I just referred to, to attach on the Small Business Act. That is scheduled for a vote tomorrow morning. I hope it does happen.

The reason I am talking today—I have already covered this several times, and I am sure people are tired of hearing it—but they have cover votes that are coming up, and we know this is going to happen. But why is it this administration wants to do something that is going to drive the energy costs of America upward?

This administration has said over and over again they do not want gas, they do not want oil, they do not want coal. And we cannot run this machine called America without oil, gas, and coal.

There is a motivation here; that is, it has come from this administration that they want to replace fossil fuels—oil, gas, and coal—with what they call green energy. Someday that might happen. It will be long after I am gone, I am sure. But they might have the technology to run this country on what they call renewable energy. Right now, we are going to use as much as we can. We are for wind power, we are for solar power, all the other options. But, nonetheless, we still have to have fossil fuels to run the country.

Steven Chu, Secretary of Energy for the Obama administration, said:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

That is $8 a gallon. This is the administration saying we want to increase the price of gasoline to be equal to what it is in Western Europe. So this is something that has been a policiy of this administration for a long time. In fact, President Obama himself said that under the cap-and-trade plan—this is what they are trying to do
now—‘electricity prices would necessarily skyrocket.’

The President had it right. The point of cap-and-trade regulation is to make us pay more for energy bills, and the Obama administration and EPA are here to do it. In a recent editorial, the Wall Street Journal calls the Energy Tax Prevention Act, my bill, ‘one of the best proposals for growth and job creation to make it onto the Senate docket in years.’

Why is that? It is because the EPA’s regulations will raise energy prices and strangle economic growth. As the National Association of Manufacturers stated:

At a time when our economy is attempting to recover from the most severe recession since the 1930s, [EPA] regulations will establish disincentives for the long-term investments necessary to grow jobs and expedite economic recovery.

That is the National Association of Manufacturers. The families, the workers, and the consumers are all going to feel this.

In a study that Charles River Associates International did, they estimate that EPA’s cap-and-trade regulations could increase wholesale electricity costs by 35 to 45 percent. What we are talking about—everyone understands—if they are to do these regulations, the EPA doing what the legislature refused to do; that is, regulate the emissions of fossil fuels, it will increase electricity prices about 40 percent.

What do we get in return? I think we have already mentioned we do not get anything for this because it would drive our jobs elsewhere, and it would only affect the United States of America.

The claims that the Energy Tax Prevention Act—that is the amendment we will be voting on tomorrow—would undermine health protections or fuel economy standards are disingenuous on their face. The amendment does not touch EPA’s authority to regulate criteria or hazardous air pollutants. What is more, both emissions of CO2 and real pollution have been in steady decline.

Yet instances of asthma have actually increased. Carbon dioxide emissions do not cause asthma, either directly or indirectly, and they do not harm public health.

The Energy Tax Prevention Act is not about asthma and public health, but it is about protecting jobs.

By the way, there is a very well respected scientist by the name of Richard Lindzen from MIT, and he wrote a letter to me which I received a couple of days ago—well, it was actually a little bit longer than that.

As to the impact of increasing CO2 on general welfare, there is widespread agreement that modest warming should improve welfare for the U.S. Under the circumstances, we are in the bizarre situation of declaring something to be a pollutant when the evidence suggests that it is beneficial.

In other words—I hesitate saying this. I am the first one to admit I am not a scientist, but certainly Professor Lindzen is. He says, Here we are talking about reducing something that is not a problem certainly to health.

Then the other thing having to do with the Highway—this was mentioned by the Senator from Missouri a few moments ago—that somehow this is going to impair our standards of lowering gas consumption. The amendment doesn’t prohibit the National Highway Traffic Safety Administration from setting ceiling equations for the EPA. The amendment is going to still be regulated—the regulations will raise energy prices about 40 percent.

If the Baucus amendment passes, it is going to be passed down and it is going to increase the cost of power and energy. The Baucus amendment doesn’t cause asthma, either directly or indirectly.

So if the Baucus amendment passes, it is going to still be regulated—the refiners, the manufacturers—and that is going to be passed down and it is going to increase the cost of power and energy. The Baucus amendment is so emphatic. In fact, I just left the Farm Bureau a couple of minutes ago before I came here, talking about this very subject.

The manufacturers feel the same way. The National Association of Manufacturers wrote the Baucus approach: does not solve the underlying problem that regulating greenhouse gases under the Clean Air Act is very costly for manufacturers, will impede competitiveness, and encourage capital investment outside the United States.

Why would that be? Because if China ends up with all the jobs, then they are the ones who would be getting the investment.

The only way to stop the higher costs of compliance, which the Farm Bureau agrees, is by passing the Energy Tax Prevention Act, which is now Senate amendment No. 183.

The contrast couldn’t be starker. I was told that tomorrow morning we may see the moment of truth going on, and I think it is going to be in the Wall Street Journal—that people are going to realize there is only one way to stop this massive tax and regulation increase that will come. It won’t be by the Rockefeller amendment and it won’t be by the Baucus amendment. It will be by the Inhofe-McConnell amendment that hopefully will be voted on tomorrow and that will take out from the jurisdiction of the EPA the ability to regulate greenhouse gases. That is what we are hoping will happen, and I think when people realize it, they are not going to be fooled by some of these what I refer to as cover votes.

With that, I yield the floor and suggest the absence of a quorum.
able to do by regulation what the legislators are unwilling to do by legislation.

This issue was discussed last year—the cap-and-trade law that passed the House in the last Congress. People around here at the cap-and-trade law that passed the House in the last Congress. People around at it this morning are people that higher prices were not the way to get more efficient energy policies. The way to get more efficient energy policies is to look for ways to produce more American energy, to have a marketplace that has more choices than the ones we have now. As people looked at this issue, they said: Let’s find more American energy of all kinds, and let’s be conservationists and encourage that we use that energy as efficiently as possible, and let’s also be out there researching and investing in the future so that we know what we want our energy picture to look like a generation from now—not that we blindly rush in and think high prices will solve our energy problems.

We will know that the President of the United States, before the election in 2008, in talking to the editorial board of the San Francisco Chronicle, made the comment that under his energy policies, energy prices would necessarily skyrocket. The President looked at this economy closely—I hope—over the last 2 years of his Presidency, and clearly every signal from the administration now is that they have concerns about $4-a-gallon gasoline—true that people in that advisory group who at one time said gas prices should be as high as the gas prices in Europe and that is the way to solve our use of gasoline. We don’t live in Europe. We live in a country that is large, expansive, and requires travel and commerce. So high gas prices are not the answer to our transportation problems, and higher utility bills are not the answer to our energy problems.

In fact, as people looked at the potential of cap and trade on utility bills, they looked at how much of our utilities come from coal. Of course, cap and trade—and the EPA regulations that would try to impose cap and trade by regulation—cap and trade is particularly focused on coal-based utilities. From the middle of Pennsylvania to the western edge of Wyoming, 50 percent of the electricity in the country comes from coal. Mr. President, in your State and my State, a significant majority of the electricity comes from coal. In Missouri, it is 82 percent of the electricity that comes from coal.

In our State, the utility providers got together—the rural electric cooperatives, the municipal utilities, the privately owned and publicly owned—and funded a study with which nobody ever found fault. Nobody has challenged the study. In that study, in our State the average utility bill would go up about 80 percent in the first 10 years under this rule. It would be nowhere close to doubling in the next 12 years. For many utility customers, it would double. If the average bill is going to go up 80 percent, for many customers out there, their bill would double in 10 years, and for the average customer, it would double in about a dozen years. Who benefits from that?

At a hearing the other day with the EPA, I had a second visit I had last fall with someone who explained to me that he was an hourly employee at a company—by that point, with the discussion of cap and trade, almost all Missourians knew our utility bills would double in about 10 years—and he said: If my utility bill doubles, that is a bad thing. If my retired mother’s bill doubles, that is worse. If the utility bill at work doubles and my job goes away, then the other bills don’t matter that much because I can’t pay mine and help my mom pay hers.

That individual has a Ph.D. in common sense, if not economics. That is what happens if we allow these bills to go up. Because of that discussion, I stand here today absolutely confident that, in the foreseeable future, Congress will not impose that penalty on our economy. If the Congress won’t impose that penalty on our economy, we should not let regulators impose that penalty on our economy.

What the McConnell amendment does—again, with the hard work of Senators INHOFE, BARRASSO, and others—is simply redefine the authority or maybe reemphasize the definition Congress thought it was giving the Environmental Protection Agency, and it says: You can’t regulate these greenhouse gases under the Clean Air Act. It doesn’t stop the Clean Air Act’s provisions to protect clean air in every way that was anticipated until the recent determination that somehow EPA had the authority to also regulate greenhouse gases, but it does refocus the EPA on the intention of the Clean Air Act, not their expansion of the Clean Air Act.

By the way, the EPA has no ability to expand the Clean Air Act. That is the job of the Congress of the United States. Fine, if we want to have that debate. In fact, we had that debate last year. The House passed a bill that would have done what the EPA’s new sense of their own mission would do, and I think the American people spoke pretty loudly about that. Because of that, the last Congress didn’t pass that bill. If my representative had passed a bill, but the Senate didn’t pass that bill. This Congress isn’t going to pass that bill either, and I would predict that the next Congress won’t pass that bill.

Why won’t they pass the bill? Why won’t we pass a bill in this Congress? Why won’t the next Congress pass a bill? They know it has a devastating impact on our economy; and if the Congress doesn’t want there to be a devastating impact on our economy, we also don’t want the Environmental Protection Agency to do something that would have a devastating impact on our economy.

In fact, when we look at the economies around the world, the economies that have the greatest problems with air and water and the economies that failed; the economies where, at some point, those countries decide, ultimately, they are going to do whatever it takes to get back to where they can have jobs that allow families to live.

The EPA is bound, and should be bound, by what the Congress initially intended with the Clean Air Act, not what the EPA thinks today is their job—and particularly this job that everybody in this building knows the legislators will not do. If the legislators won’t do it, the legislators shouldn’t let the regulators do it, and this simply clarifies that.

I urge my colleagues this week to vote for this amendment, to make it clear to the Environmental Protection Agency that they have plenty of things to do and many things that we will support them as they do, but this isn’t one of them. This is not our economy. It is not their mission. It was not the intention of the Clean Air Act. This amendment allows that to be reinforced once again by the Congress, the group that is supposed to pass the laws. Laws aren’t supposed to be passed by regulators. I suppose they are intentionally determined to be implemented by regulators but not created by regulators or created by the administration. That is our job.

That regulates our job. Again, it doesn’t let the regulatory group do a job that increases the utility bill, that doubles the electric bill in Missouri, and raises the electric bill for the vast preponderance of Americans, for people retired, on a fixed income. Clearly, jobs will go away if those electric bills are raised, and they will not go to other places in the United States in most cases; they will go to other countries that care a whole lot less about what comes out of the smoke stacks than we do.

So if the EPA is allowed to do with greenhouse gases what it says it wants to do, we will lose the jobs and the problem will get greater because these jobs will go to countries that care a whole lot less about emissions than we do.

Let’s let the legislators do their job. I encourage my colleagues to vote for this amendment this week as they think about how we approach this important issue—hurts our economy, about our jobs, about our families and our future.

I yield the floor, Mr. President, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

Mr. MORAN. Mr. President, rightfully so, the focus in this Congress is
very much about the economy and job creation, and it is appropriate that we have before the Senate a piece of legislation dealing with small business. We know small business and entrepreneurship is a path to job creation.

We have spent a lot of time in this Senate, in the House, and in Washington, DC, discussing the economy, and one of the things that is front and center today is the need for us to be much more responsible in our spending habits so the Federal Government is financially broke. Rightfully so, we ought to pass a continuing resolution that reduces spending for the remaining 6 months of this fiscal year. We ought to quickly move to a budget and to an appropriations process that allows for the give-and-take, the consideration of those things that we can afford to spend money on, the things that are appropriately the role of the Federal Government, and find those places in which we can again significantly reduce spending. That is an important aspect of whether we are going to get our economy back on track and jobs created.

I think often we write off what happens in Washington, DC. The American people who read The Wall Street Journal, Republicans and Democrats having one more battle about spending and deficits. These are things I have heard, topics I have heard about spending and deficits. These are things that are inappropriate for the role of the Federal Government, and find those places in which we can again significantly reduce spending. That is an important aspect of whether we are going to get our economy back on track and jobs created.

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In my view, we have often written off what happens in Washington, DC. The American people who read The Wall Street Journal, Republicans and Democrats having one more battle about spending and deficits. These are things I have heard, topics I have heard about spending and deficits. These are things that are inappropriate for the role of the Federal Government, and find those places in which we can again significantly reduce spending. That is an important aspect of whether we are going to get our economy back on track and jobs created.
Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING REID S. JONES

Mr. McCONNELL. Mr. President, I rise today to pay tribute to one of the Commonwealth’s finest, the late Mr. Reid S. Jones, a native of Pulaski County, KY. Reid was a prime example of a man who was a true American hero and who valued his faith, his family, and his community.

A rich tradition of business success and pride in hard work and achievement always seemed prevalent throughout the history of Reid’s family, so it came as no surprise when Reid began to exhibit early signs of entrepreneurial instincts. As a young boy, members of his hometown witnessed Reid leading a small goat down a road from the country store operated by his parents to a local family farm as he tried to make a sale. It was this ambition and drive that made Reid S. Jones a leader, a war hero, and a guiding force for those who knew him.

Reid, who passed away on April 15, 2005, joined the U.S. Army in 1944 at a crucial point during World War II. Eighteen years old, Reid felt a strong desire to serve and protect his country as well as to defend the rights and freedoms of others. He courageously fought in the Battle of the Bulge, one of the deadliest battles for American forces in the war. Reid’s leadership got him promoted to the rank of staff sergeant, and he remained in Germany for a short time after the war to help begin the reconstruction process.

After returning home from the war to his new bride Elva Sears, Reid received a bachelor’s degree from Union College in Barbourville, KY. He decided to further his dedication for educational excellence and became a history teacher, principal, and basketball coach for the Pulaski County and Somerset City school systems. His firm yet compassionate character made Reid well-respected by his peers and fondly remembered by his former students. Later in the 1960s he became a district sales manager for the Fram Corporation, an automotive product brand best known for their oil filters. His eye for detail and strong ambition to get things done earned him frequent recognition for exceeding sales quotas and helped him play an instrumental role in placing Fram products in Wal-Marts across the southeastern United States.

Reid’s “jack of all trades” ability eventually led him to open his own automotive businesses, as well as become a 32nd-degree Mason, a member of the Oleika Shriners Temple, and the board of directors of the First United Methodist Church.

In addition to serving his community through business and educational work, Reid deeply cherished the relationships he had with his friends and family. He has often been remembered through the strong friendships he formed with members of the Somerset community, as he met daily with friends at his automotive businesses for coffee and southern storytelling. His dedication to family was a cornerstone of his education and who led his wife, along with his daughter, Dr. Sonya Jones, to establish The Jones Educational Foundation, to provide scholarships and assistance for people of south-central Kentucky and beyond who show education and who show effort and ability.

There is no doubt that because of Reid’s character, his dedication to family and friends, and his contributions to higher education and the business community, that his town, the Commonwealth, and the country have been forever changed for the better.

The Commonwealth Journal recently published an article about Mr. Reid S. Jones and a contribution that his daughter, Dr. Sonya Jones, made to the Jones Educational Foundation on behalf of her dear friend, the late James Eastham. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was printed in the RECORD, as follows:

[From the Commonwealth Journal, Jan. 30, 2011]

FOUNDATION LAUNCHES REID S. JONES MEMORIAL FUND WITH CONTRIBUTION HONORING JAMES "ONION" EASTHAM

The Jones Educational Foundation Inc., a 501(c)(3) not-for-profit corporation based in Somerset, has launched the Reid S. Jones Memorial Fund with a $1,000 contribution made by Dr. Sonya Jones honoring the late James Arthur “Onion” Eastham.

According to Dr. Jones, president and CEO of The Jones Foundation, the donation is intended to pay tribute to the friendship between James “Onion” Eastham, a man who was regarded highly in the Somerset community, and Reid Jones.

Further, the fund is meant to honor veterans from all the wars in which the United States has fought. The initial donation honors veterans who served in the European and Pacific theaters of World War II.

“I had been thinking about the Foundation setting up a fund for veterans in Dad’s name ever since I made a donation in his memory to help restore the Soldiers and Sailors Memorial building at Union College,” Dr. Jones said.

Reid Jones graduated from Union in 1989. He went on to do graduate work in education at Eastern Kentucky University.

In the 1950s, while working for the Fram Corporation in late December, I knew it was time,” Dr. Jones added. “Dad thought so much of his friend that I felt he would want me to do something special to honor him.”

Reid Sievers Jones (April 24, 1926 to April 15, 2005) entered the U.S. Army at a crucial point in the history of World War II. He was stationed in Germany, and he fought in the Battle of the Bulge. He was a survivor in what has been called “one of the bloodiest battles” of World War II.

Conducting his famous campaign in the dense mountainous region of Belgium, the Battle of the Bulge was Adolf Hitler’s last major offensive against the Allies. The battle ran from Dec. 16, 1944, until Jan. 25, 1945.

When he enlisted in the Army as a private, Reid Jones was 18 years of age. He married Elva Sears on Dec. 30, 1944, shortly before shipping out to the European front. He was promoted to the rank of staff sergeant and remained in Germany for a short time after the war to help begin the process of reconstruction.

James “Onion” Eastham (Sept. 22, 1923, to Dec. 28, 2010) served in the Asiatic-Pacific Theater of Operations and was awarded three stars for duty at and during the Luzon and Southern Philippine campaigns. He also received the Philippine Liberation Ribbon with a bronze star for duty involving combat with the enemy.

Reid Jones and Onion Eastham were “two of a kind,” said Jimmy Eastham, son of the Somerset City Councilor who served as staff sergeant and crew chief aboard a B-25 bomber in the United States Marine Corps.

Eastham and Reid both were salesmen after the war. Jones worked for many years for Fram Corp. and Eastham for the Morton Salt Co. The two men liked to get together and engage in the high art of Southern storytelling. Both formed strong friendships with other men in the Somerset community.

Like his father, Jimmy Eastham served a member of Somerset City Council. He and the Eastham family have given their enthusiastic endorsement to the Reid S. Memorial Fund with Dr. Jones’ cornerstone contribution in memory of James Onion Eastham.

“IT IS A GOOD IDEA TO ESTABLISH THE FUND EVEN IF IT WEREN’T DONE IN THE NAME OF MY FATHER,” Eastham said.

Both Reid Jones and James Eastham were “very patriotic,” according to Virginia Eastham, mother of Jimmy, Lisa (Bandy) and Wayne Eastham.

When Reid Jones returned from the war, he worked first as a teacher and principal in the Pulaski County and Somerset City school systems. He is remembered, particularly by former students at Shopville High School as a firm teacher who was not afraid to exercise discipline when he thought it was needed.

In the 1960s, Reid joined Fram Corp. as a district sales manager based in Providence, R.I., as a district sales manager. Frequently, he was recognized for exceeding sales quotas. He was instrumental in placing Fram products in Wal-Marts across the southeastern United States.

Reid Jones was a 32nd degree Mason and a member of the Oleika Shriners Temple in Lexington. He served on the board of directors of First United Methodist Church.

In addition to being an influential member of Somerset City Council, James “Onion” Eastham was a member of the Masonic Lodge #111 and a long-standing member of the Kiwanis Club. He was also a member of First Baptist Church where he taught Sunday school and served as chair of a building committee for the church’s new sanctuary.

CONGRESSIONAL RECORD — SENATE

March 29, 2011
As a member of Somerset City Council from 1964 to 1982, Eastham played an active role in helping to establish Somerset Community College and finding a location for what would become Cumberland Regional Hospital. He considered running for mayor, but his job as a regional salesman for Morton Salt Co. created time constraints that caused him not to seek office.

According to Clarence Love, city clerk during the years Eastham served on council, "he was very conscientious." In Love's opinion, Eastham was an "excellent councilman."

Jimmy Eastham said he thought his father most likely would be remembered most for "standing for what he believed in."

The Reid S. Jones Memorial Fund was established, first and foremost, to help veterans with educational issues. "A veteran might return from Afghanistan ready to go to law school and need some assistance," Dr. Jones said. "Or, a veteran might return and want to become a law enforcement officer or a mechanic.

As interest on the fund grows, money will be awarded to veterans who demonstrate great potential for success in professional and vocational areas.

Primarily, the Reid S. Jones Memorial Fund intends to honor "the warrior spirit," Dr. Jones said, "the spirit of courage and bravery" that has helped keep the United States free.

The Reid S. Jones Memorial Fund is now open for tax-deductible contributions. Interested parties may contact Dr. Jones at djones@jonesfoundation.net or phone her at 606-875-2967.

BELLARMINE UNIVERSITY KNIGHTS

Mr. McCONNELL. Mr. President, I rise today to recognize the impressive accomplishments of a remarkable men's basketball team in the Commonwealth, the Bellarmine University Knights.

On March 26, the Knights made school history by winning the 2011 National Collegiate Athletic Association Division II championship. By defeating the Brigham Young University-Hawaii Seasciders 71 to 68, Bellarmine brought home its first national championship title in any sport.

Senior guard Justin Benedetti described the atmosphere in the MassMutual Center in Springfield, MA, where the championship game was held to be like a home game for the Knights, as many fans traveled to fill the crowd of nearly 3,000. The morning following their championship win, hundreds of fans, alumni, and students cheered as the team returned to campus and filed off the bus holding high their national trophy. I applaud not only the team's athletic achievement, but also the teamwork and sportsmanship on display as they represented my hometown, Louisville, and our Commonwealth in front of the country's basketball fans.

A state that honors basketball will honor the 2011 Bellarmine Knights team as among the best for seasons to come. I would like to remember a crop of unselfish players whose only goal was to win. And they will remember head coach Scott Davenport, who taught his players to play basketball the way it was meant to be played.

Coach Davenport built this team around talented local players—the entire roster hails from Kentucky, Indiana, and Ohio. A Louisville native, he led his team to their greatest record this year on their way to the Division II championship. He can now add this collegiate championship to the one he earned coaching the Ballard High School Bruins of Louisville, KY, to the state championship in 1988. It is no wonder he was recently named the 2011 Schiele North America/Division II Bulletin Coach of the Year. I would like to extend my sincere congratulations to Scott Davenport upon receiving this distinguished honor.

Family members, friends, and the Louisville community are justifiably proud of this team's achievement and the recognition they have earned. This season was a special one for Bellarmine University as it will remember for a long time to come.

I ask my colleagues to join me in congratulating the Bellarmine University Knights men's basketball team upon earning our nation's highest national title.

I wish them continued success both on and off the court.

HEALTH CARE RALLY

Mr. SANDERS. Mr. President, on Saturday, March 26 several hundred medical students from across the country came to our State Capitol in Montpelier, VT, to rally in support of Vermont going forward with a Medicare for All Single Payer health care system.

These young people were absolutely clear in understanding that for them to be the great physicians and nurses that they want to be, our health care system must be achieved. They believe, as I do, that health care is a right and not a privilege and that a single payer program is the most cost-effective way of achieving that goal. I am very pleased to submit for the RECORD the statement of principle signed by these medical school students.

I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

As medical students from around the country converge this weekend on the steps of the State House to support Vermont's movement toward a single-payer health care system, we want to contribute additional perspectives on our state's discussion of Health Care Reform.

As the Vermont legislature considers Health Care Reform, we, a group of UVM medical students who are invested in the future of Vermont, believe that current and future health care legislation should work to improve the quality of health care in Vermont's future as the healthiest state in America.

As medical students who will inherit the reform currently being debated in Montpelier, we are committed to help shape a sustainable universal health care system. It is our great hope that these changes will be enacted to enable us to provide the best care possible to our future patients.

Larry Bolden, Calvin Kagan, Bud Vana, Ben Ware, John Malm, J.J. Galli, Vanessa Patten, Nick Koch, Uz Robison, Pete Cooch, Rich Tan, Bianca Yoo, Prabu Selvam, Dave Reisman, Adam Ackerman, Nazia Kabani, Katarina Luskyer, Sara Samee, Ray, Kelly Cunningham, Hannah Foote, Laura Sturgill, Megan Malgeri, Kati Anderson, Serena Chang, Caitlan Baran, Leah Carr, Mariah Stump, Daniel Edberg, Franki Boulos, Chelsea Harris, Vinnie Kan, Mairin Jerome, Jimmy Corbett-Dettig, Dan Liebowitz, Laura Caldwell, Damian Ray, Mei Lee Frankish.

The University of Vermont does not endorse this organization or their position in connection with this or any other political campaign, political party or election. As ranking member of the Senate Small Business Committee, I am responsible to ensure that small businesses have access to affordable credit. In this regard, I have worked on a bipartisan basis with Senator LANDRIEU, chair of the Small Business Committee, to include provisions in the American Recovery and Reinvestment Act that enhanced the SBA's 7(a) and 504 loan programs. Those measures resulted in a 90-percent national increase in SBA lending at a crucial time in our nation's lending crisis. I also authored provisions, recently enacted into law, to increase the SBA's maximum loan limits for its microloan, 7(a), and 504 loans, to make the SBA more relevant to the needs of today's borrowers. Additionally, I have been supportive of efforts to increase the imposed cap on member business lending at credit unions—at no cost to taxpayers—so that credit unions can play...
a greater role in helping to address the problems that small businesses continue to face in accessing credit.

But, unfortunately, I was unable to vote in favor of the Small Business Jobs Act of 2010, even though it included many of my priorities, due to my significant concerns with the Treasury Small Business Lending Fund—SBLF or lending fund—provisions included into that bill. I opposed the inclusion of the lending fund for several reasons. While I will not reiterate all of those here, I will discuss a few of them briefly.

First, the lending fund is essentially an extension of the Troubled Assets Relief Program, TARP, which was terminated by the Dodd-Frank Wall Street Reform and Consumer Protection Act. This fact was confirmed by the bipartisan Congressional Oversight Panel for TARP in its May Oversight Report.

Second, it is possible that instead of promoting quality loans, the lending fund could encourage unnecessarily risky behavior by banks. Under the current law, the Treasury Department lends funds to banks at a 5-percent interest rate, which can be reduced to as low as 1 percent if the institutions in turn increase their small business lending. If the banks fail to increase their small business lending, the interest rate they pay could rise to a more punitive level, which could lead to an untenable situation where banks would make risky loans to avoid paying higher interest rates—a behavior known as "moral hazard.

Third, I still believe that the lending fund could put taxpayer resources at risk. The score for the Small Business Lending Fund is convoluted. The Congressional Budget Office, CBO, score for the lending fund listed it as raising $1.1 billion over 10 years, based on a cash-basis estimate. However, the very same CBO score highlighted that if CBO were permitted to base its score on a fair-value estimate, which accounts for market risk, the score would be a $6.2 billion loss. In fact, the CBO scored it as infeasible.

Estimates prepared on a “fair-value” basis include the cost of the risk that the government has assumed; as a result, they provide a more comprehensive measure of the cost of the financial commitments than estimates done on a FCRA (Federal Credit Reform Act of 1990 (FCRA)) basis or on a cash basis. CBO estimates that the cost of the SBLF on such a fair-value basis (that is, reflecting market risk) would be $6.2 billion.

While I favor outright repeal of the Small Business Lending Fund, I know that will be very difficult—and likely impossible, given that the majority party in the Senate and the President strongly supported its enactment. And so I am focusing my efforts on making as many improvements to the fund as possible, a responsibility that all of us in Congress, Republicans and Democrats alike, should be able to coalesce around.

We undoubtedly have a shared responsibility to ensure that taxpayer’s dollars, in this case $30 billion for the Small Business Lending Fund, are used in a transparent, prudent, and responsible manner. If we foster an environment in which banks are free to make risky loans to avoid higher interest rates, we increase the likelihood that they accept loans without any formal guarantee of repayment, we fail our responsibility to our constituents and do a disservice to our Nation’s 30 million small businesses.

The following is a description of some of the amendment’s provisions. One section would require that banks that receive Small Business Lending Fund distributions, must—within 10 years—repay the money they receive. While the current law directs that within 10 years of receiving the funds, the banks should repay them to the Treasury Department, it also gives discretion to the Treasury Secretary to extend—even indefinitely—the period of time that banks have, to repay the funds. This is a government commonsense provision to ensure that taxpayer’s dollars do not go to waste.

Another section would establish a sunset of 15 years for the Small Business Lending Fund. Under the current law, however, the Small Business Lending Fund must not be authorized to continue in perpetuity.

The amendment would also prohibit, moving forward, banks that have received TARP distributions from also obtaining funds from the SBLF. Under the current law, banks that have received money through the TARP program remain eligible to receive small business lending funds as well, unless they default on TARP repayment. My provision is not inferring that banks who received TARP funds are bad actors, or that they are being penalized for participating in the program. Rather, it is a simple recognition that the Federal government should be limiting the frequency that it subsidizes private banks with taxpayer funds at favorable interest rates. This crucial amendment will prohibit banks from “double dipping” into taxpayer funds.

Another provision would provide that the Small Business Lending Fund cease operations if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of any eligible institutions. It is essential that the lending fund is not a bailout and if there are strong indications that this fund has serious systemic difficulties it must be halted until the problems within the program are corrected.

Another provision would provide that only healthy banks participate in the Small Business Lending Fund. This amendment prevents banks who apply for the SBLF from counting expected SBLF funds as tier 1 capital in order to artificially strengthen their capital position in order to receive government funds. This provision ensures that banks lend on their own two feet, rather than being able to count the anticipated future receipts of taxpayer funds, when determining if the banks are healthy enough to be provided those funds in the first place.

My amendment would also help ensure that regulators have more meaningful controls over the Small Business Lending Fund. For there to be meaningful controls, it is essential that all bank regulators, whether State or Federal, have a real voice in the lending fund’s ability to lend to regulated banks. This amendment gives State bank regulators the ability to determine whether or not a bank which they regulate should receive capital investment through the SBLF program. The current lending fund only gives State bank regulators an advisory role over whether or not a bank they regulate will receive SBLF funds. As this fund is targeted towards community banks, most of the banks applying for this program will be regulated at the State level. If we are really going to include State regulators and make this an inclusive regulator process, it is essential that State regulators have the power to affect a bank’s application.

And my amendment would also establish an appropriate benchmark for assessing changes in small business lending by recipients of capital investments under the Small Business Lending Fund. As it is currently written, the SBLF uses 2008 as a benchmark year to determine how much banks will have to increase their lending to small firms. My concern is that 2008 was a time before the benchmark shortchanges small businesses. Using 2007, or some other measure, as a benchmark may increase the number of loans, banks participating in the SBLF program would have to make to small firms.

This legislation is not a silver bullet, and I recognize that we should continue to vet these issues further. But it does attempt to deal with many of the significant problems that I have with the lending fund. Regrettably, these are precisely the types of issues that could have been resolved, had the lending fund received hearings and been properly vetted in the Senate—as one would expect of any legislative proposal of this magnitude.

I ask unanimous consent that a copy of the section by section of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE GREATER ACCOUNTABILITY IN THE TREASURY SMALL BUSINESS LENDING FUND ACT (“ACT”)

“This Act revises the Department of Treasury (‘Treasurers’) Small Business Lending Fund (‘Lending Fund’) program established in H.R. 5297, the Small Business Jobs Act of 2010 (‘Jobs Act’).

SEC. 1. SHORT TITLE.

This legislation shall be referred to as “the Greater Accountability in the Lending Fund Act of 2011.”

SEC. 2. REPAYMENT REQUIREMENT.

This section requires that financial institutions that receive Lending Fund distributions—must—with 10 years—repay the...
money that they receive. Under current law, the Secretary of Treasury ("Secretary") has the authority to postpone, indefinitely, repayment.

SEC. 3. SUNSET ON THE LENDING FUND.

Under existing law, the Lending Fund is authorized to exist forever. This section requires that the Lending Fund sunset within 15 years of the date that the Lending Fund was enacted.

SEC. 4. TRIGGER TO PROTECT AND PRESERVE TAXPAYER DOLLARS.

This section prohibits the Secretary from making additional purchases (i.e. prohibits the Secretary from providing additional money, through the Lending Fund) if the Federal Deposit Insurance Corporation is appointed receiver of more of the number of eligible financial institutions that have obtained a capital investment under the Lending Fund program.

SEC. 5. DISALLOWING FUTURE LENDING FUND PURCHASES OF FINANCIAL INSTITUTIONS THAT PARTICIPATED IN THE TROUBLED ASSET RELIEF PROGRAM ("TARP").

This section prohibits—as of the date of this Act being enacted—the Secretary from making additional purchases, through the Lending Fund, of a financial institution (i.e. providing money to a bank) that participated in the TARP program. This section would end the bail-out loophole practice of financial institutions that have previously received taxpayer funds, at low (subsidized) interest rates, through TARP, doing so again, through the Lending Fund.

SEC. 6. ALLOWING ONLY "HEALTHY" FINANCIAL INSTITUTIONS TO PARTICIPATE IN THE LENDING FUND.

Under current law, when determining whether a bank is financially sound, the Secretary can take into consideration what the bank's strength would be after receiving the funds. This section changes the law to require that the Secretary determine whether a bank is financially stable, without being able to include future Lending Fund distributions into the equation. Therefore, a bank must be stable on its own, (without regard to future Lending Fund dollars), in order to be approved to participate in the program.

SEC. 7. ENSURING THAT REGULATORS HAVE MORE ENFORCEMENT POWER OVER THE LENDING FUND.

This section requires that the Secretary must obtain prudential regulators' approval—rather than consultation—before an individual financial institution (i.e. bank) can receive distributions through the Lending Fund program.

SEC. 8. BENCHMARK ADJUSTMENT.

This section establishes the benchmark by which a financial institution's small business lending has increased from the current level (the 4 full quarters immediately preceding the date of the Jobs Act being enacted) to a new benchmark of calendar year 2007. This section addresses concerns that the Lending Fund may reward banks that would have increased their lending even in the absence of government support, as the Fund's incentive structure is calculated in reference to lending levels, which were low by historical standards.

NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IMPROVEMENT ACT

Mr. COBURN. Mr. President, the intent of the National Instant Criminal Background Check System, NICS, Improvement Act of 2007 is to increase compliance with existing law in order to prevent guns from getting into the hands of those with mental health concerns who might cause harm to others.

Unfortunately, the initial draft of this legislation would have expanded the existing list of people forbidden by statute from possessing or purchasing a weapon to include people who simply had trouble managing their finances or other personal affairs. This expansion of existing law would have legitimized overly broad regulations over people who are often ordinary citizens who have never been found to be a danger to themselves or to others.

This is problematic because these overly broad regulations have allowed for the criminalization of veterans who needed help managing the benefits they received for serving our country. These veterans lost their constitutional right to bear arms without committing a crime, without going before a court of law, and without being found to be a potential threat to anyone else. Furthermore, they lost their rights without their knowledge, and without a way to restore them.

For this reason I did not consent to H.R. 2640 until these concerns were adequately addressed.

Nobody wants firearms in the hands of individuals who are a danger to themselves or to others, but this desire for safety must be adequately balanced with a respect for our Constitution and the right to keep and bear arms. While I favor keeping guns out of the hands of criminals and those who are a danger to themselves or to others, I was concerned that this bill would unnecessarily and unfairly hurt our veterans and other law-abiding Americans.

The initial version of this bill codified overly broad regulations for what it means to be "adjudicated as a mental defective" to include individuals who are in no danger to themselves or to others; individuals who have overridden their own finances or other personal affairs. These regulations were determined independent of congressional intent and are overly inclusive.

As a result of this definition, Americans who have never committed a crime and are of no danger to themselves or to others have been unfairly included in NICS. Once added to this list, it has been nearly impossible for an individual to remove their name from the list, meaning they are prohibited from holding a firearm for the rest of their life.

Among those unfairly added are up to 140,000 veterans who receive benefits for their service to our country, because they cannot manage their own affairs. This bill would have made this overly inclusive definition law.

Fortunately, Senator Schumer and I were able to work together to erase all mention of this definition in the bill. The term now defined in the law is: By not codifying these overly inclusive regulations, Congress and the Bureau of Alcohol, Tobacco, and Firearms Enforce-
consequences that compromise the rights of law abiding citizens. I am thankful for the opportunity for my concerns to be addressed and believe this bill is much improved.

ADDITIONAL STATEMENTS

REMEMBERING DR. ALFRED KAHN

Mr. KOHL. Mr. President, as chairman of the Senate's Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, I pay tribute to a giant of antitrust law and economics, the economist and legal scholar Alfred E. Kahn, who passed away on December 27, 2010, at the age of 93.

A scholar at the forefront of public utility deregulation, Dr. Kahn was perhaps best known as the “father of airline deregulation.” His work in the Carter administration in the 1970s to deregulate the airline industry led the way for dramatic reductions in airline fares, saving consumers billions, when he spearheaded passage of the U.S. Airline Deregulation Act of 1978 as chair of the now-defunct Civil Aeronautics Board. While a highlight of his career, this was just one of many of Dr. Kahn’s achievements—throughout his life he was an outstanding advocate for consumers, against monopoly and unnecessary government interference in the private market, and for the creative and vigorous enforcement of antitrust law.

Born on October 17, 1917, in Paterson, NJ, the son of Russian immigrants, Alfred Edward Kahn graduated from New York University, first in his class, at the age of 18 and received a Ph.D. from Yale University. In the early 1940s, Dr. Kahn worked at the Brookings Institute, in the Antitrust Division of the Department of Justice, and for the War Production Board as an economist.

During World War II, Dr. Kahn served as an Army economist for the Commission on Palestine Surveys. Soon after the war, he spent 2 years as a professor at Ripon College in Wisconsin, before beginning his esteemed career at Cornell University, which, other than the time he spent in public service, would last until his death.

Before stepping onto the national political scene, Dr. Kahn served as head of the New York State Public Service Commission, the State’s regulator for electricity, gas, water, and telephones. From there, seeking to use deregulation as a means to stimulate economic growth, President Carter tapped Dr. Kahn to serve as chairman of the now-defunct Civil Aeronautics Board in 1977. The CAB was entrusted with economic regulation of the airlines—including the routes carriers could fly and the fares they could charge.

At the time of his appointment, Dr. Kahn knew little about the airline business, referring to airplanes as “marginal costs with wings.” However, he was a quick study, and the industry was ripe for change. Substantial investments had recently been made in wide-body aircraft, and industry players wanted access to new routes and new passengers. Though slight in physical stature and viewed purely as an academic and not someone who could wield much influence, Dr. Kahn was able to take on the industry and persuade the establishment that excessive government regulation had long-harbor-inefficiency and was facilitating artificially inflated fares.

Through various avenues, including the press, Congress, and testimony in Congress, Dr. Kahn was the intellectual leader and primary advocate of deregulating the airline industry, highlighting that many planes were flying half full at fares many could not afford. Less than 2 years after assuming his post at the CAB, Congress passed and President Carter signed into law the Airline Deregulation Act. This landmark legislation was the first complete dismantling of a Federal regulatory scheme. In 1981, Dr. Kahn testified before U.S. House and Senate committees more than 70 times in his career. He testified before our Antitrust Subcommittee several times, always eloquently and honestly, with impressive candor and penetrating insight.

In later years, Dr. Kahn steadfastly defended his work on airline deregulation by pointing out that more Americans were flying with greater choice at lower rates than ever before. In a 1998 essay in the New York Times, Dr. Kahn admitted that even though the “resulting competitive regime has been far from perfect, it has saved travelers more than $10 billion a year.” For Dr. Kahn, the deregulation of the airline industry had one powerful effect: empowering the consumers against entrenched monopolies, for innovation against the established order, and for the dynamism and creativity of an unfettered free market and excessive and heavyhanded regulation.

Not only a brilliant economist and legal scholar, Dr. Kahn will be remembered for his sharp wit and humor. Dr. Kahn famously created a buzz with his initiative to eliminate government “bureaucratese” when the Washington Post published a copy of his memo calling for his staff to use “plain English” and “quasi-vernacular, humane prose” in their writing. Following his time in Washington, Dr. Kahn returned to chair the economics department at Cornell, where he would author more than 130 academic papers and 8 books.

Upon his passing, I want to express my gratitude to Dr. Alfred Kahn for his contributions to the antitrust and regulatory agenda, and for his service to the American people and offer my deepest condolences to his wife and family.

MESSAGE FROM THE HOUSE

At 4:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1079. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs:
INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself and Ms. CANTWELL):
S. 659. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries’ access to home health services under the Medicare program; to the Committee on Finance.

By Mr. KYL (for himself, Mr. MCCONNELL, Mr. BARRASSO, Mr. CORBURN, Mr. CRAPO, and Mr. ROBERTS):
S. 669. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment responses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG:
S. 661. A bill to amend the Federal Water Pollution Control Act to provide for the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VITTER:
S. 662. A bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN:
S. 663. A bill for the relief of Al-Housseynou Ba; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself and Mr. CRAPO):
S. 664. A bill to amend the Internal Revenue Code of 1986 to clarify the capital gain or loss treatment of the sale or exchange of mitigation credits earned by restoring wetlands, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN of Ohio (for himself and Ms. SNOWE):
S. 665. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RAUCUS (for himself, Mr. JOHNSON of South Dakota, Mr. CONRAD, and Mr. TESTER):
S. 666. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rio Grande valley, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. BINGAMAN (for himself and Mr. BURR):
S. 667. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. ROBERTS, Mr. KYL, Mr. THURMAN, Mr. BARRASSO, Mr. ISAKSON, Mr. WICKER, Mr. BURR, Mr. CORBURN, and Mr. INHOEFER):
S. 668. A bill to remove unelected, unaccountable bureaucrats from seniors’ personal health decisions by repealing the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. ISAKSON:
S. 669. A bill to amend the Longshore and Harbor Workers’ Compensation Act to improve the law, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:
S. 670. A bill to authorize States and their political subdivisions to regulate fuel economy and emissions standards for taxicabs; to the Committee on Commerce, Science, and Transportation.

By Mr. SESSIONS (for himself, Mr. BLUMENTHAL, Mr. HATCH, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. WITTKEMeyer, Mr. CORNYN, Mr. KYL, Mr. GRAHAM, Mr. LEFANU, Ms. COLLINS, Mr. THUNE, Mr. CORBURN, Mr. BURR, and Mr. CHAMBLISS):
S. 671. A bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders; to the Committee on the Judiciary.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. MORAN, Mr. WYDEN, Mr. ROBERTS, Mrs. HILLIARD, Mr. WICKER, Mr. BOOZMAN, Mr. THUNE, and Mr. SNOWE)):
S. 672. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MUSKER):
S. 673. A bill to require the conveyance of the decommissioned Coast Guard Cutter STORIS; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER:
S. Res. 111. A resolution expressing the sense of the Senate that Congress should reject any proposal of a system of global taxation and regulation; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. TOOMEY):
S. Res. 112. A resolution congratulating the Pennsylvania State University IFC/Panhellicn Dance Marathon (‘‘THON’’) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children’s Hospital; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mrs. SHAHEEN):
S. Res. 113. A resolution commemorating the 2011 International Year of Forests; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. AVOTVITZ, Mr. FUKUZUMI, Ms. CANTWELL, Ms. COLLINS, Mrs. FeINSTEIN, Mrs. HAGAN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. McCaskill, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. SHAHEEN, Ms. SNOWE, Mrs. STABENOW, Mr. REID, Mr. MCCONNELL, Mr. BARRASSO, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. BERNSTEIN, Mr. CANTWELL, Mr. BLUMENTHAL, Mr. Brown of Ohio, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CONRAD, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIVADTI, Mr. LIEBERMAN, Mr. MANCHIN, Mr. MENENDEZ, Mr. MERKLEY, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. RICHARDSON, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMES, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WAXNER, Mr. WYDEN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. CHAMBLISS):
S. Res. 114. A resolution honoring Congresswoman Geraldine A. Ferraro, the first woman to run for political party as its candidate for Vice President of the United States, and extending the condolences of the Senate on her death; considered and agreed to.

ADDITIONAL COSPONSORS

S. 17
At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 33
At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 33, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 146
At the request of Mr. BAUCUS, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 216
At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 216, a bill to increase criminal penalties for certain knowing and international violations relating to food that is misbranded or adulterated.

S. 243
At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 243, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 248
At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. FRANKEN) was added as a cosponsor of S. 248, a bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act.

S. 252
At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 252, a bill to rescind unusued earmarks.
At the request of Mr. BINGAMAN, the names of the Senator from Arkansas (Mr. PYOR), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 298, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

At the request of Mr. SCHUMER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 409, a bill to ban the sale of certain synthetic drugs.

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

At the request of Mr. BROWN of Ohio, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 453, a bill to improve the safety of motorcoaches, and for other purposes.

At the request of Mr. COBURN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 520, a bill to repeal the Volumeetric Ethanol Excise Tax Credit.

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) 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.

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 540, a bill to prevent harassment at institutions of higher education, and for other purposes.

At the request of Mr. TESTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

At the request of Mr. TESTER, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Missouri (Mr. BLUMENTHAL) and the Senator from Florida (Mr. NELSON) 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.

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

At the request of Mr. SCHUMER, the name of the Senator from Idaho (Mr. CRAPPO) was added as a cosponsor of S. 593, a bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations.

At the request of Mrs. MURRAY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

At the request of Ms. SNOWE, the name of the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. REED) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

At the request of Mr. COBURN, the names of the Senator from Missouri (Mr. SCHRUMER), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Vermont (Mr. BROWN) were added as cosponsors of S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. McCONNELL, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 183 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mrs. Hutchison, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. Risch, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Ms. CANTWELL):

S. 659. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries and home health services under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to join with my colleague from Washington in introducing legislation, the Home Health Care Access Protection Act of 2011, to prevent future unfair administrative cuts in Medicare home health payment rates.

Home health has become an increasingly important part of our health care system. The kinds of complex and often technically complex services that our nation's home health agencies provide have helped to keep families together and enabled millions of our most frail and vulnerable older and disabled persons to avoid hospitalization, nursing home stays, and stays in nursing homes where they want to be—in the comfort and security of their own homes. Moreover, by helping these individuals to avoid more costly institutional care, they are saving Medicare billions of dollars each year.

That is why I find it so ironic—and troubling—that the Medicare home health benefit continually comes under attack.

The health care reform bill signed into law by the President last year included $40 billion in cuts to home care over 10 years. Moreover, these cuts are a “double-whammy” because they come on top of $25 billion in additional cuts to home health imposed by the Centers for Medicare and Medicaid Services through regulation in the last several years.

These cuts are particularly disproportionate for a program that costs Medicare less than $20 billion a year. This simply is not right, and it certainly is not in the best interest of our nation’s seniors who rely on home care to keep them out of hospitals, nursing homes, and other institutions.

The payment rate cuts implemented and proposed by CMS are based on the assertion that home health agencies have intentionally “gamed the system” by claiming that their patients have conditions of higher clinical severity than they actually have in order to receive higher Medicare payments.

This unfounded allegation of “case mix creep” is based on what CMS contends is an increase in average clinical assessment “score” of home health patients over the last few years.

In fact, there are very real clinical and policy explanations for why the average clinical severity of home care patients’ health conditions may have increased over the years. For example, the incentives built into the hospital diagnosis-related group—or DRG—reimbursement system have led to the faster discharge of sicker patients. Advances in technology and changes in medical practice have also enabled home health agencies to treat more complicated medical conditions that previously could only be treated in hospitals, nursing homes, or inpatient rehabilitation facilities.

Moreover, this unfair payment rate cut is being assessed across the board, even for home health agencies that showed a decrease in their clinical assessment scores. If an individual home
Mr. KYL. Mr. President, I ask unanimous consent that the text of the bill was ordered to be printed in the RECORD, as follows:

S. 660. 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 “Preserving Access to Targeted, Individualized, and Effective New Treatments and Services (PA-TENTS) Act of 2011” or the “PA-TENTS Act of 2011.”

SEC. 2. PROHIBITION ON CERTAIN USES OF DATA OBTAINED FROM COMPARATIVE EFFECTIVENESS RESEARCH ACCOUNTING FOR PERSONALIZED MEDICINE AND DIFFERENCES IN PATIENT TREATMENT RESPONSE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services—

(1) shall not use data obtained from the conduct of comparative effectiveness research, including such research that is conducted or supported using funds appropriated under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or authorized or appropriated under the Patient Protection and Affordable Care Act (Public Law 111–148), to deny or delay coverage of an item or service under a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7(b)(f))); and

(2) shall ensure that comparative effectiveness research conducted or supported by the Federal Government accounts for factors contributing to differences in the treatment response and advancement of preferences of patients, including patient-reported outcomes, genomics and personalized medicine, the unique needs of health disparity populations, and indirect patient benefits.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act or the Public Health Service Act.

By Mr. BROWN of Ohio (for himself and Ms. SNOWE):

S. 665. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement for purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. SNOWE. Mr. President, I rise today in support of the Selecting Employment Clusters to Organize Regional Success, SECTORS, Act, which Senator SHERROD BROWN and I are introducing. This legislation would amend the Workforce Investment Act of 1998 to establish an industry or sector partnership grant program administered by the Department of Labor.

The SECTORS Act provides grants to industry clusters—interrelated group of businesses, service providers, and associated institutions—in order to establish and expand sector partnerships. By providing financial assistance to these partnerships, this legislation would create customized workforce training solutions for specific industries at a regional level. A sector approach is beneficial because it can focus on the dual goals of promoting the long-term competitiveness of our industries and fostering new employment opportunities for workers, thereby encouraging economic growth. Existing sector partnerships have long been recognized as key strategic elements within some of the most successful economic development initiatives throughout the country. Unfortunately, current federal policy does not provide sufficient support for these critical ventures.

As Chair of the bipartisan Senate Task Force on Manufacturing, one of my key goals is to ensure that manufacturers have access to a capable workforce. Unfortunately, manufacturers across the country have raised significant concerns about whether the next generation of workers is being trained to meet the needs of an increasingly high-tech workplace.

In fact, in my home State of Maine, the manufacturing sector has shed an alarming 26,200 jobs in the past ten years, or 1/3 of the State’s manufacturing employment. And since the beginning of 1990, our state has lost 43,000 jobs. It is therefore critical that we as a Nation provide unemployed manufacturers the tools needed to excel as our manufacturing sector becomes increasingly technical. This legislation provides a crucial link between establishing worker training programs and fostering new employment opportunities for those too often affected by the manufacturing industry’s decline. By promoting this innovative partnership, we will take a crucial step toward rejuvenating our economy.

Throughout the country, sector partnerships are being used to promote the long-term competitiveness of industries and to advance employment opportunities. For example, the State of Maine has created the North Star Alliance Initiative. The Alliance has brought together Maine’s boat builders, the University of Maine’s Advanced Engineered Wood Composites Centers, Maine’s marine and composite trade association, economic development groups, and investment organizations for the purpose of advancing workforce training.

Our Nation’s capacity to innovate is a key reason why our economy, despite difficult times, remains the envy of the world. Ideas by innovative Americans across the spectrums of professions and industries have paid enormous dividends, improving the lives of millions throughout the world. We must continue to encourage all avenues for advancing our nation’s economic well-being. If America is to compete at the vanguard of innovation, the SECTORS Act will help align America’s workforce with the needs of our Nation’s employers to promote a robust and growing economy.

By Mr. BAUCUS (for himself, Mr. JOHNSON of South Dakota, Mr. CONRAD, and Mr. Tester):

S. 666. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center, the Polytrauma Network Site, and the establishment of a Polytrauma Rehabilitation Center, the Polytrauma Network Site, of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes; to the Committee on Veterans’ Affairs.
Mr. BAUCUS. 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:

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 “Veterans Traumatic Brain Injury Care Improvement Act of 2011.”

SEC. 2. REPORT ON ESTABLISHMENT OF A POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE BY THE DEPARTMENT OF VETERANS AFFAIRS IN THE NORTHERN ROCKIES OR DAKOTAS.

(a) FINDINGS.—Congress makes the following findings:

(1) The States of the northern Rockies and the Dakotas are among those States in the United States with the highest per capita rates of veterans with injuries from military service in Iraq and Afghanistan.

(2) Traumatic brain injury (TBI) has become known as one of the “signature wounds” of military service in Iraq and Afghanistan due to its high occurrence among veterans of such service.

(3) A recent RAND Corporation study estimates that 20 percent of the veterans of military service in Iraq and Afghanistan have a traumatic brain injury as a result of such service, and many of these veterans require ongoing care for mild, moderate, or severe traumatic brain injury.

(4) The Department of Veterans Affairs recommends that all veterans experiencing a polytraumatic injury be referred to a Polytrauma Rehabilitation Center or a Polytrauma Network Site.

(5) The Department of Veterans Affairs Polytrauma System of Care includes 4 Polytrauma Rehabilitation Centers and 22 Polytrauma Network Sites, none of which are located in North Dakota, South Dakota, Idaho, Montana, eastern Washington, or Wyoming, an area that encompasses approximately 740,000 square miles.

(6) The vastness of this area imposes significant problems on veterans residing in this area who require care within the Department of Veterans Affairs Polytrauma System of Care and wish to live close to home while receiving care within such system of care.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the feasibility and advisability of establishing a Polytrauma Rehabilitation Center or Polytrauma Network Site for the Department of Veterans Affairs in the northern Rockies or Dakotas. One of the locations evaluated as a potential location for the Polytrauma Rehabilitation Center or Polytrauma Network Site, as the case may be, shall be the Fort Harrison Department of Veterans Affairs hospital in Lewis and Clark County, Montana.

(2) REQUIREMENTS.—The report required by this subsection—

(A) An assessment of the adequacy of existing Department of Veterans Affairs facilities in the northern Rockies and the Dakotas to address the above-identified gaps in care, and the Department’s plans and policies to address those gaps;

(B) A comparative assessment of the effectiveness of programs for individuals with traumatic brain injuries in urban areas with the effectiveness of such programs for individuals with traumatic brain injuries in rural and frontier communities.

(c) ANNUAL REPORTS.—The Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on Veterans’ Affairs of the House of Representatives on the implementation of the report required by this Act. Each report shall include a description of the steps the Department of Veterans Affairs has taken to address matters that are otherwise addressed in the report.

(d) EFFECTIVENESS.—Each report submitted under this subsection shall include an assessment of whether the Department of Veterans Affairs was able to report on the effectiveness of such care.

By Mr. SESSIONS (for himself, Mr. BLUMENTHAL, Mr. HATCH, Ms. KLOBUCAR, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. CORNYN, Mr. KYL, Mr. GRAHAM, Mr. LEE, Ms. COLLINS, Mr. THUNE, Mr. CORKER, Mr. BURR, and Mr. CHAMBLISS):

S. 671. A bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders; to the Committee on the Judiciary.

Mr. SESSIONS. Mr. President, I seek recognition today to introduce and speak in favor of the Finding Fugitive Sex Offenders Act of 2011, which would give the Assistant Attorney General of the United States, to the extent authorized by the Constitution of the United States, subpoena authority to perform investigations into the investigation of sex offenders who have failed to register as required by the Sex Offender Registration and Notification Act. The language of the bill is the product of bipartisan negotiations during the last Congress, which was included in a broader child crimes bill last year that passed both the Senate Judiciary Committee and the Senate, but did not become law.

To understand the need for this bill, it is important to understand the history of recent child crimes legislation in Congress. When the Adam Walsh Act, which I cosponsored, was enacted in July 2006 to create a more uniform and enforceable sex offender registry system, over 150,000 convicted sex offenders were believed to be unregistered and missing from the various state sex offender registries. A key component of the Walsh Act, one requested by John Walsh himself, was to give the U.S. Marshals Service primary enforcement authority to locate and arrest unregistered sex offenders who had crossed state lines or had earlier been convicted under federal law. The Walsh Act, however, did not provide the Marshals Service with administrative subpoena authority to perform these investigations, which can span jurisdictions and move quickly. The Finding Fugitive Sex Offenders Act will fix this gap in the law and grant the Marshals Service the long-needed authority.

It is very surprising that this authority does not already exist in light of the hundreds of administrative subpoena authorities that are in place for various federal agencies, including the EPA, the DEA, the FBI, the FTC, and even the Appalachian Regional Commission. In March 2006, the Congression Research Service stated that “[t]here are now over 300 instances where federal agencies have been granted administrative subpoena power in one form or another.” In reality, that number is even higher. According Department of Justice’s 2002 Report to Congress on the Use of Administrative Subpoena Authorities by Executive Branch Agencies and Entities, the Office of Legal Policy “identified approximately 355 existing administrative subpoena authorities held by various executive branch entities under current law.” Most of these authorities are for civil enforcement or regulatory compliance—matters far less critical and time-sensitive than locating a fugitive sex offender who intentionally evaded registering his location or place of employment to avoid detection by law enforcement.

There is no reason why the Marshals Service should not have this type of subpoena authority. In these cases, the investigations across state lines, law enforcement simply cannot afford delays, especially on weekends and holidays when U.S. Attorney’s Offices are closed and grand jury subpoenas are unavailable. Assistant Attorney General Rachel Brand explained the delays and limitations of traditional grand jury subpoenas in fast-moving investigations when she testified before the Senate Judiciary Committee on another administrative subpoena proposal in June 2004:

Although grand jury subpoenas are a sufficient tool in many investigations, there are circumstances in which an administrative subpoena would save weeks or hours. . . . For example, the ability to use an administrative subpoena will eliminate delays caused by factors such as the unavailability of an Assistant United States Attorney in the context of a time-sensitive investigation; the lack of a grand jury sitting at the moment the documents are needed (under federal law, the ‘return date’ for a grand jury subpoena must be on a day the grand jury is sitting); or the absence of an empaneled grand jury in the judicial district where the investigation is taking place, a rare circumstance that, in the context of a time-sensitive investigation, a grand jury subpoena from being issued at all.

The reality is that sex offenders often fail to register precisely so they can evade detection and move to a new place where they won’t face scrutiny. During the hearings and floor debates on the Adam Walsh Act, the Senate heard of the heart-breaking tragedies caused when sex offenders knowingly evaded registration so they could disappear from detection. Senators from Washington and Idaho, among others, pointed to the shocking registry features and disappearance of Joseph Duncan, who shortly after his release from custody in 2005, absconded from Minnesota.
and traveled across the country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children’s mother, brother, and the mother’s boyfriend by beating them to death with his imaginary hammer. He then took the children to remote campgrounds across the state line into Montana, where he brutally abused them and later killed Dylan. As one Senator explained during the debate: “Joseph Duncan was essentially lost by three States. He moved from State to State to avoid capture. No one knew where he was nor even how to look for him.”

A similar tragic story involved the convicted sex offender who killed Florida 9-year-old Jessica Lunsford. John Couey had failed to tell authorities that he was living in a trailer just feet from Jessica’s home. In 2006, he kidnapped Jessica from her bedroom and took her to a home where he raped and killed her. Erinne Allen, the President of the National Center for Missing and Exploited Children, cited Couey in his congressional testimony in support of the Walsh Act, explaining that he “was not where he was supposed to be and [his] presence was unknown to the police or Jessica’s family even though he lived 150 yards down the street from her and had worked construction at her elementary school.

As the Lunsford and Groene cases demonstrate, some sex offenders evade the registry requirements because they want to offend again. In these cases, time is law enforcement’s enemy. According to the Department of Justice’s guide for families with missing children, “the actions of parents and of law enforcement in the first 48 hours are critical to the safe recovery of a missing child.” The Lunsford case illustrates how important it is for law enforcement to quickly locate sex offenders during a missing child investigation. John Couey reportedly told law enforcement that he kept young Jessica alive for three days before he mothered her inside a plastic trash bag. In a case like Jessica’s, this type of authority literally could mean the difference between life and death.

This legislation has broad support. When I drafted this language last Congress, I shared it with the Marshals Service and lawyers who work in the field of protecting children from exploitation. These professionals were not only supportive, but also very clear about the need for this subpoena authority.

I strongly support this legislation and am thankful to the bipartisan group, including Senators BUMENSTEIN, BLUMENTHAL, HATCH, KLEIN HAMMER, GRASSLEY, WHITEHOUSE, CORNYN, KYL, GRAHAM, LEE, COLLINS, THUNE, COBURN, BURRE and CHAMBLISS, who have agreed to cosponsor this legislation. I hope the full Senate will take up and pass this legislation soon.

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. 671

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

SECTION 1. SHORT TITLE. This Act may be cited as the “Finding Fugitive Sex Offenders Act of 2011”.

SEC. 2. SUBPOENA AUTHORITY FOR THE UNITED STATES MARSHALS SERVICE. Section 5666(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(C) issue administrative subpoenas in accordance with section 3486 of title 18 solely for the purpose of investigating unauthorized sex offenders (as that term is defined in section 3486 of title 18);”.

SEC. 3. CONFORMING AMENDMENT TO ADMINISTRATIVE SUBPOENA STATUTE. (a) In General.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(I), by striking “or” at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or”; and

(2) by striking subparagraph (D) and inserting the following:

“(D) As used in this paragraph—

“(i) the term ‘Federal offense’ means an offense under section 1201, 1591, 2244, 2245, 2251, 2252, 2252A, 2260, 2421, 2422, or 2423, in which the victim is an individual who has not attained the age of 18 years; and

“(ii) the term ‘sex offender’ means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).”.

(b) Technical and Conforming Amendments.—Section 3486 of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking “and” and inserting “or (1)(A)(iii)”;

(2) in paragraph (10), by striking “paragraph (1)(A)(iii)” and inserting “(1)(A)(ii)”;

(3) in paragraph (11), by striking “sections 1201, 1591, 2244, 2245, 2251, 2252, 2252A, 2260, 2421, 2422, or 2423” and inserting “(1)(A)(i)”;

(4) in paragraph (13), by striking “paragraph (1)(A)(i)” and inserting “paragraph (1)(A)(ii)”;

(5) in paragraph (15), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(6) in paragraph (16), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(7) in paragraph (17), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(8) in paragraph (18), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(9) in paragraph (19), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”;

(10) by striking “or (1)(A)(ii)” and inserting “or (1)(A)(iii)”;

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. MORAN, Mr. WYDEN, Mr. ROBERTS, Mrs. GILLIBRAND, Mr. WICKER, Mr. BOOZMAN, Mr. THUNE, and Ms. SNOWE)):

S. 672. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to extend the railroad track rehabilitation credit; and for other purposes.

Section 45G creates an incentive for short lines to invest in track rehabilitation by providing a tax credit of 50 cents for every dollar spent on track improvements. If this credit is allowed to expire at the end of the year, private-sector investments in infrastructure in our communities will fall by hundreds of millions of dollars.

“Short line” railroads are small freight rail companies responsible for bringing goods to communities that are not directly served by large railroads. Supporting small railroads allows the communities surrounding them to attract and maintain businesses and create jobs. The evidence of the success of this credit can be found in communities across America.

This credit has a real impact for the people of my state. West Virginia is the second biggest producer of railroad ties in the country. Since the credit first was enacted, approximately 750,000 railroad ties have been purchased above what would have otherwise been purchased with no incentive. Those railroad ties translate directly into jobs. This credit does not create just West Virginia jobs, it benefits manufacturers of ties, spikes, and rail all across America.

Over 12,000 rail customers across America depend on short lines. This credit creates a strong incentive for short lines to invest private sector dollars on private-sector freight railroad track rehabilitation and improvements. Shippers rely on the high quality service these railroads provide to get their goods to market. Unfortunately, this credit is scheduled to expire at the end of 2011.

This bill would extend the 45G credit through 2017 and provide the important long-term planning certainty necessary to maximize private-sector transportation infrastructure investment. 54 Members of this body sponsored legislation that extended this credit last Congress and I hope there will be similar support again this year.

I thank the Chair and ask my colleagues to join me in supporting this important legislation that will benefit small businesses throughout the country.

Mr. VITTER submitted the following resolution; which was referred to the Committee on Finance:

S. Res. 111

Whereas many proposals are pending in Congress—

(1) to increase taxes;

(2) to regulate businesses; and

(3) to continue runaway Government spending;

Whereas taxpayer funding has already financed major, on-going bailouts of the financial sector;

Whereas the proposed cap-and-trade system would result in trillions of dollars in new taxes and job-killing regulations;
Whereas a number of nongovernmental organizations are proposing that a cap and trade regulatory system be adopted on a global scale; and

Whereas the “outcome document” produced by the September 20-22, 2010, United Nations Summit on the Millennium Development Goals (MDGs) commits the nations of the world, including the United States, to supporting “innovative financing mechanisms” to supplement foreign aid spending; and

Whereas the term “innovative financing mechanisms” is United Nations euphemism for global taxes; and

Whereas the “Leading Group on Innovative Financing for Development,” a group of 63 countries, seeks to promote the implementation of “innovative financing mechanisms”; and

Whereas a “Task Force on International Financial Transactions for Development” is working within the Leading Group and with the United Nations to propose and implement global tax schemes; and

Whereas “innovative financing mechanisms” are going to be on the agenda for the G8 and G20 summits in France in 2011; and

Whereas new international taxation and regulatory proposals would be an affront to the sovereignty of the United States; and

Whereas the best manner by which to overcome the economic downturn in the United States includes taking measures that would:

(1) lower tax rates; and
(2) reduce Government spending; and
(3) impose fewer onerous and unnecessary regulations on job creation; and

Whereas the worst manner by which to overcome the economic downturn in the United States includes taking measures that would:

(1) increase tax rates; and
(2) expand government intervention, including intervention on a global scale: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress should reject any proposal for the creation of:

(1) “innovative financing mechanisms” or global taxes; or

(2) an international system of government bailouts for the financial sector; or

(3) a global cap-and-trade system or other climate regulations that would—

(a) punish businesses in the United States; and

(b) limit the competitiveness of the United States; and

(4) a global tax system that would violate the sovereignty of the United States.

SENATE RESOLUTION 112—CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON (“THON”) ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN’S HOSPITAL

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 112

Whereas the Pennsylvania State University IFC/Panhellenic Dance Marathon ("THON") has achieved widespread recognition as a model for fundraising and community service; and

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 hours straight at the Bryce Jordan Center for THON, bringing energy and excitement to campus for a mission to conquer cancer and awareness about the disease to the current generation of individuals;

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

Whereas each year, THON is the single largest donor to the Four Diamonds Fund at Penn State Hershey Children’s Hospital, having raised more than $69,000,000 since 1977, when the 2 organizations first became affiliated;

Whereas in 2011, THON set a new fund-raising record of $39,583,016.09, besting the previous record of $33,838,054.36, which was set in 2010;

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

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their community: Now, therefore, be it

Resolved, That the Senate—

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

(2) commends the Pennsylvania State University IFC/Panhellenic Dance Marathon for the hard work they have done to bring energy and excitement to campus for a mission to conquer cancer and awareness about the disease to the current generation of individuals;

SENIOR RESOLUTION 113—COMMEMORATING THE 2011 INTERNATIONAL YEAR OF FORESTS

Mr. LUGAR (for himself and Mrs. SHELBERG) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. Res. 113

Whereas United Nations resolution 61/193, adopted by the General Assembly on December 20, 2006, designates the year 2011 as the International Year of Forests; and

Whereas the forests of the United States are essential to the health, environment, social fabric, and economy of the United States, as well as to the individual well-being of the people of the United States;

Whereas the forests of the United States are owned, managed by nongovernmental organizations, and public entities, with the largest segment of forests owned by 11,000,000 Americans; and

Whereas privately-owned forests supply 92 percent of the trees harvested for the wood products that the people of the United States use every day;

Whereas the forest products industry—

(1) accounts for approximately 5 percent of the total United States manufacturing Gross Domestic Product (GDP); and

(2) is among the top 10 manufacturing sector employers in 48 States; and

(3) employs nearly 900,000 Americans; and

Whereas wood products are 1 of the most environmentally friendly building materials, resulting in a maximum reduction in energy use of 17 percent and a more than 25 percent reduction in air and water pollution, when compared to alternative materials;

Whereas forests supply more than 50 percent of the current renewable energy consumed in the United States;

Whereas as of 2011, the forests and forest products of the United States sequester and store 11,000,000 Americans, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual THON;

Whereas student volunteers at the Pennsylvania State University annually collect funds and cancer research; and

Whereas in 2011, THON set a new fund-raising record of $39,583,016.09, besting the previous record of $33,838,054.36, which was set in 2010;

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

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the multiple contributions that forests of the United States make to the traditions, health, and way-of-life of the United States;

(2) recognizes the growing threats faced by forests of the United States; and

(3) expresses support and appreciation for—

(A) the 11,000,000 people of the United States who own the majority of the private forests of the United States; and

(B) the thousands of forestry professionals who work every day in the forests of the United States who work to conserve the publicly and privately owned forests of the United States.

SENIOR RESOLUTION 114—HONORING CONGRESSWOMAN GERALDINE A. FERRARO, THE FIRST WOMAN SELECTED BY A MAJOR POLITICAL PARTY AS ITS CANDIDATE FOR VICE PRESIDENT OF THE UNITED STATES, AND EXTENDING THE CONDOLENCE OF THE SENATE ON HER DEATH

Mrs. GILLIBRAND (for herself, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. AYOTTE, Mrs. BOXER, Ms. CANTWELL, Ms. COLLINS, Ms. FEINSTEIN, Ms. HAGAN, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. SHAHEEN, Ms. SNOWE, Ms. STABENOW, Mr. RED of Nevada, Mr.
March 29, 2011

CONGRESSIONAL RECORD — SENATE

S1939

AMENDMENTS SUBMITTED AND PROPOSED

SA 258. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) 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.

SA 259. Ms. KLOBUCHAR (for herself and Mr. Tester) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 260. Mr. BROWN of Ohio 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 title V, add the following:

SEC. 504. EXTENSION OF THE PLACED IN SERVICE DATE FOR LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN GO ZONES.

Section 1400N(c)(6) of the Internal Revenue Code of 2006 is amended by striking "January 1, 2012" and inserting "January 1, 2013".

SA 258. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) 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, add the following:

SEC. 504. EXTENSION OF OFF-HIGHWAY VEHICLES FROM BAN ON LEAD IN CHILDRENS PRODUCTS.

(a) Exemption.—Section 101(b) of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 1278a(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

"(5) EXCEPTION FOR OFF-HIGHWAY VEHICLES.—"

(1) IN GENERAL.—Subsection (a) shall not apply to an off-highway vehicle.

(2) OFF-HIGHWAY VEHICLE DEFINED.—For purposes of this section, the term 'off-highway vehicle'—

(i) means any motorized vehicle—

(II) designed to travel on 2 or 4 wheels; and

(ii) having either—

(aa) a seat designed to be straddled by the operator and handlebars for steering control; or

(bb) a nonstraddle seat, steering wheel, seat belts, and roll-over protective structure; and

(II) includes a snowmobile." (b) ADDITIONAL AMENDMENT.—Such section is further amended in paragraph (1)(A) by striking "any".

SA 260. Mr. BROWN of Ohio 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 title V, add the following:

SEC. 504. MANUFACTURING OPPORTUNITIES FOR SBIR AND STTR PROGRAMS.

The Administration shall establish a portal within the centralized SBIR website that—

(1) announces manufacturing opportunities when available; and

(2) publishes any Administration rules and guidance relating to such opportunities.

SA 261. Mr. BROWN of Ohio 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:

On page 90, line 13, after "agency" insert "the", including in the manufacturing sector and, to the extent practicable, the effects of patent rights granted to inventors arising out of SBIR on job creation and savings in the manufacturing sector".

SA 262. Mr. BENNET 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 amendment, add the following:

SEC. 504. MARKET RESEARCH TO IDENTIFY QUALIFIED RECIPIENTS OF AWARDS UNDER THE SBIR OR STTR PROGRAM.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following:

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term 'covered contract' means a contract to perform research, development, or production that has an expected annual value that is more than $150,000 and not more than $25,000,000; and

(B) the term 'recipient of an award under an SBIR program or STTR program' includes...
a team of small business concerns that received an award under an SBIR program or STTR program; and

(C) the terms SBIR program and STTR program in the meaning given those terms under section 9.

"(2) MARKET RESEARCH.—Before a contracting officer for a Federal agency issues a request for proposals relating to a covered contract, the contracting officer shall perform market research to determine whether a recipient of an award under the SBIR program or STTR program is qualified to perform the covered contract using technology developed using the award.

(3) FULL AND FAIR CONSIDERATION.—If a contract is awarded for a Federal agency identifies a recipient described in paragraph (2) after performing market research under paragraph (2), the contracting officer shall ensure that the recipient is given full and fair consideration in the award of the covered contract.

SA 265. Ms. STABENOW 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:

On page 116, after line 24, add the following:

SEC. 504. SUSPENSION OF STATIONARY SOURCE REGULATIONS.

(a) DEFINED TERM.—In this section, the term "greenhouse gas" means—

(1) water vapor; (2) carbon dioxide; (3) methane; (4) nitrous oxide; (5) sulfur hexafluoride; (6) hydrofluorocarbons; (7) perfluorocarbons; and (8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air Act (42 U.S.C. 7401 et seq.), that is not legally effective during the 2-year period beginning on the date of enactment of this Act.

(b) IN GENERAL.—Except as provided in subsection (d), and notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), any requirement, restriction, or limitation under such Act relating to a greenhouse gas that is addressed at the climate change, including any permitting requirement or requirement under section 111 of such Act (42 U.S.C. 7411), shall not be legally effective during the 2-year period beginning on the date of enactment of this Act.

(c) PROHIBITION OF INCREASES.—If the Secretary determines under paragraph (1) that there will be an increase described in subparagraph (A) or (B), or both, then the amendments made by this section shall not apply to tax- able years ending after the date of such determination and the Internal Revenue Code of 1986 shall be applied and administered to such taxable years as if such amendments had never been enacted.

SA 264. Ms. KLOBUCHAR (for herself and Mr. TESTER) 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:

On page 116, after line 24, add the following:

SEC. 504. EXEMPTION OF OFF-HIGHWAY VEHICLES FROM CLEAN AIR ACT.

Section 101(b) of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 2056a) is amended by striking paragraph (5) and inserting the following:

"(5) EXCEPTION FOR OFF-HIGHWAY VEHICLES.—

(A) IN GENERAL.—Subsection (a) shall not apply to an off-highway vehicle.

(B) OFF-HIGHWAY VEHICLE DEFINED.—For purposes of this section, the term ‘off-highway vehicle’ includes—

(i) means any motorized vehicle—

(I) that is manufactured primarily for use off of public streets, roads, and highways; and

(II) designed to travel on 2 or 4 wheels; and

(III) having either—

(aa) a seat designed to be straddled by the operator and handlebars for steering control; or

(bb) a nonstraddle seat, steering wheel, seat belts, and roll-over protective structure;

and

(ii) includes a snowmobile.".

SA 265. Ms. STABENOW 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:

On page 116, after line 24, add the following:

SEC. 504. SUSPENSION OF STATIONARY SOURCE REGULATIONS.

(a) DEFINED TERM.—In this section, the term ‘greenhouse gas’ means—

(1) water vapor; (2) carbon dioxide; (3) methane; (4) nitrous oxide; (5) sulfur hexafluoride; (6) hydrofluorocarbons; (7) perfluorocarbons; and (8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air Act (42 U.S.C. 7401 et seq.), except for purposes other than addressing climate change, for any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202(a) of such Act (42 U.S.C. 7521(a)) shall not be legally effective during such period.

(b) EXCEPTIONS.—Subsections (b) and (c) shall not apply to—

(1) the implementation and enforcement of the rule entitled ‘Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards’ (75 Fed. Reg. 23524 (May 7, 2010) and without further revision; or

(2) the finalization, implementation, enforcement, and revision of the proposed rule entitled ‘Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles’ published at 75 Fed. Reg. 74152 (November 30, 2010).

SEC. 505. GREENHOUSE GAS EMISSION STANDARDS FOR AUTOMOBILES.—Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

"(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for model year subse- quent model year for new motor vehicles and new motor vehicle engines—

(A) the Administrator may not waive application of subsection (a); and

(B) no waiver granted prior to the date of enactment of this paragraph may be considered to waive the application of subsection (a) and

(b) AGRICULTURAL SOURCES.—In calculating the emissions or potential emissions of a sewage sludge facility, greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.) solely on the basis of the effect of the release of such greenhouse gases shall be excluded if the emissions are from—

(1) direct or indirect changes in land use;

(2) the growing of commodities, biomass, fruits, vegetables, or other crops;

(3) the raising of stock, dairy, poultry, or fur-bearing animals; or

(4) farms, forests, plantations, ranches, nurseries, ranges, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural products.

SEC. 506. ENERGY SECURITY.

(a) SHORT TITLE.—This section may be cited as the ‘‘Security in Energy and Manufacturing Act of 2011’’ or the ‘‘SEAM Act of 2011’’.

(b) EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.

(1) IN GENERAL.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"(6) ADDITIONAL 2011 ALLOCATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary of Energy shall establish a program to provide direct and award certifications for qualified investments eligible for credits under this section to qualifying advanced energy projects sponsors with respect to applications received on or after the date of the enactment of this paragraph.

(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not exceed the 2011 allocation amount reduced by- 

(a) the amount of credits that were allocated under section (a) and (b) that were allocated to any project that was taken into account as an increase in the limitation described in paragraph (1)(B).

(C) APPLICATION OF CERTAIN RULES.—Rules of sections 3(b), (d), (e), (f) and (g) shall apply for purposes of the program described in subparagraph (A), except that—

(i) CERTIFICATION.—Applicants shall have 2 years from the date that the Secretary establishes such program to submit applications.

(ii) SELECTION CRITERIA.—For purposes of paragraph (3)(B)(iii), the term ‘‘domestic job creation (both direct and indirect)’’ means the creation of direct jobs in the United States producing the property manufactured at the manufacturing facility described in subsection (c)(1)(A)(i), and the creation of indirect jobs in the manufacturing supply chain for such property in the United States.

(iii) REVIEW AND REDISTRIBUTION.—The Secretary shall conduct a separate review and redistribution under subsection (b) with respect to such program not later than 4 years after the date of the enactment of this paragraph.

(D) 2011 ALLOCATION AMOUNT.—For purposes of this subsection, the term ‘‘2011 allocation amount’’ means $5,000,000,000.
"(E) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules relating to the rules of section 50 shall apply with respect to any grant made under this subparagraph."

(2) PORTION OF 2011 ALLOCATION ALLOCATED TOWARD PENDING APPLICATIONS UNDER ORIGINAL PROGRAM.—Subparagraph (B) of section 48C(d)(1) of such Code is amended by inserting "increased by so much of the 2011 allocation amount (not in excess of $1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6)" after "$2,300,000,000."

(3) CONFORMING AMENDMENT.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting "48C(d)(6)(E)," after "36C,".

SA 286. Ms. SOWNE 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:

TITLE I—SMALL BUSINESS LENDING FUND

SEC. 01. SHORT TITLE.
This title may be cited as the "Greater Accountability in the Lending Fund Act of 2011."

SEC. 02. REPAYMENT DEADLINE UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.
(a) IN GENERAL.—Section 4103(d)(5)(H) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—
(1) in the paragraph heading, by striking ""Africa and"" and inserting ""North and"";
(2) by striking paragraph (A) and inserting the following:

""(A) In general.—The Secretary shall determine the amount (not in excess of $1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of this Act, and such amount shall (in the case of any application under paragraph (2)) be repaid by the Secretary with interest (not in excess of 1 percent per annum) on the date of enactment of this Act.""

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—(1) EFFECTIVE DATE: APPLICABILITY.—The amendments made by this section shall—
(A) take effect on the date of enactment of this Act; and
(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 1324(b) of title 31, United States Code, before the date of enactment of this Act, and effect under the terms and conditions under the investment.

SEC. 03. SMALL BUSINESS LENDING FUND PROGRAM.
Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—
(1) in subsection (b), by inserting "shall limit the term of this title to 15 years after the date of enactment of this Act, and" and striking "shall limit the term of this Act to 3 years after the date of enactment of this Act.";
(2) by adding at the end the following:

""(c) TERMINATION OF PROGRAM.—
(1) INVESTMENTS.—On and after the date that is 15 years after the date of enactment of this Act, the Secretary may not make any new investments under this subtitle or otherwise maintain any capital investment under this subtitle if the Secretary determines that, based on the financial condition of the eligible institution, the eligible institution should receive a capital investment under this subtitle.
(2) AUTORITIES.—Except as provided in subsection (a), all the authorities provided under this subtitle shall terminate 15 years after the date of enactment of this Act."

SEC. 04. SMALL BUSINESS LENDING FUND LIMITATION.
Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note), as amended by section 03, is amended by adding at the end the following:

""(d) FDIC RECEIVERSHIP.—The Secretary shall not make any purchase, including commitments to purchase, under this subtitle if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible institutions that receive a capital investment under the Program."

SEC. 05. SMALL BUSINESS LENDING FUND LIMITATION.
(a) IN GENERAL.—Section 4109(d) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—
(1) by striking ", less the amount of any CDCI investment, or any CPP investment each place it appears;
(2) by striking paragraph (7);
(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively; and
(4) by adding at the end the following:

""(10) PROHIBITION ON TARP PARTICIPANTS PARTICIPATING IN THE PROGRAM.—An institution in which the Secretary made a investment under the CPF, the CDCI, or any other program established under the Troubled Asset Relief Program established under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) shall not be eligible to participate in the Program."

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—(1) EFFECTIVE DATE: APPLICABILITY.—The amendments made by this section shall—
(A) take effect on the date of enactment of this Act; and
(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4109(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the "Program") on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under the investment.

SEC. 06. PRIVATE INVESTMENTS UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.
Section 4109(d)(3) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—
(1) in the paragraph heading, by striking "matched" and inserting "matched and"; and
(2) in subparagraph (B)(i), by striking "both under the Program" and inserting "both under the Program and the Small Business Lending Fund Program established under the Troubled Asset Relief Program of the Federal Deposit Insurance Corporation and the National Credit Union Administration Board have publicly raised concerns about the impact of the proposed rule;".

(2) while testifying before the Committee on Banking, Housing, and Urban Affairs of the Senate on February 17, 2011, the Chairman of the Committee of the Commerce, Science, and Transportation Committee raised safety and soundness concerns and stated, ". . . we believe the proposal takes an unnecessarily
narrow approach to recovery of costs that would be allowable under the law and that are recognized and indisputably part of conducting a debit card business. This has long-term potential consequences for banks of all sizes. . . .

(4) the chairperson of the Federal Deposit Insurance Corporation stated in comments to the Board that the proposed rule is of concern that the small bank exemption would not work, stating, ‘‘we are concerned that these institutions may not actually see the benefit of the interchange fee limit exemption explicitly provided by Congress, resulting in a loss of income for community banks and ultimately higher banking costs for customers’’.

(5) the chairman of the National Credit Union Administration, in comments to the Board, cited concern with making sure there are ‘‘meaningful exemptions for smaller card issuers’’; and

(6) all of the comments and concerns raised by the banking and credit union regulatory agencies cast serious questions about the practical implementation of section 1075 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and further study and collection of data is needed.

SEC. 603. RULEMAKING AND EFFECTIVE DATES.

(a) EXTENSION FOR RULEMAKING TIMELINES AND REVISED EFFECTIVE DATE.—Section 920 of the Electronic Fund Transfer Act (15 U.S.C. 1699o-2) is amended—

(1) in subsection (a)(3)(A), by striking ‘‘9 months after the date of enactment of the Consumer Financial Protection Act of 2010’’ and inserting ‘‘24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011’’;

(2) in subsection (a)(5)(B)(i), by striking ‘‘9 months after the date of enactment of the Consumer Financial Protection Act of 2010’’ and inserting ‘‘24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011’’;

(3) in subsection (a)(6)(C), by striking ‘‘9-month period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010’’ and inserting ‘‘24-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011’’;

(4) in subsection (a)(9), by striking ‘‘12-month period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010’’ and inserting ‘‘30-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011’’;

(b) EARLIER RULEMAKING VOIDED; NEW RULEMAKING REQUIRED.—Any regulation proposed or prescribed by the Board pursuant to section 920 of the Electronic Fund Transfer Act (as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act) prior to the date that is 6 months after the date of completion of the study required under section 604 shall be withdrawn by the Board and shall have no legal effect.

SEC. 604. STUDY

(a) STUDY REQUIRED.—Not later than 12 months after the date of enactment of this Act, the study agencies shall jointly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, including the impact of regulating debit interchange transaction fees and related issues under section 920 of the Electronic Fund Transfer Act.

(b) SUBJECTS FOR REVIEW.—In conducting the study required, the study agencies shall examine the state of the debit interchange payment system, including the impact of section 920 of the Electronic Fund Transfer Act on consumers, including—

(1) the costs and benefits of electronic debit card transactions and alternative forms of payment, including cash, check, and automated clearing house (ACH) for consumers, merchants, issuers, and debit card networks, including—

(A) individual consumer protections, ease of acceptance, payment guarantee, and security provided through such forms of payments for consumers;

(B) costs and benefits associated with acceptance, handling, and processing of different forms of payments, including labor, security, verification, and collection where applicable;

(C) the extent to which payment form impacts incremental sales and ticket sizes for merchants;

(D) all direct and indirect costs associated with fraud prevention, detection, and mitigation, including data breach and identity theft, and the overall costs of fraud incurred by debit card issuers and merchants, and how those costs are distributed among those parties; and

(E) financial liability and payment guarantee for debit card transactions and associated risks and costs incurred by debit card issuers and merchants, and how those costs are distributed among those parties;

(2) the structure of the current debit interchange system, including—

(A) the extent to which the current structure offers merchants and issuers, particularly small issuers, sufficient competitive opportunities to participate and negotiate in the debit interchange system;

(B) an examination of the benefits of allowing interchange fees to be determined in bilateral negotiations between merchants and issuers, including small issuers directly;

(C) mechanisms for allowing more price discovery and transparency on the part of the consumer; and

(D) the ability of new competitors to enter the payment card market and an examination into whether structural barriers to entry exist; and

(3) the impact of the proposed rule reducing debit interchange fees issued by the Board entitled, ‘‘Debit Card Interchange Fees and Routing’’ (75 Fed. Reg. 81,722 (Dec. 28, 2010), if such proposed rule were adopted without change;

(A) the impact on consumers, including whether consumers would benefit from reduced interchange fees through reduced retail prices;

(B) the impact on lower and moderate income consumers and on small businesses with respect to the cost and accessibility of payment cards and services, the availability of credit, and what alternative forms of financing are available and the cost of such financing;

(C) the impact on consumer protection, including anti-fraud, customer identification efforts, and privacy protection;

(D) the impact of reduced debit card interchange fees on merchants, including a comparison of the impact on small merchants versus large merchants;

(E) the potential consequences to merchants if reduced debit interchange fees result in elimination of the payment guarantee or other reductions in debit card services to merchants or shift consumers to other forms of payments;

(F) the impact of significantly reduced debit card interchange fees on debit card and the services and rates they provide, if fees do not adequately recoup costs and investments made by issuers and the potential impact on the safety and soundness of issuers;

(G) whether it is possible to exempt or treat differently a certain class of issuers with respect to the debit interchange fee, such as small issuers and the impact of market forces on such treatment;

(H) the extent to which a transition to a fee cap from an interchange fee that is proportional to the overall cost of a transaction could provide a reasonable rate of return for issuers and adequately cover fraud and related costs;

(I) the impact on other entities that utilize debit card transactions, including the debit card programs of Federal and State entities.

(J) the impact of shifting debit transaction routing from card issuers to merchants, including resulting changes to interchange fees and costs for card issuers;

(K) the impact of mandating a specific number of enabled networks on merchants and debit card issuers, including the specific and unique impact on small issuers.

SEC. 605. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(A) ‘‘Board’’—The term ‘‘Board’’ means the Board of Governors of the Federal Reserve System.

(B) ‘‘STUDY AGENCIES’’—The term ‘‘study agencies’’ means the Board, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

(C) ‘‘SMALL ISSUERS’’—The term ‘‘small issuers’’ means debit card issuers that are depository institutions, including community banks and credit unions, with assets of less than $10,000,000,000.

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 29, 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 29, 2011, at 10 a.m., to conduct a hearing entitled, ‘‘Public Proposals for the Future of the Housing Finance System’’.

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works
Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

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 session of the Senate on March 29, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate Committee on Intelligence be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INTELLIGENCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate Committee on Intelligence be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Protecting the Civil Rights of American Muslims.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m., to conduct a hearing entitled, “Tools to Present DOD Cost Overruns.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m., to conduct a hearing entitled, “Strengthening the Senior Executive Service: A Review of Challenges Facing the Government’s Leadership Corps.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m., to conduct a hearing entitled, “The Presidential Nominee for Secretary of the Department of Homeland Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

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 29, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1079, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1079) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING CONGRESSWOMAN GERALDINE A. FERRARO

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 114, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 114) honoring Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President of the United States, and extending condolences of the Senate on her death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. UDALL of Colorado. Mr. President, 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 that any statements relating to the measure be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 114) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 114

Whereas Congresswoman Geraldine A. Ferraro served the people of the Ninth Congressional District of New York for 6 years; and whereas Congresswoman Ferraro served the people of the Ninth Congressional District of New York for 6 years; and whereas Congresswoman Ferraro became the first woman ever chosen to run on the national ticket of either of the 2 major political parties of the United States; and whereas Congresswoman Ferraro’s candidacy continues the progress begun by women who achieved political firsts before her and helped to tear down barriers to the full and equal participation of women in national politics; and whereas in January 1993, President Clinton appointed Ms. Ferraro a United States Ambassador to the United Nations Commission on Human Rights, a role from which she championed the rights of women around the world; and whereas Geraldine Ferraro’s 1984 bid for Vice President helped our daughters believe they could achieve anything they set their minds to: Now, therefore, be it

Resolved, That—

(1) the Senate recognizes that Geraldine A. Ferraro’s vice-presidential candidacy forever enriched the American political landscape and forged a new path for women of the United States;

(2) the Senate pays tribute to Congresswoman Geraldine A. Ferraro’s work to improve the lives of women and families not only in the Ninth Congressional District of New York, whom she represented so well, but also the lives of women and families all across the United States;

(3) the Senate requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of Congresswoman Geraldine A. Ferraro; and

(4) when the Senate adjourns today, it stands adjourned as a further mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

ORDERS FOR WEDNESDAY, MARCH 30, 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Wednesday, March 30; 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; that following any leader remarks, there be a period for the transaction of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate shall consider the ratification of S. 493, the small business jobs bill.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. UDALL of Colorado. Mr. President, rollcall votes in relation to amendments to the small business jobs bill are expected during tomorrow’s session. Senators will be notified when votes are scheduled.

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 114 as a further mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, March 30, 2011, at 9:30 a.m.
EXTENSIONS OF REMARKS

HONORING THE DISABLED AMERICAN VETERANS CHAPTER 91

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:
Whereas, DeKalb County serves as home for many Veterans who have served honorably in the United States Military; and
Whereas, the Disabled American Veterans Chapter 91 of Decatur is an organization that continues to serve those who have represented our nation in times of peace and war; and
Whereas, our beloved county, continues to rely on the wisdom, leadership and service from the Disabled American Veterans to assist and build our community; and
Whereas, this unique organization has given of themselves tirelessly and unconditionally to preserve integrity and advocate strongly for our disabled veterans and their families; and
Whereas, the Disabled American Veterans Chapter 91 continues to serve our county by being the sword and shield of those who served our country in the United States military; and
Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Disabled American Veterans Chapter 91 of Decatur, Georgia for their outstanding service to our District;
Now Therefore, I, Henry C. “Hank” Johnson, Jr. do hereby proclaim March 20, 2011 as Disabled American Veterans Chapter 91 Day in the 4th Congressional District.
Proclaimed, this 20th day of March, 2011.

PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

SPEECH OF
HON. GWEN MOORE
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 17, 2011

Ms. MOORE. Mr. Speaker, I rise today to speak out against efforts to cut federal funding for public broadcasting.

Republicans already tried to kill Big Bird in H.R. 1, but since the American People won’t let Big Bird die, here we go again.
This time, NPR has been singled out as their target.

H.R. 1076 is a reckless bill that would defund NPR and prohibit public radio stations from using federal funds to acquire any radio programming from any source.

It would endanger 9,000 jobs at local public radio stations in communities across the country.

It would cripple stations like WOJB-FM, a community radio in Hayward, Wisconsin that uses CPB money for about 40% of its budget.

Without good quality national programs, local stations would lose their ability to attract the audience that they need to develop local used for local/regional news.

Why is Public Broadcasting a worthy national interest?

Demand for quality national and international news has never been higher, and the American people are best served when they are informed with current events.

At the same time, commercial news rooms are shrinking, reporting staff is downsizing, and even the size of newspapers are fractions of what they used to be.

Then you look at how the listening base for public radio has actually increased. You simply cannot argue that NPR is irrelevant when it draws in 34 million listeners a week.

It’s still in the public interest to support the arts and education.

More than 2/3rds of voters oppose the elimination of public broadcasting, and the American people are smart enough to know how this bill is nothing but a piecemeal attack towards a larger agenda.

I would suggest to my Republican colleagues that we focus on creating jobs, and not on cutting quality news and education to millions of Americans.

HONORING MR. ADAM BRATTON

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to the three and a half years of service given from Mr. Adam Bratton, the outgoing Executive Director of the Robert H. Jackson Center. Under the direction of Mr. Bratton the Jackson Center has seen many innovations and improvements bringing the Jackson Center into the international community.

Through new social media innovations Mr. Bratton has ushered the Jackson Center into a new realm of possibilities. He has created an international constituency with hundreds of thousands of individuals.

Mr. Bratton is responsible for increasing the donor base tremendously. During his service the Jackson Center raised over $2 million and the number of donors has increased by 75%. Adding to his successes, the number of annual individual gifts has increased by more than 100% over the past three years.

The board of directors has also grown stronger and more involved in the Jackson Center. Many nationally known and respected individuals have been added to work together and make this establishment thrive.

We are truly blessed to have such strong individuals that work tirelessly to make our world a better place. Mr. Bratton is one of those people and that is why Mr. Speaker I rise in tribute to him today.

DORIS AND MELVIN PORTH
TRIBUTE

HON. SCOTT R. TIPTON
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. TIPTON. Mr. Speaker, it brings me great joy to stand and pay tribute to Doris and Melvin Porth of Westcliffe, Colorado. The Porths have shown endless loyalty and devotion to Custer Country, the state of Colorado, and the Republican Party.

Originally from Kansas, Mr. and Mrs. Porth quickly became true Coloradans upon arriving in the Centennial State. Both Mr. and Mrs. Porth have been staples in local and state politics for decades, and their service has not gone unnoticed. Doris Porth was the Custer Country Treasurer for 32 years, and had a long tenure as the Republican Party Treasurer in Custer County as well. For his part, Melvin Porth was the Republican Party Chairman for two decades, he worked tirelessly in the school district for 18 years and he owned and operated an equipment rental business. Mr. and Mrs. Porth have also been active members of the Custer County Chamber of Commerce. The Porth’s civic endeavors continue as leading contributors to their historical railroad district, which is a vibrant and important part of Westcliffe’s frontier history. The community outreach of Mr. and Mrs. Porth continues due in part to their active faith life as leaders within their church.

Mr. Speaker, Doris and Melvin Porth represent the finest our state has to offer in terms of civic responsibility and patriotism. The Porths have given decades of their time to the community and their political party for the benefit of others. Mr. and Mrs. Porth are a shining example of selflessness, and it has been an honor to rise and pay tribute to these wonderful people.

“JIM LANGEVIN SPEAKS OUT FOR FAIRNESS”

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, our colleague, the gentleman from Rhode Island, Mr. LANGEVIN, recently wrote a cogent, heartfelt article published in the Providence Journal calling on his former colleagues in the Rhode Island Legislature to allow people of the same sex to marry. That is, Representative Langevin urges that his State join those that allow individuals who love someone of the same sex to have that love treated with the respect—and legal equality—that it deserves.

As our colleague notes, he has for some time felt that civil unions were the appropriate forum in which people of the same sex could express their love for each other in a legally
recognized way, but as he “realized that their union would not be treated the same way under the law” as opposite-sex couples, he “began to see that civil unions fell short of the equality I believe that same-sex couples deserve.”

Jim Langevin has long been an articulate advocate for equality under the law for all citizens, and his urging “all Rhode Islanders to honor our State’s founding principles of tolerance and freedom” is an example of his courageous commitment to that principle for all people.

Mr. Speaker, I ask that Jim Langevin’s compelling argument on behalf of the legalization of same-sex marriage be printed here.

[From the Providence Journal, Mar. 5, 2011]

Jim Langevin: Now Is the Time To Redefine Marriage in R.I.

(By Jim Langevin)

Throughout my career in public service, I have strongly opposed discrimination based on sexual orientation at both the state and federal levels. Despite the U.S. Supreme Court’s 1964 employment Non-Discrimination Act and hate crimes legislation, and supporting efforts to repeal the military’s “Don’t ask, don’t tell” policy.

While those topics have been controversial, they never elicited the intensely passionate and emotional debate that occurred as our nation began struggling with the question of same-sex marriage. For many years, I supported civil unions as a reasonable way to achieve consensus on a divisive issue, providing rights and protections to same-sex couples while respecting the deeply held beliefs of those not comfortable with the idea of marriage rights.

Then, three years ago, I attended the commitment ceremony of a longtime staff member and his partner of nine years. Before their friends and family, they professed their love, commitment and respect for each other. Their sentiments were just as moving, heartfelt and sincere as any of the vows I had heard at other weddings, yet I realized that their union would not be treated the same under the law. That difference struck me as fundamentally unjust, and I began to challenge the widespread misconception of separating categories of rights for certain groups of citizens. I began to see that civil unions fell short of the equality I believed that same-sex couples deserved.

As the debate about same-sex marriage continues in Rhode Island and in Washington, it is time to reflect carefully on my own position. Based on my own experiences and my firm belief that all Americans should be treated equally under the law, I am now convinced that affording full marriage equality rights to same-sex couples is the only fair and responsible approach for both Rhode Island and the nation. If our nation expects to provide equal protection to all, then our civic institutions must reflect that noble goal.

As a U.S. Representative, I take seriously my constitutional responsibility to protect the rights and liberties of our citizens. Marriage equality is consistent with that view because it respects basic civil rights and provides appropriate legal protections so that all loving and committed couples may care for each other. At the same time, our nation’s freedom of religion dictates that religious institutions should be allowed to define marriage as they deem appropriate. The marriage-equality legislation before us appropriately respects that important separation of church and state by not requiring religious institutions to change any of their practices or standards relating to marriage.

The members of the General Assembly now have a historic opportunity. As a former member of that body, I understand the challenges they face, but this is a time for leadership.

During my time as a state representative, I remember talking with my father about pending legislation to prevent discrimination based on sexual orientation, which was highly controversial at the time. While I greatly valued his thoughtful and balanced perspective, my heart was with the no-social activist. He was just an ordinary man who had grown up through the civil-rights movement and always believed it was fundamentally unjust to treat people differently because of their race. When I told him I had decided to support the non-discrimination legislation, he expressed his pride in my decision because it showed that I viewed issues of fairness and justice as he did. And he was convinced that, in the same way racial discrimination became a shameful part of our history, one day our nation would look back in disbelief at a time when we denied our fellow citizens basic civil rights based on their sexual orientation. I now believe that day is within our reach.

As the General Assembly considers this important topic, I ask lawmakers and all Rhode Islanders to honor our state’s founding principles of tolerance and freedom and to support marriage equality in our state. It’s time to do the right thing.

TED STRICKLAND TRIBUTE

HON. SCOTT R. TIPTON
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ted Strickland, one of Colorado’s most prominent statesmen. Mr. Strickland, originally of Austin, Texas, was a Colorado state Representative, Senator and Lieutenant Governor in a political career that lasted for well over two decades. His lengthy tenure in public office is a testament to his adoration for Colorado and desire to make it the wonderful state that it is today.

Though Mr. Strickland did not grow up in Colorado, it did not take long for him to make it his permanent home. After working for an oil well information firm following college in Oklahoma, he decided to run for a position in the state legislature. He was a popular candidate and rose quickly within the Republican Party. He held numerous leadership positions, including his service as Senate President for nine years.

While in office his priority was to strengthen the state economy by advancing conservative economic principles. He fought for lower taxes, a balanced budget, and less government spending.

His popularity as a state senator led to his nomination as Lieutenant Governor under John David Vanderhoof. As the state’s 39th Lieutenant Governor, he was instrumental in the success of Governor Vanderhoof’s administration.

Mr. Speaker, it is an honor to recognize Ted Strickland today. His impact can still be felt in Colorado and his devotion to the state is truly exemplary.

HONORING SFC TAMMY AMARO
FOR THIRTY YEARS OF DEDICATED SERVICE TO THE UNITED STATES ARMY

HON. DANIEL LIPINSKI
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to extend my most sincere congratulations and thanks to SFC Tammy Amaro, a constituent of mine, who retired on January 1, 2011 after thirty years of service in the United States Army. On behalf of the residents of Illinois’ 3rd District, I am grateful to have the opportunity to thank her for devoting her career to the U.S. Army and the defense of our nation.

Recruited at the age of 17 by her future husband, then-PFC Frank Amaro, on December 10, 1980, she immediately demonstrated her potential and quickly advanced. Her two promotions during her first assignment in the Adjutant General’s office demonstrated her outstanding leadership abilities. When she
reached boot camp in the summer of 1981, she served as Platoon Guide and was nominated and competed for Trainee of the Cycle, a highly competitive title.

During SFC Amaro’s career, she has collected many honors for exceptional service. She received her first medal while serving at Fort Benjamin Harrison. This honor was followed by ten other awards. Her decorations, including the National Defense Service Ribbon and the Armed Forces Reserve Medal, show a rare level of dedication to our nation.

Shortly after returning from Advanced Individual Training, SFC Amaro was promoted to the rank of Sergeant on November 1, 1982. She dedicated 13 years of service, eight active, in the 86th ARCOM before being promoted to Staff Sergeant and transferring to the 85th Training Division in Arlington Heights in 1993.

Not only has SFC Amaro been selfless in her service to this country, she simultaneously managed the competing demands of motherhood. In 1996, she transferred away from active duty to the Individual Ready Reserve so she could be home full time to care for her daughters Christina, Catherine, and Jacqueline. She then returned to the Army Reserve four years later to serve another ten years before retirement.

In that time, she served as the Senior Human Resource NCO for the 1st Brigade, 85th Division at Fort Sheridan, and as the Operations NCO for the Emergency Operations Center for the 416th Theater Engineer Command in Darien, Illinois. On December 10, 2010, exactly thirty years from her recruitment date, SFC Amaro completed her last day of service, marking twenty years of active duty and ten years in the reserves.

If SFC Amaro’s military career were not enough of an achievement on its own, she has been a devoted mother of three, engaged in her community and children’s schools, and remained an active parishioner at St. Leonard’s church in Bensw, Illinois.

Please join me in thanking SFC Amaro for a career of service to the United States and wishing her a long and happy retirement. She is truly an inspiration and a great American. I am proud to have SFC Amaro as a constituent and a fellow resident of the 3rd District.

HONORING POLTV, A NEW CHICAGO-BASED TELEVISION SERVICE FOR POLISH-AMERICANS

HON. DANIEL LIPINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today in recognition of PolTV, a new television service that will broadcast live news, entertainment, and sports programming straight from Poland into the homes of Poles living in America and abroad. The service, provided by Chicago-based Intercom Ventures LLC, will help connect Polish emigrant communities throughout the world with their native Poland.

PolTV will be the first platform to feature programming from both major Polish networks, TVN and TVP. The service will initially broadcast 15 Polish channels, including TVN International, and will offer over 20 channels within the first 60 days of launch. TVN International provides news and entertainment designed for Poles living abroad and features popular Polish films, TV shows, and documentaries. As Intercom Ventures’ third ethnic television product, PolTV follows ShipTV, which provides programming for Albanians living abroad, and BosnaTV, which provides the same service for Bosnian emigrants. PolTV’s innovative platform offers high definition television, video on demand, and various internet applications.

Founders Drilon Oehaja and Tony Hoti are two American immigrants from Kosovo who embody the American entrepreneurial spirit. Following the Kosovo War, Oehaja started a Voice Over Internet Protocol (VOIP) long distance phone company that enabled subscribers to connect with friends and family, providing a much needed sense of normalcy in the war-torn nation. Age 20, Hoti became the youngest financial advisor at the firm AG Edwards in San Diego and, after graduating from Roosevelt College in Chicago, opened a day spa in Chicago’s Gold Coast at age 26. The two teamed up to found Intercom Ventures in 2006.

I have faith that the smart, consumer-driven PolTV service will have a unifying effect for the Polish-American community. By providing daily news from news channels operating in Poland, PolTV will increase Polish-Americans’ access to personally relevant international news, thereby helping them to cultivate strong cultural, familial and community relationships. As a Polish-American and Co-Chair of the Polish-American Caucus, I am very interested about the possibilities for PolTV in the future.

Please join me in honoring Intercom Ventures for creating PolTV, a responsible community-driven company for the Polish-American population. I am confident that it will successfully provide excellent services for immigrants for many years to come.

HAMMOND SPORTS HALL OF FAME 2011 INDUCTION BANQUET

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great sincerity and admiration that I offer congratulations to several of Hammond’s most noteworthy athletes, as well as to others who have contributed to the legacy of Hammond’s athletic programs. On Tuesday, March 8, 2011, the Hammond Sports Hall of Fame honored eight new inductees at its annual Induction Banquet, which was held at the Hammond Civic Center in Hammond, Indiana. The Hammond Sports Hall of Fame was established in 1987 to recognize and honor individuals for their significant contributions to Hammond’s distinguished sports legacy. These eight individuals are an admirable group, composed of former athletes, coaches, and elected officials who have excelled in their athletic pursuits or supported Hammond sports and athletics in an extraordinary manner.

At this year’s induction ceremony, the Hammond Sports Hall of Fame recognized and honored the 2011 inductees. The individuals who have so deservedly earned this high honor are: Thomas McDermott, Sr., Marty Jakubowski, Frank Carroll, Tom Burns, Jeff Yelton, Carla Eskridge Rogers, David M. Wilhelm, and Bill Atkins.

Hammond is very fortunate to have produced such a rich tradition of excellence among its athletes, coaches, and supporters. In unique ways, the Class of 2011 inductees have made extraordinary contributions and have added to Hammond’s rich sports heritage.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating these outstanding individuals. Along with the current members of the Hammond Sports Hall of Fame, these new inductees have made a significant contribution to the continued excellence of Hammond athletics, and I am very proud to represent them in Washington, DC.
Mr. Hughes's office is highly regarded and is considered one of the top clerk's offices in the State of North Carolina. For his work with the N.C. Courts Commission, the N.C. Judicial Council, and as President of the N.C. Clerks Association, his reputation is known throughout the State. He is also distinguished as one of the few clerks in the State who is also an attorney.

His legacy in the Yancey County Community will not be forgotten. I am grateful to have dedicated and hard working people like Mr. Hughes as public servants in Western North Carolina.

I ask my colleagues to join me today in recognizing the exceptional career of Mr. F. Warren Hughes, Clerk of Superior Court for Yancey County.

IN RECOGNITION OF THE COUNCIL ON AMERICAN-ISLAMIC RELATIONS NINTH ANNUAL CIVIL RIGHTS BANQUET

HON. DENNIS J. KUCINICH OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Council on American-Islamic Relations (CAIR) Ohio Chapter on the occasion of their Ninth Annual Civil Rights Banquet entitled "Carrying the Legacy: Advancing with Confidence."

CAIR is a nationwide, nonprofit organization whose mission is to "enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims and build coalitions that promote justice and mutual understanding." For the past nine years, CAIR Ohio has played an instrumental role in helping to bridge the divides between Greater Cleveland's diverse communities. CAIR Ohio's Ninth Annual Banquet will provide a platform for vibrant discourse led by this year's distinguished speakers: Chip Pitts Esq., of Stanford Law School, Oxford University and the Bill of Rights Defense Committee and Kareem Irfan, Esq. President of the Council of Religious Leaders of Metropolitan Chicago. I commend these speakers for their efforts to promote civil liberties and social justice.

Mr. Speaker and colleagues, please join me in recognizing the Council on American-Islamic Relations Ohio Chapter for their eight years of outstanding achievement. May their efforts to promote dialogue and create a more inclusive world continue to endure.

CONGRATULATIONS TO TRAVIS CREDIT UNION ON RECEIVING THE DESJARDINS YOUTH FINANCIAL EDUCATION AWARD

HON. GEORGE MILLER OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to congratulate Travis Credit Union, which is based in Vacaville, California, in my congressional district, on a most deserving recipient of this award. Travis Credit Union has worked with a number of other groups in our community to establish the Money Matters Program, which provides financial literacy education, custodial bank accounts, and personal financial mentors for foster youth ages 15 to 17. After completion of the Money Matters classes, the youths open Travis Credit Union savings accounts with a modest balance. This important program is of great benefit to these young people as they work to become successful, independent adults.

The Money Matters Program is just one of Travis Credit Union's many efforts to provide financial education to our community and its young people. The credit union has done an excellent job of ensuring that members of our community receive the financial knowledge that they need to make smart decisions and to avoid some of the pitfalls that have caused so much hardship through the ongoing financial crisis.

I ask my colleagues to join me in congratulating Travis Credit Union for receiving the Desjardins Youth Financial Education Award, and I urge financial institutions across the country to look to Travis Credit Union as an example.

IN HONOR OF THE HOTZ CAFÉ

HON. DENNIS J. KUCINICH OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Hotz Café, which after 92 years of service is closing their doors. The patrons and loyal customers of this establishment will remember the service and memories that the Hotz Café offered.

Hotz Café was founded on the corner of Starkweather Avenue and West 10th Street in 1919 by John Hotz Sr. John, a Russian immigrant, wished to open the café to serve as a place of comfort, relaxation and camaraderie for fellow immigrants and industrial workers. This establishment quickly became a favorite of all the area’s workers and was also seen as a home away from home. When the Prohibition Era commenced, the Hotz Café continued as a speakeasy and became well known for its famous patrons, such as Ty Cobb, Babe Ruth, Elliot Ness and Franklin Delano Roosevelt. When the Great Depression struck, John Hotz saw an opportunity to assist those who were less fortunate and consistently gave out bread to those families who were down trodden.

The dawn of the 50s ushered in a new era for the Hotz Café. John Sr.’s sons, Andrew and Mike took control of their father’s business. Andrew and Mike took control of their father’s business. Andrew strived to ensure that his father’s legacy lived on. During this era, the café remained a favorite place of leisure among the working class. In addition to their devotion to the café, the sons’ family began to expand. Andrew’s wife Betty opened up a beauty salon

HON. HEATH SHULER OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Mr. F. Warren Hughes for his 27 years of service to Yancey County.

After graduating law school, Mr. Hughes began his professional career as an attorney before being appointed to fill the vacant position as Clerk of Superior Court for Yancey County in 1984. Through his 27 years of public service, he has successfully been elected each term and has only been challenged once.

Mr. Hughes’s office is highly regarded and is considered one of the top clerk’s offices in the State of North Carolina. For his work with the N.C. Courts Commission, the N.C. Judicial Council, and as President of the N.C. Clerks Association, his reputation is known throughout the State. He is also distinguished as one of the few clerks in the State who is also an attorney.

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Mr. Speaker and colleagues, please join me in recognizing the Council on American-Islamic Relations Ohio Chapter for their eight years of outstanding achievement. May their efforts to promote dialogue and create a more inclusive world continue to endure.

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in 1967 adjacent to the café and in 2003 Andrew's son John opened up a pizza parlor in the location that formerly held his mother's beauty salon.

Mr. Speaker and colleagues, please join me in honoring the legacy of Hotz Café. For over 90 years, this establishment provided the Tremont community with a welcoming and hospitable environment for the community's enjoyment.

HONORING MS. BRIDGETTE DIXON THURMAN

HON. HENRY C. "HANK" JOHNSON, JR. OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Bridgette Dixon Thurman has answered that call by giving of herself as an educator at Dunaire Elementary, and as a beloved daughter, friend, and;

Whereas, Ms. Thurman has been chosen as the 2011 Teacher of the Year, representing Dunaire Elementary school; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Ms. Thurman is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children, receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Bridgette Dixon Thurman for her leadership and service for our District and in recognition of this singular honor as 2011 Teacher of the Year at Dunaire Elementary School;


Proclaimed, this 23rd day of March, 2011.

IN HONOR OF THE PARMA PARK REFORMED CHURCH

HON. DENNIS J. KUCINICH OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Parma Park Reformed Church, also known as the "Church in the Woods," which will be closing its doors following fifty years of ministry.

The congregation of Parma Park Reformed Church began in 1960. They met in a local grade school until the Church in the Woods was constructed in 1962. Since then, the congregation has been deeply involved in the community. The church offered Bible studies, Alcoholics Anonymous groups, and grief support groups. Community outreach projects included a meal program called "Pay it Forward" and a program in which the congregation's children sent gifts and correspondence to military units in Iraq and Afghanistan. The Church in the Woods has also been a popular location for private, intimate wedding ceremonies.

At the end of March, Parma Park Reform Church will host its final service. The congregation intends to continue its services through other nearby churches.

Mr. Speaker and colleagues, please join me in honoring Parma Park Reform Church. Its presence will be sorely missed; however, I have no doubt that its mission will live on. We need only look to the words written on every early war effort, riveting P-38s, before finally coming of age to enlist in the Army Air Corps and serve during WW2. After returning home he entered the Real Estate Business, starting Sparrow Reality, and became one of the original pioneers of Century 21 Real Estate. Throughout his life, Ollie has been actively involved in his home town of Long Beach and the surrounding region, participating in multiple organizations such as the Long Beach Jaycees, Oceanside Chamber of Commerce and the Oceanside Rotary. In 1954, he began his first position in civilian public service as a member of the Long Beach Water Board, and served there until 1969. Ollie was inspired by Ronald Reagan, California's Governor at the time, and his message of an efficient, cost-cutting government. He subsequently volunteered for one of the Governor's citizen committees. Out of this inspiration, Ollie became more active in politics, which led him to become a Board Member on the 31st Senate District Republican Central Committee, of which I was also a member at the time. Ollie moved on to win his first election in 1979, when he joined the California State Senate and served there until 1984. While in the Senate he gained a reputation as a protector of the taxpayer who sought to make government leaner, effective and more efficient. Californians who have a little red flag on their drivers licenses can be reminded daily of just a small piece of his legislative legacy.

Ollie served his country with honor in World War II, helped pioneer one of the largest em-
boards of the Bloomsburg Chapter of the American Red Cross, the United Way of Columbia County, and the Columbia-Montour Business & Educational Partnership. Currently, Mr. Diehl serves on the boards of the Millville Mutual Insurance Company, the Millville Community Alliance, and the Pennsylvania Bankers Association. He is vice chairman of the Columbia Alliance for Economic Growth, and the president and CEO of First Columbia Bank & Trust Co. and CCFNB Bancorp.

Mr. Diehl has always been dedicated to his community. In 1995, Mr. Diehl was the co-chair of the Little Fishing Creek Swimming Pool Renovations. In 1999, he was the co-chair of the Columbia County United Way Campaign. Mr. Diehl has always enjoyed coaching the youth of our community. He has held coaching positions with Millville Boys Varsity Basketball, Millville Boys & Girls Junior High Basketball, Millville Boys and Girls Elementary Basketball, Little League, and AYSO Soccer. Mr. Diehl is an active member of Millville United Methodist Church, serving on various committees and acting as a Sunday School teacher.

Mr. Speaker, Mr. Diehl has been an active and dedicated member of our community. He has taken a role as a humanitarian and mentor. He has helped many of his neighbors and guided many of our youth. Mr. Speaker, I ask that my colleagues join me in congratulating Mr. Lance O. Diehl on being named the Columbia-Montour Council of the Boy Scouts of America’s 2011 Distinguished Citizen.

TOBACCO PRODUCTS SCIENTIFIC ADVISORY COMMITTEE

HON. VIRGINIA FOXX
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. FOXX. Mr. Speaker, I rise again today to call attention to a significant conflict of interest within the Tobacco Products Scientific Advisory Committee (TPSAC)—a conflict that can and should cast doubt on its recent report to the Food and Drug Administration (FDA) regarding the effect of menthol cigarettes on the public health.

Last year, I submitted a statement for the Record referencing a Boston Globe article entitled “FDA lax on Conflicts of Interest,” and I’m saddened to see that this problem continues to this day at the FDA. Since the FDA announced the nine voting members of TPSAC, questions have surfaced regarding financial and ethical conflicts of interest among several of the members. Rather than investigate the alleged conflicts and eliminate the shadow of doubt looming over the committee, the FDA has stood idly by as these conflicts have festered and threatened to undermine the very purpose TPSAC was formed to serve.

Several members appointed to TPSAC have substantial financial interests at stake in the decisions rendered by the Committee. One member is an active consultant to drug companies that manufacture smoking cessation products. Another member stands to make money on a patented new smoking cessation drug. Both of these members have also testified against tobacco companies in several legal proceedings. The conflicts could not be clearer.

Now, we find that TPSAC has, as many of the original skeptics predicted, released a recommendation that, short of an outright ban, nevertheless notes that “removal of menthol cigarettes from the marketplace would benefit the public health. Rather than accept TPSAC’s report as an unbiased call to action, we are faced with the same controversy that should have been corrected more than a year ago.

The people deserve a government free from the appearance of impropriety. They have entrusted the members of this Chamber, as well as officials appointed within the Administration, to enforce the law even-handedly and to engage in policy decisions unencumbered by conflicts of interest, personal biases, or unethical predispositions.

The only solution is for FDA to reject the recommendation of TPSAC and appoint new, unbiased members to the committee in order to carry out the purpose of the Family Smoking Prevention and Tobacco Control Act. The FDA owes the people a fair and untarnished recommendation on this important issue and I call on the FDA to take appropriate measures to remedy TPSAC’s inane report and conclusions.

CONGRATULATIONS TO GENERAL JAMES R. JOSEPH

HON. LOU BARLETTA
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Major General James R. Joseph and congratulate him on his recent promotion to Assistant Adjutant General—Army, Pennsylvania National Guard, Joint Force Headquarters, Pennsylvania. Mr. Joseph, or “Jimmy Joe,” as I know him, enlisted as a soldier in 1971 to begin his military career. He graduated from basic training at Fort Dix, New Jersey, and obtained his advanced individual training as a military policeman at Fort Gordon, Georgia. General Joseph completed a tour of duty in Vietnam, where he was assigned to the 716th Military Police Battalion. He finished his active duty tour at Fort Polk, Louisiana, with the 258th Military Police Company.

But General Joseph did not stop serving our country. He joined the Pennsylvania Army National Guard in 1974 and was assigned to be a combat engineer with Company C, 876th Engineer Battalion. Currently, General Joseph serves as the primary advisor to the Adjutant General for all joint logistics matters, including the commodity and material management, property and personnel movement, storage and distribution, and defense movement coordination, including the acquisition and sustainment of unique equipment used by National Guard units in homeland defense, civil support, and counterdrug operations. He has oversight of the Eastern Army Aviation Training Site, 166th Regional Training Institute, and the Medical Battalion Training Site.

Mr. Speaker, General Joseph has dedicated his life to serving our country. His family has supported him as he served our country and protected our freedom and keeping our citizens safe. His courage and commitment is something to be greatly respected and honored. Mr. Speaker, I am proud to congratulate my friend, “Jimmy Joe,” and I ask my colleagues to stand with me in honoring Major General James R. Joseph for his greatly deserved promotion to Assistant Adjutant General of the Pennsylvania Army National Guard.

INTRODUCTION OF H.R. 804

HON. BOB FILNER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. FILNER. Mr. Speaker, in September 2010, Operation Iraqi Freedom was renamed Operation New Dawn.

To this effect, I introduced, H.R. 804, legislation that would ensure that military service in Operation New Dawn continues to be considered service in a theater of operations, for purposes of eligibility for veterans’ hospital and nursing home care and medical services through the Department of Veterans Affairs.

Our nation’s brave men and women have fought together hand in hand in the war against terror, and many of them are experiencing multiple and extended deployments in support of Iraq and Afghanistan.

When they return home, we must make certain that veterans would not be denied access to certain programs because of the way the law is currently written.

I urge my colleagues to support this important legislation.

OVERREACHING ACTIONS OF FEDERAL LAW ENFORCEMENT

HON. TIMOTHY V. JOHNSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. JOHNSON of Illinois. Mr. Speaker, while being later to the effort than my good friend Congressman RON PAUL, many of you know that I have long expressed concerns about the sometimes overreaching actions of federal law enforcement, especially as they interact with American citizens.

Most law enforcement officials in this country are highly ethical with a strong desire to serve the effort to keep our country and our communities safe. Unfortunately, as in any profession, there are some people who do not uphold those standards.

Those concerns are a principal reason why the Bill of Rights was passed. Those concerns should also hold a primary place in our thinking as we vote on legislation.

This issue came closer to home for me as two constituents, one a U.S. citizen, were arrested by federal law enforcement officials this month, accused of violating a law that doesn’t exist. My office attempted to get information about their arrest. We were denied information about which agency had arrested them, where they were being held, and the charges against them.

All of the charges against them were dropped just eight days later after a federal judge reviewed the evidence and determined that no crime had been committed. The cost to my constituents was in the tens of thousands of dollars. They are still being threatened with the forfeiture of property.
Now compare the plight of this American citizen with millions of people who have crossed into this country illegally. They proudly attend rallies and speak on television, openly proclaiming that they are in this country in defiance of our laws. Many do not pay taxes while many others are receiving monetary benefits from the government.

It is reprehensible that our federal law enforcement would falsely and recklessly arrest one of our own citizens who owns a small business, pays taxes, and employs other Americans, while allowing lawbreakers from other countries to openly flaunt the laws of our government.

Many others are receiving monetary benefits from the enforcement of our laws. Many do not pay taxes while others are living unbridled lives. They often served when the priorities of the federal government are so twisted.

**TAIWAN WOULD BE A CONSTRUCTIVE MEMBER OF THE UNFCCC**

**HON. LORETTA SANCHEZ**

**OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, March 29, 2011**

Ms. SANCHEZ of California. Mr. Speaker, Taiwan is one of the most geographically sensitive regions of the world and they are keenly aware of their vulnerability to the various threats of accelerating global environmental change.

Taiwan recognizes that the climate system is a shared resource whose stability can be affected by industrial and other emissions of carbon dioxide and other greenhouse gases. For these reasons, Taiwan would be a constructive member of the global organizations of the United Nations (UN) through its Framework Convention on Climate Change (UNFCCC). As a member of UNFCCC, Taiwan will be able to contribute their skills and experiences to the world community such as gathering and sharing information on greenhouse gas emissions, national policies and best practices, providing financial and technological support to developing countries and preparing for adaptations to the impacts of climate change.

Since 2008, Taiwan’s new administration has proactively engaged in many UN activities. In 2009, UN member states for the first time accepted Taiwan as an official observer for the World Health Assembly. The UN should further consider Taiwan’s inclusion in the United Nations’ environmental conventions and activities.

**END VETERAN HOMELESSNESS**

**HON. BOB FILNER**

**OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, March 29, 2011**

Mr. FILNER. Mr. Speaker, research tells us that veterans are over-represented in the homeless population. VA is the largest single provider of homeless services reaching about 25 percent of that population.

VA operates a wide variety of homeless veteran programs designed to provide outreach, supportive services, health care as well as counseling and treatment for mental health and substance use disorders. They rely heavily on their partnerships with the community and faith based organizations to provide these services.

Many of VA’s homeless population:

- Have had a serious psychiatric problem defined as psychosis, mood disorder or PTSD.
- Were dependent on alcohol and/or drugs.
- Were dually diagnosed with serious psychiatric and substance abuse problems.
- Have suffered from a serious medical problem.
- The number of homeless women veterans is rising.

Veterans’ family, social, and professional networks may have been broken due to extensive mobility while in service or lengthy periods away from their hometowns and their civilian jobs. These problems are directly traceable to their experience in military service or to their return to civilian society without having had appropriate transitional supports.

VA reports that approximately 1,500 homeless veterans are from Operation Enduring Freedom and Operation New Dawn. This is a growing population. It took roughly a decade for the lives of Vietnam veterans to unravel to the point that they started showing up among the homeless.

Concern has been expressed by many that such an early showing of more recent veterans in the homeless population does not bode well. It is also believed that the intense repeated deployments leave newer veterans particularly vulnerable.

We know the Department of Veterans Affairs has many programs to address currently homeless veterans, and they do a great job. However, the most important piece to ending homelessness among the Nation’s veteran population is to prevent it in the first place.

It is unacceptable that even one of our veterans sleep on the streets or in shelters after risking their lives on behalf of this country.

My legislation, H.R. 806, will go a long way in strengthening our efforts to ultimately end homelessness.

This bill increases funding to successful programs for homeless veterans; requires each VA medical center that provides supporting housing services to provide housing counselors to conduct landlord research; strengthens permanent housing programs, and pays special interest to the needs of homeless women veterans and homeless veterans with children.

The time to act is now. We cannot afford to let history repeat itself.

I urge your support of this important legislation.

**TRIBUTE TO ELIZABETH TAYLOR**

**HON. HENRY A. WAXMAN**

**OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, March 29, 2011**

Mr. WAXMAN. Mr. Speaker, with the passing of Elizabeth Taylor last week, America, and the world, lost much more than a great movie actress, more than a celebrated legend and cherished celebrity, and more than a woman of enduring beauty and appeal.

We lost a champion fighter for the survival and dignity of those with HIV/AIDS. Of many causes which Elizabeth Taylor embraced, such as her support for the State of Israel and the Jewish people, it was her great courage and selfless commitment that defined her work to support every effort to find a cure for HIV/AIDS, and to protect the rights of every person living with HIV/AIDS.

We forget how long and hard the struggle has been—precisely because of the heroic progress that has been made, medically and socially, in treating and living with HIV/AIDS. It is hard to remember, but in the early 1980s, people knew very little about AIDS. The nation went on a publicity roller-coaster, going from complacency to panic and back again.
She was among a handful of people in those early days of the epidemic who managed to get us to the right level of urgency. One, obviously, was Surgeon General C. Everett Koop. Another was Tony Fauci at NIH.

But many people got their most memorable information from an unexpected source—Elizabeth Taylor. Beginning with her concern for her friends who were sick, she became an ambassador for people living with AIDS, for their doctors, and for AIDS research. When the Reagan White House was refusing even to acknowledge that tens of thousands of Americans were sick and dying, she went public.

To those who would shun our fellow citizens with HIV/AIDS, Elizabeth Taylor literally embraced them—showing us how to respond to a terrible illness that exacted a relentless toll on millions.

And so it was Elizabeth Taylor who called us to account every day, as individuals and as a society, for the humanity of those with HIV/AIDS.

Working with Dr. Mathilde Krim, Elizabeth Taylor championed the American Foundation for AIDS Research, a group that advocated for AIDS research and found funding for research that no one else was financing—functions it serves to this day.

To her enduring credit, Ms. Taylor leveraged her unique celebrity to speak truth to power, going to the media, the Administration, and Congress to urge ongoing attention and funding to the epidemic.

She testified before the Subcommittee on Health and the Environment of the House Commerce Committee about the need for research, prevention, education and treatment and about the Congress’ responsibilities to find funds for them. Her efforts helped seal public support for the 1990 Ryan White Comprehensive AIDS Resources Emergency (CARE) Act.

She was a movie star. But she used her star power to do something that scientists, doctors, and public health officials could not have accomplished on their own. She made the nation stop, look, listen, and understand what was at stake for those with HIV/AIDS and for us as a society.

In this way, Elizabeth Taylor helped motivate us to start doing needed work.

For that we owe her more than movie-star fame. She may be remembered most for her daughters to achieve the full measure of their dreams. That is why, during Women’s History Month each year, I am thinking more about our future than about our past.

Recently, President Obama, also the father of two daughters, expressed the same perspective. “While enormous progress has been made,” he observed, “there is still work to be done before women achieve true parity.”

His observation is backed up by “kitchen table” economics. When women are not treated fairly, their families suffer as a result.

One would think that the concept of equal pay for equal work is so American that it would already be a “done deal” in this country. Yet, we know that equal pay is not yet a reality.

Family hardships result from the harsh reality that women, on average, make just 77 cents for every dollar earned by men in comparable jobs (just 69 cents if you are an African American woman—and 59 cents if you are a Latina woman).

Last week, Senator Mikulski was afforded another opportunity to remind everyone of this still-to-be-achieved civil rights goal as we participated in an event honoring Lilly Ledbetter, the woman whose Supreme Court equal opportunity case led to the “Lilly Ledbetter Fair Pay Act of 2009.”

As she was applauding Ms. Ledbetter for the courage and determination she had shown fighting for fair pay, I had the opportunity to reflect on BARBARA MIKULSKI’s vision for America—and upon all that she has achieved in public life.

Maryland’s senior Senator is a remarkable human being—and a person I am honored to call my friend.

When I first entered the Congress after a Special Election in 1996, BARBARA was there for me, helping us to get our office up and running as quickly as possible so no one in Maryland’s 7th Congressional District would lack representation.

I have never forgotten that kindness. It was a practical demonstration of the same human compassion that BARBARA MIKULSKI has offered to tens of thousands of Marylanders over the years.

It is why she has become a national leader—and why her colleagues in the Senate who have supported her work and leadership on two of its most prestigious committees: Appropriations and the Committee on Health, Education, Labor, and Pensions.

We all have an interest in women and their families receiving fair pay for the work that they perform. Maryland’s Senior Senator was one of the essential leaders in our efforts to enact the Affordable Care Act, as well as the Lilly Ledbetter Fair Pay Act.

Yet, despite the national prominence that she has achieved, “Senator Bars” has never lost that candor, honesty and strength that are so typical of the Highlandtown of her youth.

In her family’s grocery store, she learned the challenges faced by working families. Then, as a social worker, she perfected the skills that she needed to become an effective leader in our cause.

Today, I doubt whether there is a single person in the home State of Maryland who does not know what Senator Mikulski stands for. Her progressive values are solid and clear. We know that she is going to fight for all of us every single day.

Less well known, however, is BARBARA MIKULSKI’s lifetime vision of bringing all of America’s working families together in support of progressive change. It is a dream that ties together her roots in Highlandtown with my own South and West Baltimore heritage: “Unfortunately, because of old prejudices and new fears,” she observed back in 1970, “anger is generated [within European ethnic communities] against other minority groups, rather than those who have power. What is needed is an alliance of white and black, white collar, blue collar and no collar based upon mutual need, interdependence and respect—an alliance to develop the strategy for new kinds of community organization and political participation.”

All Americans are better off for our progress toward achieving BARBARA MIKULSKI’s dream—and the movement toward a better America that her dream sustains.

LIZBETH BLANCO-RAMOS

HON. ED PERLMUTTER
OF COLORADO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lizbeth Blanco-Ramos for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lizbeth Blanco-Ramos is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lizbeth Blanco-Ramos is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lizbeth Blanco-Ramos for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PERSONAL EXPLANATION

HON. MARCIA L. FUDGE
OF OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. FUDGE. Mr. Speaker, I was absent from the House Floor during rollcall votes on H. Con. Res. 28 and H.R. 1076. Had I been present, I would have voted against both of these bills.

HONORING MR. JONATHAN SMALLS

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, a tenacious man from Frogmore, South Carolina utilizes his gifts, talents and wisdom everyday to insure that veterans and
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their families are provided resources in the state of Georgia; and

Whereas, Mr. Jonathan Small is a renowned leader not only for his hometown of Frogmore, South Carolina, but as a husband, father and community leader in DeKalb County, Georgia; and

Whereas, Mr. Jonathan Small served our Country honorably for Twenty-eight (28) years in the U.S. Army as an Army Ranger, retiring as a Command Sergeant Major, he is a man of honor and a strong advocate of justice, education and family; and

Whereas, this model citizen has shared his time and talents for the betterment of his community and his nation through his tireless works, words of encouragement and inspiration that have and continues to be a beacon of light to those in need; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Jonathan Small for his outstanding leadership and service to the citizens in the state of Georgia, his community temperament is to be acknowledged and his commitment to the citizens throughout the state continues to touch the lives of citizens in our District;

Now Therefore, I, Henry C. “Hank” Johnson, Jr. do hereby proclaim March 20, 2011 as Jonathan Small’s Day in the 4th Congressional District.

Proclaimed, this 20th day of March, 2011.

KAYLA KOVAL

HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Koval for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Koval is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversity.

The dedication demonstrated by Kayla Koval is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayleend Lawton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING THE RETIREMENT
OF RUSSELL R. CHARD FROM THE HOLLYWOOD FIRE DEPARTMENT

HON. DEBBIE WASSERMAN SCHULTZ
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize the retirement of Russell R. Chard from the Hollywood Fire Department.

Mr. Chard has more than 30 years of distinguished service working on behalf of Hollywood, Florida’s fire fighters, paramedics and local safety community. For the last 20 years, Mr. Chard served as President of Local 1375, overseeing the welfare of its membership, fighting for the professional standards and ensuring the safe working conditions that are being fit for the service of these men and women.

Known as a coalition builder, President Chard served a critical role as liaison to all associated areas for the Local, as well as outside groups such as the AFL-CIO, Florida Professional Firefighters and Paramedics, International Association of Fire Fighters, and Maritime Trade Council. This commitment to the betterment of the community was second only to his dedication to his brothers and sisters in the Union. He was a powerful role model and mentor for many new recruits over 20 years, always emphasizing the unique bond that all fire fighters share.

In 1980, Mr. Chard was first appointed to the negotiation committee for Hollywood Professional Fire Fighters Local 1375, where he was quickly recognized for his grit and passion. He was quickly elected as a Trustee and has served Local 1375 ever since. His legacy of fierce advocacy, candor and friendship will not soon be forgotten or lost.

I am proud today to honor President Chard’s distinguished career and leadership in the South Florida community and wish him and his family well on their future endeavors.
I extend my deepest congratulations to Lawrence Salazar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

A TRIBUTE TO THE LIFE OF ROBERT “BOB” PRICE

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. COSTA. Mr. Speaker, I rise today to honor the life of a man whose passion, devotion, and leadership exemplify the meaning of public service. Robert “Bob” Price passed away on Wednesday, February 9, 2011 after a valiant battle with idiopathic pulmonary fibrosis. He was 79. Bob was a well respected leader, mentor, and community advocate. He lived his life with a tenacious commitment to his family and to his community and is certainly most deserving of this honor.

Bob Price was born in 1932 in Abilene, Kansas. He came to Bakersfield, California in 1937, graduated from Bakersfield High School in 1949 and went on to proudly serve our great country in the United States Army. After his military service, Bob returned home to Bakersfield, California, where he began his 32-year career with the Bakersfield Police Department. Beginning as a motorcycle officer, he tenaciously worked his way through the ranks until he achieved the rank of Bakersfield Chief of Police, a position he would remain in for 15 years. Admired by his fellow officers, Bob Price always remembered what it was like to be an officer on the beat, and he himself often described his own management style as “management by walking around”. Though he officially retired from public safety service, his yearning for public service remained and in 1992, Bob Price successfully ran for Mayor of Bakersfield where he completed two terms in that office.

In his spare time, Bob enjoyed the simple things in life such as playing handball, playing golf, or spending time with his family. In 2009, after noticing wall-to-wall crowding in the lobby of the Bakersfield Police Department, Bob used his enthusiastic attitude and started a program that recruited retired police officers, clerks, and technicians to help the system maintain and streamline and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lydia Agede for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. Lydia Agede is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lydia Agede is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE NEW YORK COLLEGE OF PODIATRIC MEDICINE (NYCPM)

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. RANGEL. Mr. Speaker, I rise today in celebration of the 100th anniversary of the New York College of Podiatric Medicine, which was founded by Dr. Maurice J. Lewi in 1911 within my Congressional District. Chiropody was a craft that existed up to 1885, when men and women learned through training the skill to alleviate pain and discomfort for those afflicted with minor foot ailments. The New York State legislature awarded chiropodists the right to organize and to determine the fitness of individuals who were interested in practicing chiropody in 1905.

This historic legislation paved the path for the founding of the New York School of Chiropody. Dr. Maurice J. Lewi, who during that time was serving as Secretary to the New York State Board of Examiners, was an effective advocate and educator in the field of Chiropody, and became the school’s first President.

Dr. Lewi created and organized the curriculum and drafted the legislation governing the practice of chiropody. He was most effective in advancing the specialized profession of podiatry through evidence-based science, research and strategic partnerships.

Since its founding, the New York College of Podiatric Medicine has been an active source of education, training and research in the field of podiatric medicine, and has emerged as a leader and facilitator in creating and establishing multi-dimensional programs in podiatric medicine. Its impact has been guided and nurtured by its current President, Louis L. Levine, and its board of trustees.

In recent years, NYCPM has expanded into the international educational arena with twice-yearly programs for podologists from Spain; a program at Foot Center of New York for podiatry students from Canada, and an affiliation with their school in Quebec. NYCPM also has an externship at the Sheba Medical Center at Tel Hashomer. The College features guest speakers from around the world. NYCPM has reached out to its surrounding community, offering foot screenings at numerous neighborhood health fairs, including the American Diabetes Association’s annual Diabetes Expo and the Central Harlem Health Revival. Therefore, Mr. Speaker, please join me in recognizing the New York College of Podiatric Medicine and its affiliate, The Foot Center of New York. I would also like to congratulate Louis L. Levine, President and Chief Executive Officer; Stanley Mandel, Chairman; the Board of Trustees; and the NYCPM staff as leaders in enhancing the level of acceptance, understanding, and knowledge regarding podiatric medical education and training, podiatric technology development and podiatric research throughout the world.

KATHRYNN MERRILLS

HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kathrynn Merrills for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kathrynn Merrills is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kathrynn Merrills is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kathrynn Merrills for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HAWKINS FAMILY REUNION DAY

HON. HENRY C. “HANK” JOHNSON, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, over One hundred forty nine years ago, Ms. Hattie Hawkins in the state of South Carolina has blessed us with descendants that have helped to shape our nation; and

Whereas, the Hawkins Family has produced many well respected citizens and three of the matriarchs of the family Ms. Addie Rankin Hawkins, Ms. Virginia Hawkins Clarke and Ms. Florence Amanda Hawkins Wilson are pillars of strength for these families; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to
have many members of the Hawkins family, including Mr. Norm Fikes one of our most beloved citizens in our District who resides in Stone Mountain, Georgia; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Hawkins family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year’s family reunion in Atlanta, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Hawkins family in our District;

Now therefore, I, Henry C. “Hank” Johnson, Jr. do hereby proclaim Saturday, July 12, 2008 as Hawkins Family Reunion Day in the Fourth Congressional District.

Proclaimed, this 12th day of July, 2008.

Kayla Trejo

Hon. Ed Perlmutter
Of Colorado
In the House of Representatives
Tuesday, March 29, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Trejo for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Trejo is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Trejo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Trejo for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING HERB KANE

Hon. Mike Quigley
Of Illinois
In the House of Representatives
Tuesday, March 29, 2011

Mr. QUIGLEY. Mr. Speaker, I rise today to mourn the passing, but also honor the distinguished career of Herb Kawaiunui Kane. For more than 80 years, Mr. Kane exhibited a love for the arts and a passion for Hawaiian culture that has been an inspiration for his people.

After leaving the Navy, Herb attended school in Illinois, where he would go on to earn his Masters degree from the University of Chicago. Herb went on to become a successful graphic artist in Chicago, before moving to Hawaii. There he would continue his career as an artist, and go on to become both a noted historian and an author. He went through life exemplifying hard work and dedication in his craft and culture.

Throughout his career, Herb received praise and admiration for his works as an artist, historian, and author. Herb’s paintings have graced such locations as the Hawaii State Foundation on Culture and the Arts and the National Park Service. In 2009, Herb helped design a commemorative stamp for the U.S. Postal Service, celebrating 50 years of Hawaii statehood. He has also been selected as a Living Treasure of Hawaii for his work as a historian and has received an award for excellence from The Hawaii Book Publishers Association for his writing.

Herb’s crowning achievement was his recreation of Polynesian canoes that were used by his ancestors. These canoes have been used to travel from Hawaii to various islands including, Tahiti, New Zealand, Easter Island, Tonga, The Marquesas Islands, The Cook Islands, Micronesia and Japan; of which the voyage to Japan totaled over 110,000 miles of navigation without modern equipment.

Mr. Speaker, I ask my colleagues to join me in recognizing Herb Kane and his numerous accomplishments. His life and career has inspired many and will continue to influence generations to come.

HONORING MR. BILL SAMUELS, JR.

Hon. Ed Whitfield
Of Kentucky
In the House of Representatives
Tuesday, March 29, 2011

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Mr. Bill Samuels for his extraordinary career with Maker’s Mark. Mr. Samuels is retiring from his position as President of Maker’s Mark, the world’s oldest operating bourbon distillery. As the seventh generation distiller in his family, bourbon was a part of Bill’s life from the beginning, and just as his own father made Maker’s Mark a unique product, Bill made the world famous brand his own through innovative marketing and large scale production with home-grown Kentucky flavor.

When he took over the helm of Maker’s Mark 35 years ago, Bill used unmatched and unprecedented creativity to reinvent the way the world understood bourbon. He paired a family recipe with a marketing campaign that brought out a little bit of Kentucky in people across the world. Bill left
no event, newsmaker, or story off his list of characteristic jokes, and his knack for simple one-liners lured patrons to Maker’s Mark through thousands of unforgettable advertisements. The world responded to Bill’s humor in a big way—by buying all the bourbon he could make and elevating Maker’s Mark to a worldwide symbol of excellence.

Like the ads that graced pages across the world, Bill’s instructions for production of his family’s legacy were simple and clear—“don’t screw it up.” One of the few things Bill made no joke about during his tenure was that no amount of success could compromise the taste of each and every drop of bourbon.

Bill’s world renowned success and innovative marketing techniques never lost sight of the home grown taste of Kentucky in each family-made bottle. The distillery in Kentucky remains the only spirits related National Historical Landmark in the world, and a tradition that Kentucky is proud to share. Under Bill’s careful watch, no bottle of Maker’s Mark traveled across the globe without bringing a piece of Kentucky pride with it.

During his 44 years long career with the family company, Mr. Samuels brought a piece of history and a piece of Kentucky to households, bars, and restaurants around the world. I congratulate my friend, Bill Samuels, on his family company, Mr. Samuels brought a piece of Kentucky pride with it.

I congratulate my friend, Bill Samuels, on his family company, Mr. Samuels brought a piece of Kentucky pride with it.

EIGHT IN TEN APPREHENDED ILLEGAL IMMIGRANTS NOT PROSECUTED

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. SMITH of Texas. Mr. Speaker, according to recent figures calculated by my Texas colleague JOHN CULBERSON, an illegal immigrant apprehended by Border Patrol agents during the last fiscal year had an eight in ten chance of never being prosecuted.

Specifically, in Fiscal Year 2010, nearly 450,000 illegal immigrants were apprehended by the Border Patrol. Of this amount, only about 73,000 were prosecuted, roughly 16 percent. This means that 84 percent of illegal immigrants taken into custody were never prosecuted!

And while the Obama administration claims the border is more secure than ever, a recent Government Accountability Office report found that efforts by Border Patrol to stop illegal crossings were “poor.” In fact, it is estimated that there are three successful illegal crossings for every one thwarted. That means more than a million illegal immigrants enter the U.S. each year.

The border is never going to be secure until we enforce all of our immigration laws and turn off the jobs magnet that encourages illegal immigration. Allowing millions to evade our laws is unfair and hurts American workers and taxpayers.

RECOGNIZING MARCH AS NATIONAL KIDNEY MONTH

HON. ADAM SMITH
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. SMITH of Washington. Mr. Speaker, I rise today to recognize March as National Kidney Month. This is an ideal time to renew the commitment to take action to stop kidney disease.

National Kidney Monthobservesthe significance of kidney health and allows us to educate each other on methods of prevention, treatments, and potential cures for kidney disease. More than 26 million Americans have chronic kidney disease. Minority patients and communities including Hispanic, African-American, and Native-American populations are at an increased risk at developing the disease. While the rate of those affected by kidney disease is increasing, many individuals with kidney ailments go undiagnosed. Most people forego visiting a doctor until symptoms are severe and damages to the kidneys are irreparable. Kidney disease can be fatal to those who do not identify the symptoms of kidney failure. Every year, thousands die prematurely from cardiovascular problems linked to kidney disease where death could have been prevented in many cases.

In addition to the health effects of kidney disease, kidney failure can also be costly. Currently, less than one percent of all Medicare beneficiaries have some form of renal disease, yet the disease consumes nearly seven percent of the annual Medicare budget.

Prevention is the best approach at dealing with kidney disease. The most common risk factors are high blood pressure and diabetes, which can be controlled by diet, exercise, taking prescribed medication, and regular visits to a health care professional. National Kidney Month serves as an important reminder for individuals, especially minorities as well as those with hypertension and diabetes, to get their kidneys checked regularly.

In my district, the non-profit Northwest Kidney Centers provides testing opportunities at community events and provides important education to the public about kidney health and renal disease prevention.

Kidney disease is common, harmful, but treatable, especially if caught in time. Let’s continue to work to stop kidney disease, save Medicare dollars, and save lives while doing it.

MALOREY BOPP

HON. ED PERLMUTTER
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malorey Bopp for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Malorey Bopp is an 8th grader at Arvada K-8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Malorey Bopp is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malorey Bopp for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING FALLEN MIAMI-DADE OFFICERS ROGER CASTILLO AND AMANDA HAWORTH

HON. ILEANA ROS-LEHTINEN
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to honor the sacrifices of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade Police Department, who lost their lives in the line of duty.

My prayers and our community’s gratitude go to the families and loved ones of these two brave Americans.

I submit this poem in remembrance of Officers Castillo and Haworth, penned by Albert Caswell of the Capitol Guide Service.

BLUE ANGELS
Blue... . .
Blue Angels, . . .
New Angels, in flight... .
New Angels, up in Heaven... .
... All alive, in flight!...
All there, for us in the darkest days of night!
Who for all of us, so wore that badge of honor... .
... oh so very bright!
Blue Angels, on earth... .
... and now up in Heaven all in flight!
As all of those wrongs they did so right!
Who to all of our lives, so brought their light!
Living day to day, night to night!
Right on that edge of death, as did they... .
... as they did so fly!
All out there on that thin blue line, but at the very height!
At the very height of courage and faith, To Serve and Protect!
As their most heroic field of Blue, for our lives did so bless!
All, with families... living so very close!
Quiet heroes, who knew... .
... that each moment upon this earth...
But together, was but a gift... .
... which meant the very most!
As why they so cherished life, as they would rise...
As why with tear in eye, we stand here on this very night!
As we look back on them now, we must now so boast!
Such a gallant, woman and man!
Who for all of us, against the face of evil they so stood... . would so stand!
And away from danger they never ran, turning evil into good... . time and time again!
Moments, are all we have... . here upon this earth!
Do we make a difference, all in our life’s worth?
What have we left behind, when we are gone?
What will live on, as ever live so on?
Who have we shielded, who have we saved?
All in our most brief lives as so portrayed!
And tonight as you lay your head down to sleep,...
Across Miami, but comes a gentle rain to so keep... .
CELEBRATING THE LIFE OF STANLEY J. “BUD” GRANT
FOUNDER AND PRESIDENT FRIENDS OF THE CONGRESSIONAL GLAUCOMA CAUCUS FOUNDATION, INC.
HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011
Mr. RANGEL. Mr. Speaker, I rise today with great pride, admiration and sadness as we in the United States House of Representatives pay tribute to our dear friend and buddy, Stanley J. “Bud” Grant. We join with the many family members, friends and colleagues at Saint Mary’s Roman Catholic Church in Manhasset, New York to celebrate the life of Stanley J. “Bud” Grant who passed away Saturday morning, March 26, 2011, after a short illness.

My wife Alma and I want to extend our most sincere and heartfelt sympathy to Richard, Suzanne, Robert, Thomas, Joanne, Steven and the entire Grant family as we honor the memory and the legacy of your dear beloved father, grandfather, great-grandfather and uncle and all the wonderful times you shared together, grandfather, great-grandfather and uncle and all the wonderful times you shared together.

Stanley J., affectionately known as Bud, was born and raised in Brooklyn, New York and served our nation in the Pacific theater during World War II with valor in the United States Marine Corps. He graduated from St. Francis College and attended Fordham University and the New York University School of Public Administration. Bud lived in Douglaston for over 40 years with his late wife, Suzanne Gobel Stabnick, and raised six children who all attended local schools. Bud was very active in the community, particularly with the Saint Anastasia Russian Catholic Church parish where he was long-standing member of the Holy Name Society and the Knights of Columbus.

The New York Congressional Delegation worked very closely with Bud in his efforts as a representative of the Medical Society of the State of New York and other important medical associations. Bud established a special internship program at Saint Mary’s Roman Catholic Church in Manhasset, New York to help young people from many of our elite universities, colleges and Ivy League schools throughout the nation. I am so proud of the foundation’s work with our federally funded health clinics and the screenings that take place at our neighborhood health fairs.

Bud Grant was a true New Yorker who tirelessly fought to bring health care to the underserved and stem the tide of all eye diseases in every major way. We are a grateful nation for the life of my buddy, Stanley J. “Bud” Grant.

CONGRATULATING LIFE-SAVER SHAUN ANDERSON OF DIVERSITY IN AQUATICS
HON. CHAKA FATTAH
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011
Mr. FATTAH. Mr. Speaker, I rise today to recognize and congratulate a young man of remarkable achievement. Shaun Anderson is the co-founder and President of Diversity in Aquatics Inc., a visionary network that works to save lives through global efforts to reduce the incidence of drowning.

But that’s not all. Shaun is a consultant to USA Swimming, a college faculty member, a former coach as well as a collegiate swimmer and track team member at his alma mater, Pennsylvania State University. He began swimming competitively at age four.

Citing these accomplishments and more, Penn State has named him one of 12 alumni of the year and selected him as the 2011 Penn State University Alumni Achievement Award. He will be honored on April 8.

Let me tell my colleagues a little more about this amazing young man. His brainchild, Diversity in Aquatics, boasts members across a worldwide spectrum including Olympians, coaches, elected officials and educators. The organization is literally a life saver. It helps spread the word about water safety through advocacy, educational programs, and action, holding regional water safety clinics, and connecting individuals and groups through their website.

I was pleased to provide a welcoming video for the Diversity in Aquatics Network, which has been active in support of swimming and water safety in Philadelphia’s communities of color. The Network has spotlighted the work of Jim Ellis, who developed Philadelphia’s first all-African American swimming team and was the subject of the biopic “Pride.”

In 2009, USA Swimming named Shaun a diversity consultant, giving him responsibility for developing programs for under-served communities throughout the country. He has become a global spokesperson on the issue of diversity in swimming and aquatic safety. For example, he was interviewed and appeared in a Newsweek article in September 2010 about efforts to lower the rate of drowning among African American children.

Shaun Anderson devotes himself to a vital but often overlooked cause. It is a sad fact that worldwide, 386,000 people a year—an average of more than 1,000 a day—are known to perish by drowning, although this data may dramatically understate the problem in our nation and overseas, a disproportionate number of drowning victims, and victims of non-fatal injuries from submersion, are children from communities of color and from low-income backgrounds. The reasons are many, but the “cure” is obvious: teach youngsters how to swim, use safety techniques and respect the perils of water.

I, a pursuit of this goal, Shaun Anderson has assisted with clinics in Brazil, the British Virgin Islands, the Philippines and elsewhere. Most recently he helped the Bahamian Ministry of Education and International Olympic Committee in implementing a nationwide learn to swim program for the Bahamas.

Anderson also serves as a faculty member in the Department of Health, Physical Education and Exercise Science at Norfolk State University. At Penn State he was a varsity athlete in two sports: three years on the track team and a four-year member of the swim team. In addition to his degree in Kinesiology from Penn State, he holds an M.B.A. from California State University—Long Beach.

It is no wonder that Shaun Anderson has been widely recognized and honored for his “diversity” of achievements as a multitasking role model and advocate who carries a life-saving message and the imperative of diversity into regions and disciplines never before imagined. Across our nation, young people of all races and communities are healthier, better swimmers—and very much safer in life—thanks to a talented, tireless young man named Shaun Anderson.

HONORING THE SMOKY MOUNTAIN HIGH SCHOOL MUSTANGS MEN’S BASKETBALL TEAM ON THEIR OUTSTANDING SEASON
HON. HEATH SHULER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011
Mr. SHULER. Mr. Speaker, I rise today to honor the Smoky Mountain High School Mustangs 2010–2011 Men’s Basketball Team.

Through their hard work and dedication, the Mustangs had an undefeated regular season. They held the longest single season winning streak in North Carolina for all 4 classifications in the 2010–2011 season. They went on to finish as the WNCAC Regular Season and Tournament Champions. The Mustangs finished...
the year as the NOHSSA sectional runner-up with an impressive 26–1 record. These awards are especially notable considering North Carolina is considered a powerhouse for high school basketball.

Five players were recognized for their individual accomplishments by being named All-Conference. They include Will Carpenter, Micah Carter, Tanner Cogdill, Mark Thompson, and Jackson Simmons. Jackson Simmons also went on to be named the Conference Player of the Year for his extraordinary play during the season. The team’s recognition extended with just the players. Head coach Jimmy Cleaveland was named Conference Coach of the Year.

As a former student athlete in Western North Carolina, I understand the commitment it takes to compete at such a high level. I ask my colleagues to join me today in recognizing the many accomplishments by the Smoky Mountain High School Mustangs 2010–2011 Men’s Basketball Team.

Alexander has been very active with his troop, participating in many scout activities. Over the many years Alexander has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alexander has earned the rank of Firebuilder in the Tribe of Mic-O-Say and the position of Senior Patrol Leader in his troop. Alexander has also contributed to his community through his Eagle Scout project. Alexander planned and supervised the construction of a storage closet for Liberty United Methodist Church in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Alexander Christian Nason for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 17, 2011

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 silver 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. WEBSTER. Mr. Speaker, I congratulate the 2010–2011 Wildcat boys basketball team of Winter Park High School, the reigning state champions from Central Florida. 

Long before the first whistle blew in the regular season, the Wildcats aspired to the highest standard with their mantra, “Make History.” As the reigning 6A State Champions, the boys were determined to exceed all expectations and become the first team from Central Florida to win back-to-back state titles. Recognized by USA Today as one of the top four teams in the country, these scholar-athletes persevered through a daunting schedule to nationally ranked opponents, with courageous play winning 22 victories, to gain their fourth birth in five years to the Florida state Final Four. Facing their cross-town rival in the final game of the state championship for the second consecutive year, the Wildcats were victorious; ending the season with a 28–5 record.

I am happy to recognize the contribution of coaches and players to the Wildcats’ historic season. Assistant coaches Eric Faber, David Jacobin, David Stock, and Tom Beard and their longtime head coach David Bailey, offered wisdom and careful instruction to develop the team’s innate talent. The starting lineup, all seniors, all going onto college next year, includes Brett Comer, Alex Swanson, and Austin Keel. The Captains, James Ferrell, Doctors Robinson, Jordan, and Austin Keel. The Captains, James Ferrell, Doctors Robinson, Jordan, and Austin Keel. The Captains, James Ferrell, Doctors Robinson, Jordan, and Austin Keel.

As the seniors graduate and move on from Winter Park High, they will pass the mantle of leadership along to the younger players whose consistent effort proved invaluable all season long. Brian Klasman, Perry Klusman, Michael Merlano, Billydee Williams, Joseph Wilkins, Malcolm Laws and Kyle Brown, will provide the direction and experience to guide the Wildcats team next year.

In conclusion, I wish the Wildcats success in the upcoming ESPN Rise National High School Invitational. I know that whatever the final score, these players have performed with excellence for a truly extraordinary season.

A TRIBUTE TO NEBRASKA’S WOMEN AIRFORCE SERVICE PILOTS

HON. ADRIAN SMITH OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in honor of 19 women who were inducted into the Nebraska Aviation Hall of Fame on January 27, 2011. These women served as Women Airforce Service Pilots, or WASPs, during World War II. From 1942–1944, more than 1,100 women left behind their homes and jobs for once-in-a-lifetime opportunity—to serve as civilian pilots for the U.S. Army Air Forces. As the first women to fly military aircraft during World War II, WASPs towed aerial gunnery targets, transported personnel and cargo, and ferried airplanes to training fields and embarkation points. At the height of the war, WASPs flew more than 60 million miles which freed male pilots for combat and played a critical role in our victory.

The Nebraskans who served as WASPs were: Dorothy L. Bancroft, Lincoln; Mary B. Beecham, Omaha; Lois V. Boien, Omaha; Lois A. Bristol, Bayard; Grace “Bettty” E. Clements, Elmwood; Mary A. Jershin, Omaha; Eileen “Ikey” A. Kealy, Omaha; Marybelle J. Lyall, Hastings; Esther L. Mueller, Thayer; Roberta E. Mundt, Berea; Margaret “Peggy” L. Nispel, Lincoln; Millicent A. Peterson, Chappell; Alice L. Rias, Omaha; Evelyn G. Sharp, Ord; B. Kristin Swan, Minden; Helen A. Turner, Fomo; Isabel E. Tynon, Peru; Jane E. Walte, Scottsbluff; and Mary E. Williamson, Omaha.

I ask my colleagues to join me today in honoring the distinguished service of Nebraska’s Women Airforce Service Pilots to our nation.

PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

SPEECH OF

HON. MIKE THOMPSON OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to H.R. 1076.

Without so much as a single hearing, the legislation being debated today would dismantle a public radio system dependent upon by 34 million Americans weekly, many of whom are from rural America.

In fact, in many rural areas of our country like the one I represent, public broadcasters are among the few journalists still around who actually deliver local news to residents.

One needs to look no further than last week’s massive earthquake in Japan and the resulting tsunami that devastated communities on the west coast to understand how important public broadcasting is in these rural areas.

A small community in my district, Crescent City, California was hit the hardest. Eight foot waves of water destroyed the city’s harbor, caused over $36 million dollars in damage, and took the life of an individual who was swept into the sea.

When the tsunami warnings were first issued, KHSU public radio, the most-listened-to station on the North Coast of California, broadcast essential information to the people of Crescent City and the surrounding areas. KHSU was on the air with tsunami warnings by 6 a.m. local time—telling residents to evacuate the low coastal areas, announcing school closings, and letting people know where emergency shelters were located in both Humboldt and Del Norte counties.

KHSU kept up with this information until the warning was lifted later in the afternoon.

This critically important local coverage was coupled with breaking news from NPR about the earthquake in Japan, the tsunami warning for the entire west coast, and the science and analysis behind this event and how it can affect us—immediately and in the long run.

If H.R. 1076 is passed into law, KHSU would be prohibited from using CPB funds to acquire this necessary programming in the future, even though it was critically important during this local emergency.

There is no doubt that public radio’s ability to effectively serve rural America will be permanently impaired if this legislation is signed into law.

Mr. Speaker, I urge my colleagues to protect this critically important resource and vote against H.R. 1076.
HONORING THE SERVICE OF HIS EXCELLENCY LE CONG PHUNG, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE SOCIALIST REPUBLIC OF VIETNAM TO THE UNITED STATES OF AMERICA

HON. ENI E.H. FALEOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the distinguished service of my good friend His Excellency Le Cong Phung, who in October 2007 was appointed by President Nguyen Minh Triet as Ambassador Extraordinary and Plenipotentiary of the Socialist Republic of Vietnam to the United States of America.

Prior to his appointment, the Honorable Le Cong Phung served as the First Deputy Foreign Minister, the second-highest ranking official in the Ministry of Foreign Affairs during which time he assisted the Deputy Prime Minister and Foreign Minister regarding Vietnam’s foreign policy.

From 2001–2004, he served as Deputy Foreign Minister and as the Assistant Foreign Minister from 1999–2000. During his 39-year career, Ambassador Le Cong Phung served in foreign posts in England, China, and Indonesia. He was also Vietnam’s Ambassador to Thailand.

While in Washington, Ambassador Phung became a key figure in strengthening the U.S.- Vietnam partnership. At the Ambassador’s request, it was my privilege to join him, former President Bill Clinton, Senator John Kerry, Senator John McCain and Assistant Secretary of State Kurt Campbell in offering keynote remarks on July 14, 2010 as Vietnam celebrated 15 years of diplomatic relations with the United States.

With the support of Ambassador Phung and in my capacity as the newly elected Chairmen of the House Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment, I returned to Vietnam in 2007 for the first time in 40 years, having previously served at the height of the Tet Offensive in 1967. The visit changed me.

On May 15, 2008, in close cooperation with Ambassador Phung, I held a Subcommittee hearing entitled, “Our Forgotten Responsibility? What Can We Do to Help Victims of Agent Orange?” This was the first time in the history of the U.S. Congress that a hearing had been held on Agent Orange which included our Vietnamese counterparts as witnesses. Two more hearings followed on June 4, 2009 and July 15, 2010, paving the way for renewed commitment on the part of the U.S. to clean up the mess it left behind.

I am proud of Ambassador Phung and what we have accomplished together. Ambassador Phung has made an indelible mark on furthering U.S.-Vietnam relations and is to be commended for his exemplary service for and on behalf of the people of Vietnam. I am also appreciative of all he has done to promote religious freedom.

On a personal note, I will miss Ambassador Phung, and I extend to him, his wife, Nguyen Thi Nhan, and their two sons my highest regards and well wishes in all their future endeavors.

RECOGNIZING COACH NATALIE RANDOLPH

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in recognizing Coach Natalie Randolph, the first female boys varsity head football coach at Calvin Coolidge Senior High School in Washington, DC, where she also teaches.

As we commemorate Women’s History Month this year, I want to celebrate the coach for becoming the first permanent female boys varsity head football coach in the District of Columbia and the only current female boys varsity head football coach in the nation.

Natalie Randolph, a native Washingtonian, is not only a football coach, she also is a superb athlete. Coach Randolph made her mark with the DC Divas of the Independent Women’s Football League. After playing five seasons there, she became an assistant boys varsity football coach at H.D. Woodson Senior High School in the District for two seasons.

In her youth, Natalie nurtured her athletic skills in track and Sidwell Friends School and later at the University of Virginia. Her love of football grew after her father first introduced her in high school to women football players.

Natalie began her professional career as an educator, after receiving her Bachelor of Arts degree in Environmental Science and a Master’s degree in Education from the University of Virginia. She first taught at H.D. Woodson and currently teaches Environmental Science and Biology at Calvin Coolidge.

Calvin Coolidge’s winning record of 6–4 in Coach Randolph’s debut season vindicated the decision to make her head coach. At the same time, the new coach required mandatory study halls and SAT prep courses to improve the team’s academic performance. Coach Randolph is committed to winning, both inside and outside the classroom.

Mr. Speaker, I ask the House of Representatives to join me in honoring Natalie Randolph for her accomplishments as a teacher who encourages strong academic achievement, as a world-class athlete, and as the first permanent female boys varsity head football coach in the District of Columbia. May we wish Coach Randolph and the Calvin Coolidge Senior High School Colts the best on the upcoming season, both on and off the field.

RECOGNIZING THE FIFTH ANNUAL CESAR CHAVEZ MARCH

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. KILDEE. Mr. Speaker, I rise today to recognize the 24th anniversary of the naming of Chavez Drive and the fifth annual Cesar Chavez March in my hometown of Flint, Michigan. A celebration and fundraiser for the United Farm Workers members was held on March 26th to coincide with what would have been the late Chavez’s 84th birthday.

Born on a family farm, March 31, 1927, Cesar Chavez witnessed firsthand the suffering of migrant workers. When the family lost the farm during the Great Depression, Cesar toiled in the fields following crops across the Southwest. After serving in the U.S. Navy during World War II he returned to farm work and began his lifelong commitment to justice for migrant workers.

During the 1960s Cesar Chavez, in reaction to the conditions he witnessed in the fields, became a union activist. Adopting the techniques of industrial unions like the UAW, Cesar fought against agribusiness and unfair laws that forbade farm workers from organizing. A nationwide boycott of table grapes and a 25-day hunger strike brought the United Farm Workers international attention. His leadership and personal commitment forced agribusiness to sign the first union contract with the United Farm Workers. He labored to improve the health and safety of the workers. He fought successfully to end the use of harmful chemicals like DDT and benefited not only the workers but the consumers as well.

When Cesar Chavez died in 1993, over 40,000 people attended his funeral. In a show of respect for the man who had changed so many lives, our nation posthumously awarded him the Presidential Medal of Freedom.

Mr. Speaker, Flint Michigan was the first community in our nation to honor this great humanitarian by naming a street after Cesar Chavez. I ask the House of Representatives to join me in honoring the memory of Cesar Chavez and his legacy to the American people.

IN HONOR OF DONNA PAINTER

HON. JOE BARTON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. BARTON of Texas. Mr. Speaker, I rise today to honor Donna Painter for her dedication and contributions to nephrology nursing and kidney patients in Texas and across the country.

Donna is one of my constituents fromCoriscana, Texas and she served as President of the American Nephrology Nurses’ Association (ANNA) in 2010 and 2011.

Donna earned her Masters of Science in Health Care Administration from Texas Women’s University in Dallas, Texas. She is a Registered Nurse and a Certified Nephrology Nurse.

Donna has worked for Fresenius Medical Care in various positions since 1983. Over the course of her career, she has served as a
staff nurse, a charge nurse, Home Training Coordinator, Director of Nursing, and Clinic Manager. She has also been Regional Quality Manager, and Director of Training and Organizational Development for Fresenius’ West Business Unit. Currently, in addition to serving as President of ANNA, Donna is the Regional Vice President for Fresenius’ East Texas Region.

Donna has been an active member of ANNA for more than 20 years—serving in a variety of leadership roles. As ANNA President, she has implemented a broad range of initiatives that will continue to improve care for patients whose lives depend on dialysis and other kidney replacement treatments. In particular, she has helped to ensure that ANNA will play a significant role in the nation-wide proliferation of quality improvements and policy in kidney care.

ANNA is one of the largest and most prestigious nursing associations in America. The organization is the recognized leader in nephrology nursing practice, education, research, and advocacy. ANNA’s members are registered nurses and health care professionals that care for patients of all ages who are experiencing, or are at risk for, kidney disease.

Please join me in commending Donna Painter for her years of service to ANNA and the patients she cares for in Texas. Thank you, Mr. Speaker.

GIRLS OF STEEL ROBOTICS TEAM

HON. MICHAEL F. DOYLE
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. DOYLE. Mr. Speaker, I rise today to congratulate the Girls of Steel robotics team on winning the Rookie All-Star Award at the 2011 Pittsburgh Regional F.I.R.S.T. Robotics Competition held on March 12th and 13th.

Because of their hard work and impressive performance, the team has been invited to compete at the F.I.R.S.T. Championship in Saint Louis in April. The championship is the final and largest competition of the robotics season and features teams from across the world.

F.I.R.S.T., which stands for “For Inspiration and Recognition of Science and Technology,” is an organization dedicated to introducing our youth to the world of science and technology. This year alone, approximately 250,000 students are gaining practical, team-based engineering experiences by participating in F.I.R.S.T.

As a co-chair of the Congressional Robotics Caucus, I think competitions such as these are outstanding tools for getting students interested in careers in science, technology, engineering, and math. I believe our nation’s future economic growth and prosperity depends upon getting young people interested and engaged in scientific pursuits, and I want to commend organizations like F.I.R.S.T. for the important work they do in that regard.

The Girls of Steel team is made up of 24 young women from high schools in and around the Pittsburgh area. In their first year of competition, and using a robot they designed and built in only six weeks, the girls went up against 39 other teams from across the United States and Canada. In this regional competition, teams were challenged to construct robots that could place tubes on elevated pegs. After finishing this first part of the task, the robots were required to deploy smaller robots capable of climbing to the top of a 10-foot pole. Upon reaching the top, the “minibots” would set off sensors to signal completion of the task. The Girls of Steel performed well in the qualification round, and their success continued throughout the seeding and elimination rounds of the competition.

In recognition of their hard work, intelligence, and teamwork, I want to mention each of these inspiring young ladies by name. They are Grace Handler, Calista Frederick-Jaskiewicz, Hallie Goldstein, Nila Ravi, Elizabeth Kysel, Rachel Lischy, Olivia Parks, Bryce Volk, Jaden Barney, Maya Chandrasekaran, Julia DiPietro, Campbell Konrad, Rachel Round, Jordyn Zechender, Naoka Gunawardena, Dakota Calvert, Jeannette Melanie Young, Tayler Wright, Kathryn Hendrickson, Pragna Mannam, Anna Maria Sicenica, Dahee Kim, Zhimi Ding, and Xinchao Li.

I also want to express my appreciation to the Carnegie Mellon University Field Robotics Center, which has mentored the Girls of Steel. As a result of their efforts, more young women are gaining real-world technological experiences which will certainly aid them in the future.

I wish the Girls of Steel the best of luck as they head to St. Louis to compete this April, and I hope for their continual success.

HON. JAMES B. RENACCI
OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. RENACCI. Mr. Speaker, although present and on the House floor during the legislative day of March 16, 2011, my “no” vote for Rollcall vote 196 did not register. Had my vote correctly registered, the record would display a vote of “no.”

RECOGNIZING MR. LEE E. RHYANT UPON HIS RETIREMENT

HON. PHIL GINGREY
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 29, 2011

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to commemorate a decade of achievement by an important business leader in our community, Mr. Lee E. Rhyant.

Mr. Rhyant has spent over ten years serving as the Executive Vice President and General Manager of the Lockheed Martin Aeronautics Company facility in Marietta, Georgia. He successfully led a staff of 8,000 with his clear vision and his ability proved to be great as he built a strong association with the U.S. Air Force and industry leaders in Cobb County and throughout the metro Atlanta region.

He’s been recognized for his leadership with numerous honors and awards. He was named one of Georgia’s 100 Most Influential People, Executive of the Year by the National Management Association, Citizen of the Year by the Cobb Chamber of Commerce and the Marietta Daily Journal, and Man of Influence by the Atlanta Business League.

Mr. Rhyant has taken his success and used it to give back to his community and the 11th District of Georgia. He has been a generous contributor to numerous local and national boards, chaired many major philanthropic events, and has shared his knowledge and experience with youth leadership forums, local schools, and even universities.

Mr. Speaker, I ask my colleagues to join me in recognizing the accomplishments of this outstanding citizen and community leader, Mr. Lee Rhyant, and wish him the best of luck as he retires and starts a new chapter.
IN RECOGNITION OF THE 10TH PASTORAL APPRECIATION OF BISHOP CLARENCE E. STEWART, JR.

HON. MIKE ROGERS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special Alabamian today, Bishop Clarence E. Stewart, Jr. Bishop Stewart has served as pastor of Ambassador for Christ Ministries in Montgomery, Alabama, since 2002. Over the past decade, the church has grown tremendously and he’s also created a successful television and radio ministry.

Bishop Stewart received his education in Montgomery County, Alabama and continued his studies at Alabama State University. He is the son of Clarence E. Stewart, Sr. and Annie Ruth Gilmore, and is father to three daughters, Jennifer, Shay, and Joia, and one son, Clarence III (Tri’). I am proud to honor the 10th Pastoral Appreciation of Bishop Clarence E. Stewart, Jr., and applaud him for his ministries in Montgomery.

PERSONAL EXPLANATION

HON. BILL JOHNSON
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. JOHNSON of Ohio. Mr. Speaker, on rollcall No. 186, I recall voting on the entire series in this voting session. I was standing with Rep. RENACCI (OH–16), and we both voted the entire series. We both used the same voting machine, and he was also flagged as a missed vote. I would have voted “no.”

RECOGNIZING TEDDY OSBORN ON HIS ACCOMPLISHMENT OF EARNING 129 BOY SCOUTS OF AMERICA BADGES

HON. STEVE STIVERS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. STIVERS. Mr. Speaker, I rise today to recognize Teddy Osbourn of Grove City, Ohio for making Boy Scouting history in Ohio. Teddy, a highly decorated Eagle Scout, is an active member of Ohio’s largest Boy Scout troop, Troop 200, chartered out of Northwest Methodist Church in Columbus.

Today I would like to commend Teddy for earning the maximum number of Boy Scouts of America badges—all 129. While accumulating the mandated number of 21 merit badges can be tough; earning all 129 badges is not only going above and beyond, but is an outstanding accomplishment.

An 18-year-old senior at Columbus Bishop Ready High School, Teddy attained what less than one percent of all Boy Scouts annually achieve when he earned his 100th merit badge. In earning all 129 merit badges, Teddy is the first boy scout in Ohio’s 100 years of scouting history to earn all available merit badges.

On behalf of the citizens of Ohio’s 15th Congressional District, I congratulate Teddy Osborn on this historic scouting accomplishment.

REMEMBERING ROBERT CHAUNCEY MYERS

HON. TOM McCLOINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. MCCLOINTOCK. Mr. Speaker, I rise today to honor the memory of Robert Myers of Roseville, California.

Robert was born in Ohio in 1937 and as a young child moved with his family to Los Angeles where he was raised. At age 17, Robert enlisted in the United States Air Force and after completing his training as an aircraft mechanic, deployed overseas to Europe. Robert’s post was the front lines of the Cold War, where he was charged with guarding and maintaining strategic nuclear assets. Robert left the service in 1962 rising to the position of Crew Chief to USAF General Bernard Schriever, who oversaw the U.S. strategic missile program and over 40% of the Air Force budget. After leaving the armed forces, Robert continued a career of service to his community as a firefighter with the Torrance Fire Department in Torrance, California, a post he held to his retirement in 1993.

Following his long career of public service, Robert and his wife, Gwen, moved to Sun City in Roseville, California. It is doubtful that by the time Robert moved to Roseville he had already provided more service to this country than could reasonably be expected, both through his service in the United States Air Force and the Torrance Fire Department, but he wasn’t finished yet. While living in Sun City, Robert became one of the founders of the Tea Party group there; leading book club discussions and activities devoted to educating citizens and advocating for the founding principles of our country. Mr. Speaker, it is the patriotism of men like Robert that will ultimately lead to the salvation of our country from our current trials, and I believe that his contributions to this fight at home are every bit as valuable and important as the years he spent guarding nuclear weapons at the height of the Cold War.

Robert is survived by his wife, Gwen, his four children: Christine, Steven, Richard and Elizabeth; and his three grandchildren: Alice, Oscar and Sophia. The quality of Robert’s dedicated life is service is only matched by the remarkable family he supported and raised as a loving husband, father and grandfather.

Mr. Speaker, patriots such as Robert Myers have ensured the safety and success of our union from its earliest days to the present one, and I have no doubt that his life has served to further that cause. It is with a grateful and humbled heart that I rise today to honor his memory and thank him for his many years of service.

RECOGNIZING LINDSAY CZARNIAK

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in recognizing Lindsay Czarniak for her outstanding work in sports broadcasting as an anchor and reporter for NBC Washington. This month we are celebrating Women’s History Month in the District of Columbia. Lindsay Czarniak, whose excellence in a field dominated by men has made her a favorite on television here.

Lindsay, who was born in Pennsylvania and raised in Northern Virginia, is seen by her viewers as a quintessential Washingtonian because of her credibility and effectiveness in connecting with residents while reporting on our teams for NBC4 sports. After serving as co-host of the George Michael Sports Machine, Lindsay struck out on her own on NBC4 with her signature show, Lunch with Lindsay. She has interviewed many great sports figures, including Art Monk, Sugar Ray Leonard, and James Brown. Lindsay also has covered the 2008 Winter Olympics in Beijing, China, as well as NASCAR races as a pit reporter on TNT.

This year, our celebration of Women’s History Month will honor not only Lindsay Czarniak, but also another female groundbreaker, Natalie Randolph, the only current female boys high school varsity head football coach in the nation. Lindsay also has generously agreed to participate in an assembly, where she will interview Natalie Randolph, a member of the D.C. Divas, a woman’s professional football team, and a member of the Calvin Coolidge Senior High School football team concerned about Coach Randolph’s football and coaching career.

Lindsay Czarniak is an inspiration to young girls, to women, and to all Americans who support equal opportunity on the basis of ability and hard work. The excellence of her work in the male-dominated sports world makes all who are fortunate to see her on television understand that nothing is beyond a woman’s capability, and that no field, sports or otherwise, is off limits to women.

Mr. Speaker, I ask the House of Representatives to join me in honoring Lindsay Czarniak, as a trailblazing example of excellence in her profession.

BAHRAIN, IRAN AND THE GCC

HON. ENI F.H. FALEOMAVAEGA
OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 29, 2011

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to speak about the threat posed by the Islamic Republic of Iran to Bahrain, a U.S. ally and a member of a group of U.S. allies, The Gulf Cooperation Council or the GCC.

Bahrain is a small country with a free economy and a government that is friendly to the United States. It plays host to the Fifth Fleet of the United States Navy, which patrols the waters of the Persian Gulf and protects world shipping there. Bahrain has been declared a
major non-NATO ally by the United States Government, and has established a Free Trade Agreement with us to facilitate better relations between our countries. But today, Bahrain is under attack, in a proxy war between Iran on one side, and the entire GCC, as well as its allies in the Western States and Europe on the other. As the demonstrations sweep through the Middle East demanding democracy, Iran has seen its opportunity to fish in troubled waters by stirring up long-time resentments among Bahrain’s majority Shi’a population.

Not that the Shia protests are without merit, or are completely foreign imports: to the contrary, they have real complaints that the Bahraini government will have to address, and has committed to address. But Iran, which has long been prototyping Bahraini defenses and stress-testing the social system, believes that its chance has finally come to achieve one of its cherished foreign policy goals: the weakening of the GCC by picking off one member state at a time.

In fact, Iran is looking to leverage its supposed Islamic revolution, and to expand its influence in the rest of the Islamic world. The preamble to the Iranian Constitution states that their armed forces .... will be responsible .... for fulfilling the ideological mission of jihad in God’s name; that is, extending the sovereignty of God over the entire world. With Bahrain, Lebanon, Afghanistan and parts of Pakistan, all have come in for special attention because of their substantial populations of Shi’ite Muslims. In fact, those who committed several terrorist acts during the 1980s in GCC countries, climbed aboard the American policy ship in support of Iran, leading Bahrain to break diplomatic relations with Iran in protest.

Iran has long used its military and intelligence assets to destabilize neighboring countries. And it aims to destabilize the entire GCC, and peel its member states away from the United States and the West, starting with Bahrain. A perfect example is what has been happening in Bahrain since last year—and before the current protests started. In the run-up to last year’s elections, Bahrain disrupted a terrorist plot to attack the U.S. Embassy with the help of the Iranian Revolutionary Guards.

Another example of Iranian pressure before the February outburst of protests is the constant burning of tires and setting of fires, almost every night, at various points in Bahrain. The youth involved claimed that they only were trying to make a point, and to protest their political marginalization. But the government expressed that the fires targeted power lines and communications towers more often than not, and suspected that the real aim may have been not only to weaken infrastructure, but also to test response times of security and emergency personnel. This would be roughly equivalent to ‘probing’ attacks such as sending fake bomb threats, to test the response time of security forces.

These tactics are consistent with a continuous pattern that we have seen from the Islamic Republic, in Lebanon for example, of using unwitting young people, inciting them to extremist sentiments and radical action, to inflame popular opinion. They convince youth to rebel, and get themselves arrested; then their families and friends rise up to defend them, and security forces fear them and overreact, and this instigates a pattern of resentment and fear on both sides that seems—and becomes—autonomous to the participants themselves.

This is how a terrorist threat ends up shutting down the entire social fabric of society. It is to provoke, provoke, and provoke the rulers of society, until they react harshly in fear or anger, and then to provoke the people to rise up when the rulers impose harsh measures. Iran already had been engaged in these activities in Bahrain for some time, when the people of Tunisia and Egypt rose up against corruption and repression. They had their networks already established, and had only to stoke the flames of resentment they had been slowly fanning over the previous years.

With the security forces already strained to the breaking point—in resources and in nerves—it was no great surprise that they snapped. The resulting violence and loss of life was execrable, and it is a mark of honor to the Crown Prince that he stepped in so quickly to take control and instantly to offer an overture to the protesters. International observers breathed a sigh of relief, and felt as if Bahrain had dodged a bullet, and was ready to begin cooling off.

In order to make it clear to the protesters that he was serious about negotiations, so that they would not throw away this window of opportunity, the Crown Prince specifically named every issue the protesters have named. For example, giving the parliament full authority—one of the first demands of the demonstrators—and ensuring that the government represent the will of the people. His plan addressed setting up new procedures for contracting that will be transparent and include outside audits, to reduce opportunities for corruption by increasing overall transparency.

He even brought up specifics of law that may seem obscure, but that result in disparate impacts on the two major communities in Bahrain, the Sunni and the Shia. For example, the Crown Prince promised to work with the opposition to determine fair ways to draw voting districts because critics have charged that the current districts dilute Shia’s voting power.

The Crown Prince described all these measures as ways to achieve the overall goal, which is to reduce sectarian tension, and “bring an end to envy and division among [the] population.” When these overtures were first offered, the protesters initially stopped demonstrating. Many of us believed that a crisis had been averted, and that reason and good judgment would prevail. But within a couple of days, the protests were renewed, and with the seeming loss of leadership not serious, and refused to participate. The protests increased in their intensity, and swept into the financial district. According to BBC reporting, young Shia protesters began to set up illegal and intimidating checkpoints in key places around the country, “paralyzing business and choking off the flow of goods.”

The government acted to relieve the overstressed security forces by invoking the mutual self-defense provisions of the GCC charter. This treaty provided for the establishment of a multinational force called “Peninsula Shield,” with headquarters in Saudi Arabia, which would be available to help any member state defend critical infrastructure against the threat of attack. 2,000 troops from Saudi Arabia and the U.A.E. arrived on the 14th of March and were immediately deployed to protect threatened infrastructure.

The foreign troops were not brought in to confront protesters, in spite of immediate claims to the contrary from opposition sources. Instead, the Peninsula Shield forces, by guarding the infrastructure, the Bahraini troops can devote more time and resources to crowd control, and avoid committing violence sparked by fear or desperation.

In reaction to the arrival of the foreign troops, the Prime Minister of Iran, Mahmoud Ahmadinejad, issued a bizarre threat to his neighbor, warning the Bahrainis not to seek help from their allies. At the same time, the protests took an even uglier turn, with demonstrators no longer calling for democratic reform, but for the complete removal and even death of the entire Al Khalifa family.

Mr. Speaker, I have to ask why the demonstrators returned to protesting again, even after all their demands were agreed to. What lies behind this stubborn refusal to accept their goals? Is it motivated, by some hidden agenda, behind the protests? Is there indeed an influence from abroad, from Iran, which is fueling these protests and fanning the flames? There is no doubt that the Shia population of Bahrain has legitimate grievances, and I am pleased that the government of Bahrain has met many of them.

There is no doubt that many in the crowds of protesters are loyal, patriotic citizens of Bahrain who are sincere in their desire for reform. We should support those desires, and we should be pleased any time we see a nation move toward democracy, and encourage it, whenever we can. But we cannot be pleased at the prospect of anarchy, or worse, of the violent overthrow of an allied, peaceful government by the worst kind of seditionist infiltration from a foreign enemy. We cannot sit idly by while a country—whose founding document calls for peace—uses its influence to undermine a peaceful neighbor and an entire alliance.

Iran wants to dominate Bahrain for many reasons. Among them are that Bahrain has a Shia majority population, and the Iranian regime has appointed itself the international guardian of Shia’s rights. Another cause for Iran’s animus is, of course, the presence of the U.S. Fifth Fleet. Using its base in Bahrain, the U.S. Navy can not only patrol the waters of the Arabian Gulf and protect the inter- continental ballistic missile defense system, but it also is well-positioned to conduct surveillance missions, and even potentially to send missile strikes into Iranian territory with only seconds’ warning, should that ever become necessary.

Furthermore, Iran’s aim is not just to dominate Bahrain: it is to destroy the GCC alliance. Since its inception in 1981, the GCC has been a thorn in Iran’s side. It has bound together the Western and Middle Eastern states against Iran’s animus to the GCC, which is fueling these protests and fanning the flames. There is no doubt that the Shia population of Bahrain has legitimate grievances, and I am pleased that the government of Bahrain has met many of them. We should support those desires, and we should be pleased any time we see a nation move toward democracy, and encourage it, whenever we can. But we cannot be pleased at the prospect of anarchy, or worse, of the violent overthrow of an allied, peaceful government by the worst kind of seditionist infiltration from a foreign enemy. We cannot sit idly by while a country—whose founding document calls for peace—uses its influence to undermine a peaceful neighbor and an entire alliance.

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off even one member state from the GCC, the alliance will crumble and disappear as its member states are picked off one at a time.

Bahrain is also a great prize to be taken by a greedy despot. As the Bahrainis have worked very hard to diversify their economic base, they have discovered that creating an inviting legal and regulatory framework can attract an inordinate amount of foreign direct investment—disproportionate to their size, or the original size of their economy. They have succeeded in making their country a banking haven, especially for the increasing number of institutions and high net-worth individuals who want to invest without paying or receiving interest, or otherwise want to comply with Islamic rules of investing and finance. Anyone who controlled that sector would have power greater than the size of the country would seem to predict. Bahrain’s Free Trade Agreement with the United States has doubled our bilateral trade volume since it was signed in 2006, again increasing the value of the national GDP.

Finally, Bahrain and its leaders have incurred the wrath of the leadership of the Islamic Republic by doing the unforgivable (and, in many circles, unthinkable). They have reached out to Iran’s arch-enemy, the only country Iran has discovered that it hates more than it hates America: the nation of Israel. In an unprecedented opinion editorial article, published in the Washington Post July 16, 2009, Crown Prince Salman bin Hamid Al Khalifa called for direct communication with the people of Israel, and for a new approach that treats peace as a process, not an event.

Mr. Speaker, later that same year, the Bahraini Foreign Minister echoed the sentiments of the Crown Prince, in a formal address to the United Nations General Assembly. This served to emphasize that the proposal was an official government position, not a private initiative from a senior member of the royal family.

Iran, like other nations once characterized as ‘rogue states’, has a vested interest in extending and exacerbating the friction between Palestinians and Israelis, and in fact has called for the extermination of Jews worldwide. Ahmadinejad cannot countenance an outreach by his neighbor to a nation he hates so completely.

Why does Ahmadinejad hate Bahrain? It is easy to see. Bahrain is a member of the GCC. It is the host of the hated U.S. 5th fleet. It is rated the 10th most free economy in the world by the Heritage Foundation’s Index of Economic Freedom. It is politically free, where women are educated at state expense, can dress as they please and are not bound by law to dependence on male relatives; where there are Christian, Jewish, and female Members of Parliament; and where the royal family has maintained peace and stability for over 300 years. In short, it is, and stands for, everything that Ahmadinejad has sworn to destroy.

Mr. Speaker, it is in the interest of the United States to see that Bahrain continues to be a haven of peace and prosperity in a troubled neighborhood. It is in our interest to support the integrity of the GCC, and to provide diplomatic and political support for GCC and Bahraini initiatives. It is in our interest to support a government that has provided freedom and opportunity for women; freedom for its citizens; tolerance for religious minorities; economic freedom, growth and prosperity; and a peaceful haven for the region. It is in our interest to support a government that has reached out to call for peace with Israel, to put an end to the vicious cycle of anger and despair that has characterized the Arab-Israeli relationship for far too many decades.

For all these reasons, it is important to the United States to help its Bahraini allies in their time of need, to withstand the threat and the increased pressure from Iran. We support the reform agenda laid out by the Crown Prince, and call on all parties to show calm and to meet together around the negotiating table. We call on the Bahraini government to demand restraint from its security forces, to avoid at all costs any repeat of the bloodshed we have seen. We call on the demonstrators to sit down and negotiate their differences, and find a way to achieve the progress that they deserve.

Mr. Speaker, this is a critical time for one of our most important allies. The U.S. Congress should do all in our power to show our support, to encourage peaceful negotiations that will preserve the stability of the country, the continuation of the ruling polity, and the achievement of the aspirations of all the people of Bahrain.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1907–S1944

Measures Introduced: Fifteen bills and four resolutions were introduced, as follows: S. 659–673, and S. Res. 111–114.

Measures Reported:

Special Report entitled “Report on the Activities of the Committee on Banking, Housing, and Urban Affairs during the 111th Congress”. (S. Rept. No. 112–7)

Measures Passed:

Airport and Airway Extension Act: Senate passed H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program.

Honoring Geraldine A. Ferraro: Senate agreed to S. Res. 114, honoring Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President of the United States, and extending the condolences of the Senate on her death.

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:

   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.
   Landrieu Amendment No. 244 (to Amendment No. 183), to change the enactment date.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 30, 2011.

Messages from the House:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Adjournment: Senate convened at 10 a.m. and adjourned, as a further mark of respect to the memory
Committee Meetings

(Committees not listed did not meet)

DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM


DEPARTMENT OF DEFENSE EFFICIENCIES INITIATIVES

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine Department of Defense efficiencies initiatives, after receiving testimony from Robert F. Hale, Under Secretary of Defense, Comptroller, Joseph Westphal, Under Secretary of the Army, Robert O. Work, Under Secretary of the Navy, and Erin C. Conaton, Under Secretary of the Air Force, all of the Department of Defense.

HOUSING FINANCE SYSTEM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine public proposals for the future of the housing finance system, after receiving testimony from Michael D. Berman, Mortgage Bankers Association, and Janneke Ratcliffe, Center for American Progress Action Fund, both of Washington, D.C.; Arnold Kling, George Mason University Mercatus Center, Alexandria, Virginia; and Mark Zandi, Moody’s Analytics, Atlanta, Georgia.

DISEASE CLUSTERS

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine disease clusters and environmental health, including S. 76, to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children, after receiving testimony from Trevor Schaefer, Trevor’s Trek Foundation, Boise, Idaho; Erin Brockovich, Brockovich Research and Consulting, Agora Hills, California; Richard B. Belzer, Regulatory Checkbook, Mt. Vernon, Virginia; and Gina M. Solomon, Natural Resources Defense Council, San Francisco.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Suzan D. Johnson Cook, of New York, to be Ambassador at Large for International Religious Freedom, Department of State, after the nominee, who was introduced by Senator Gillibrand, testified and answered questions in her own behalf.

STRENGTHENING THE SENIOR EXECUTIVE SERVICE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine strengthening the Senior Executive Service, focusing on a review of challenges facing the government’s Leadership Corps, after receiving testimony from Nancy H. Kichak, Associate Director, Employee Services, U.S. Office of Personnel Management; and Carol Bonosaro, Senior Executives Association (SEA), and Max Stier, Partnership for Public Service, both of Washington, D.C.

DEPARTMENT OF DEFENSE COST OVERRUNS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine tools to prevent Department of Defense cost overruns, focusing on trends in Nunn-McCurdy breaches and tools to manage weapon systems acquisition costs, after receiving testimony from Frank Kendall, Principal Deputy Under Secretary for Acquisition, Technology and Logistics, Richard P. Burke, Deputy Director, Cost Assessment, Office of the Secretary, Cost Assessment and Program Evaluation, and John J. Young Jr., former Under Secretary of Defense for Acquisition, Technology and Logistics, San Francisco, California, all of the Department of Defense; Michael J. Sullivan, Director, Acquisition and Sourcing Management, Government Accountability Office; and Moshe Schwartz, Specialist in Defense Acquisition, Congressional Research Service, Library of Congress.

MUSLIM AMERICANS’ CIVIL RIGHTS

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine protecting the civil rights of
American Muslims, after receiving testimony from Thomas E. Perez, Assistant Attorney General, Civil Rights Division, Department of Justice; Farhana Khera, Muslim Advocates, San Francisco, California; Archbishop Emeritus of Washington Theodore E. McCarrick, Washington, D.C., on behalf of the United States Conference of Catholic Bishops; and R. Alexander Acosta, Florida International University College of Law, Miami.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community. Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 38 public bills, H.R. 1211–1248; and 1 resolution, H. Res. 185 were introduced. Pages H2036–39

Additional Cosponsors: Pages H2039–40

Reports Filed: A report was filed on January 3, 2011:
Report on the Activities of the Committee on House Administration During the 111th Congress (H. Rept. 111–715).

Reports were filed today as follows:
H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes (H. Rept. 112–41, Pt. 1);
H.R. 362, to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the “George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building” (H. Rept. 112–42);
H.R. 872, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, with an amendment (H. Rept. 112–43, Pt. 1);
H.R. 872, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, with an amendment (H. Rept. 112–43, Pt. 2);
H.R. 1034, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund (H. Rept. 112–44, Pt. 1); and

H. Res. 186, providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes (H. Rept. 112–45). Page H2036

Investigative Subcommittees of the Committee on Ethics: Read a letter from Representative Pelosi, Minority Leader, in which she designated the following Members of the House of Representatives to be available for service on investigative subcommittees of the Committee on Ethics during the 112th Congress: Representatives Zoe Lofgren, Chandler, Sarbanes, Sewell, Tonko, Luján, Cicilline, Keating, Schiff, and Clarke (NY). Page H1991

Suspension: The House agreed to suspend the rules and pass the following measure:
Airport and Airway Extension Act of 2011: H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund and to amend title 49, United States Code, to extend the airport improvement program. Pages H1992–94

HAMP Termination Act of 2011: The House passed H.R. 839, to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, by a recorded vote of 252 ayes to 170 nays with 1 voting “present”, Roll No. 198. Pages H1994–H2022

Rejected the Larsen (WA) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 185 yeas to 238 nays with 1 voting “present”, Roll No. 197. Pages H2021–22

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee
on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. 

Agreed to:

Canseco amendment (No. 3 printed in part A of H. Rept. 112–34) that ensures that all taxpayer funds saved from elimination of the Home Affordable Modification Program (HAMP) are used to reduce the deficit; 

Pages H2008–09

Waters amendment (No. 5 printed in part A of H. Rept. 112–34) that requires the Secretary of the Treasury to send a letter to HAMP applicants that they will not be considered for a modification due to termination of the program and that they can contact their Member of Congress for assistance in negotiating with or acquiring a loan modification from their servicer;

Pages H2009–10

Loretta Sanchez amendment (No. 9 printed in part A of H. Rept. 112–34) that adds Sense of Congress language to the end of the bill that banks are encouraged to work with homeowners to provide loan modifications for those qualifying and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications; and

Pages H2010–11

Hanna amendment (No. 1 printed in part A of H. Rept. 112–34) that includes findings detailing the Home Affordable Modification Program’s (HAMP’s) flaws and states that terminating HAMP would save taxpayers approximately $1.4 billion (by a recorded vote of 247 ayes to 170 noes, Roll No. 194).

Pages H2010–16

Maloney amendment (No. 8 printed in part A of H. Rept. 112–34) that sought to include a list of the number of trial and permanent modifications started under the HAMP program in each state as well as the number of seriously delinquent mortgages across the country that will not be able to be eligible for HAMP modifications because Congress is terminating the program (by a recorded vote of 173 ayes to 249 noes, Roll No. 196).

Pages H2011–13, H2018–19

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House in amending the bill, to include striking “paragraph (1)” on page 5, line 16, and inserting in lieu thereof “subparagraph (A)”.

Pages H2022

H. Res. 170, the rule providing for consideration of the bill, was agreed to on Wednesday, March 16th.

Pages H2022

Recess: The House recessed at 5 p.m. and reconvened at 6:30 p.m.

Page H2017

Committee Re-referral: The House agreed that H.R. 1148 be re-referred primarily to the Committee on Financial Services and additionally to the Committees on Agriculture, House Administration, Judiciary, Ethics and Rules.

Pages H2022

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1991.

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings of today and appear on pages H2018, H2019, H2019–20, H2021–22 and H2022. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:46 p.m.

Pages H2022

Committee Meetings

TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on FY 2012 Oversight and Budget. Testimony was heard from Ray LaHood, Secretary of Transportation; and Chris Bermat, Assistant Secretary for Budget and Programs, Department of Transportation.
TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on HUD—Housing Counseling with Neighborhood Reinvestment Corporation FY 2012 Oversight and Budget. Testimony was heard from Vicki Bott, Deputy Assistant Secretary for Single Family Housing, HUD; and public witnesses.

RAISING THE AGENCIES' GRADES

Committee on the Judiciary: Subcommittee on Courts, Commercial and Administrative Law held a hearing entitled “Raising the Agencies’ Grades—Protecting the Economy, Assuring Regulatory Quality and Improving Assessments of Regulatory Need. Testimony was heard from public witnesses.

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Committee on Rules: The Committee granted, by a record vote of 7 to 2, a structured rule providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. The rule provides that the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order the amendment printed in the report of the Committee on Rules accompanying the resolution, if offered by Delegate Norton of the District of Columbia or her designee, which shall be considered as read, and shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Rep. Gowdy; and Rep. Norton.

SURFACE TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit began a hearing entitled “Improving and Reforming the Nation’s Surface Transportation Programs.” Testimony was heard from public witnesses. The hearing will continue on March 30.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing on ongoing Intelligence Activities. This was a closed hearing.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 30, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: To hold hearings to examine fundamentals and farming, focusing on evaluating high gas prices and how new rules and innovative farming can help, 10:30 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine nuclear safety in light of the impact of natural disasters on Japanese nuclear facilities, 10 a.m., SD–138.

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Health and Human Services, 10 a.m., SD–124.

Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Air Force, 10:30 a.m., SD–192.

Committee on Armed Services: Subcommittee on Personnel, to hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, 1 p.m., SR–222.

Subcommittee on Strategic Forces, to hold hearings to examine strategic forces programs of the National Nuclear Security Administration in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, 2:30 p.m., SR–232A.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine ensuring the safety of our nation’s motorcoach passengers, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests, to hold hearings to examine the President’s proposed budget request for fiscal year 2012 for the National Park Service, 2:30 p.m., SD–366.

Committee on Environment and Public Works: With the Subcommittee on Oversight, to hold joint hearings to examine the General Services Administration (GSA), focusing on opportunities to cut costs, improve energy performance, and eliminate waste, 10 a.m., SD–406.

Committee on Finance: To hold hearings to examine how complexity, uncertainty and other factors impact responses to tax incentives, 10 a.m., SD–215.
Committee on Homeland Security and Governmental Affairs:
To hold hearings to examine ten years after 9/11, focusing on a report from the 9/11 Commission Chairman, 10 a.m., SD–342.

Full Committee, to hold hearings to examine securing the border, focusing on building on the progress made, 2:30 p.m., SD–342.

Committee on the Judiciary: To hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General, and Denise Ellen O’Donnell, of New York, to be Director of the Bureau of Justice Assistance, all of the Department of Justice, 2:30 p.m., SD–226.

Committee on Veterans’ Affairs: To hold joint hearings to examine the legislative presentations from Paralyzed Veterans of America, Air Force Sergeants Association, Military Order of the Purple Heart, National Association of State Directors of Veterans Affairs, Wounded Warrior Project, Vietnam Veterans of America, The Retired Enlisted Association, American Ex-Prisoners of War, 10:30 a.m., SD–106.

House

Committee on Agriculture, March 31, full Committee, hearing on Defining the Market: Entity and Product Classifications Under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, 2 p.m., 1300 Longworth.

Committee on Appropriations, March 30, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2012 Budget Request, 10 a.m., 2362–A Rayburn.

March 30, Subcommittee on Commerce, Justice, Science, and Related Agencies, hearing on Office of Justice Programs, FY 2012 Budget Request, 10 a.m., H–309 Capitol.

March 30, Subcommittee on Defense, hearing on National Guard and Reserve Fiscal Year 2012 Budget Review, 10 a.m., H–140 Capitol.


March 30, Subcommittee on State, Foreign Operations and Related Agencies, hearing on Fiscal Year 2012 Budget Request for U.S. Agency for International Development (USAID), 10 a.m., 2359 Rayburn.

March 30, Subcommittee on Interior, Environment, and Related Agencies, hearing on Bureau Indian Affairs FY 2012 Budget Oversight, 1 p.m., B–308 Rayburn.


March 30, Subcommittee on Financial Services and General Government, hearing on FCC FY 2012 Budget, 1 p.m., 2359 Rayburn.

March 30, Subcommittee on Homeland Security, hearing on Department of Homeland Security—Science and Technology—Budget, 3:30 p.m., 2362–A Rayburn.

March 30, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on FY 2012 Quality of Life in the Military, 2 p.m., H–140 Capitol.

March 30, Subcommittee on Transportation and Housing and Urban Development and Related Agencies, hearing on Federal Highway Administrator FY 2012 Oversight and Budget, 2 p.m., 2358 Rayburn.

Committee on Armed Services, March 30, full Committee, hearing on the fiscal year 2012 national defense authorization budget requests from the U.S. Southern Command, U.S. Northern Command, and U.S. European Command, 10 a.m., 2118 Rayburn.

Committee on the Budget, March 30, full Committee, hearing entitled “Member’s Day,” 10 a.m., 210 Cannon.


Committee on Financial Services, March 30, Subcommittee on Oversight and Investigations, hearing entitled “The Costs of Implementing the Dodd-Frank Act: Budgetary and Economic,” 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, March 30, Subcommittee on Oversight and Investigations, hearing entitled “Is America’s Foreign Broadcasting Consistent with Our Nation’s Interest and our Commitment to Freedom?” 2 p.m., 2172 Rayburn.


March 30, Subcommittee on Intellectual Property, Competition and the Internet, hearing on “America Invents” legislation, 1:30 p.m., 2141 Rayburn.

Committee on Natural Resources, March 30, full Committee, hearing on Examining the Spending Priorities and the Missions of the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), and the President’s FY Budget Proposal, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, March 30, Subcommittee on TARP, Financial Services, and Bailouts of Public and Private Programs, hearing entitled “Has Dodd-Frank Ended Too Big to Fail?” 9:30 a.m., 2154 Rayburn.

March 30, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement, hearing on “Unfunded Mandates and Regulatory Overreach Part II,” 1:30 p.m., 2154 Rayburn.
Committee on Rules, March 30, full Committee, hearing on H.R. 658, FAA Reauthorization and Reform Act of 2011, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, March 30, Subcommittee on Space and Aeronautics, hearing on a Review of NASA’s Exploration Program in Transition: Issues for Congress and Industry, 10 a.m., 2318 Rayburn.

Committee on Small Business, March 30, full Committee, hearing entitled “Reducing Federal Agency Overreach: Modernizing the Regulatory Flexibility Act,” 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 30, Subcommittee on Highways and Transit, continued a hearing entitled “Improving and Reforming the Nation’s Surface Transportation Programs,” 10:30 a.m., 2167 Rayburn.


Committee on Ways and Means, March 30, full Committee, hearing on government policies and actions that are impediments to job creation, 10 a.m., 1100 Longworth.

March 30, Subcommittee on Trade, hearing on pending trade agreement with Panama, 1:30 p.m., 1100 Longworth.
Final Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

**January 5 through December 31, 2010**

<table>
<thead>
<tr>
<th>Category</th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
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<tbody>
<tr>
<td>Days in session</td>
<td>158</td>
<td>127</td>
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<tr>
<td>Time in session</td>
<td>1,074 hrs., 40'</td>
<td>879 hrs., 20'</td>
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<td>Congressional Record:</td>
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<td>Pages of proceedings</td>
<td>11,075</td>
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<td>Extensions of Remarks</td>
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<td>2,239</td>
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<tr>
<td>Public bills enacted into law</td>
<td>80</td>
<td>178</td>
<td>258</td>
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<td>Private bills enacted into law</td>
<td>2</td>
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<tr>
<td>Bills in conference</td>
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<tr>
<td>Measures passed, total</td>
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<td>1,491</td>
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<tr>
<td>Senate bills</td>
<td>106</td>
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<tr>
<td>House bills</td>
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<td>Senate joint resolutions</td>
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<td>House joint resolutions</td>
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<td>Senate concurrent resolutions</td>
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<td>House concurrent resolutions</td>
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<tr>
<td>Simple resolutions</td>
<td>244</td>
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<tr>
<td>Measures reported, total</td>
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<td>*295</td>
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<td>Special reports</td>
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<td>Conference reports</td>
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<td>Measures pending on calendar</td>
<td>454</td>
<td>74</td>
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<td>Measures introduced, total</td>
<td>1,506</td>
<td>3,098</td>
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<td>Bills</td>
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<td>Joint resolutions</td>
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<td>Concurrent resolutions</td>
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<td>Simple resolutions</td>
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<td>Recorded votes</td>
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<td>Bills vetoed</td>
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<tr>
<td>Vetoes overridden</td>
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</table>

*These figures include all measures reported, even if there was no accompanying report. A total of 275 written reports have been filed in the Senate, 327 reports have been filed in the House.

### DISPOSITION OF EXECUTIVE NOMINATIONS

**January 5 through December 31, 2010**

<table>
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<tr>
<th>Category</th>
<th>Civilian</th>
<th>Navy</th>
<th>Army</th>
<th>Other Civilian</th>
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<td>4</td>
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<td>Returned to White House</td>
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<tr>
<td>Air Force nominations</td>
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<td>Confirmed</td>
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<td>Returned to White House</td>
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<tr>
<td>Army nominations</td>
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<tr>
<td>Confirmed</td>
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<tr>
<td>Returned to White House</td>
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<td>Navy nominations</td>
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<td>Confirmed</td>
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<td>Marine Corps nominations</td>
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<tr>
<td>Confirmed</td>
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<tr>
<td>Returned to White House</td>
<td>139</td>
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</tbody>
</table>

**Summary**

- Total nominations carried over from the First Session: 1,878
- Total nominations received this Session: 21,836
- Total confirmed: 25,527
- Total unconfirmed: 0
- Total withdrawn: 21
- Total Returned to the White House: 366
HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(111th Cong., 2D Sess.)
<table>
<thead>
<tr>
<th>Law No.</th>
<th>Bill No.</th>
<th>Introduced by</th>
<th>Date</th>
<th>Number of Pages</th>
</tr>
</thead>
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**BILLS ENACTED INTO PUBLIC LAW (111TH, 2D SESSION)**

H.R. 3808, to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce. Vetoes Oct. 8, 2010.
<table>
<thead>
<tr>
<th>Title</th>
<th>Bill No.</th>
<th>Date introduced</th>
<th>Committee</th>
<th>Date Reported</th>
<th>Report No.</th>
<th>Date of passage</th>
<th>Public Law</th>
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<tr>
<td>To accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti.</td>
<td>H.R. 4462</td>
<td>Jan. 19, 2010</td>
<td>WM</td>
<td>........................</td>
<td>............</td>
<td>Jan. 20, 2010</td>
<td>126</td>
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<td>To amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes.</td>
<td>S. 2949</td>
<td>Jan. 25, 2010</td>
<td>............</td>
<td>............</td>
<td>Jan. 26, 2010</td>
<td>Jan. 25, 2010</td>
<td>127</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the &quot;1st Lieutenant Louis Allen Post Office.&quot;</td>
<td>H.R. 2877</td>
<td>June 15, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
<td>........................</td>
<td>0 Oct. 13, 2010</td>
<td>129</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 9810 Hills Ferry Road in St. Louis, Missouri, as the &quot;Coach Jodie Bailey Post Office Building.&quot;</td>
<td>H.R. 3072</td>
<td>June 26, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
<td>........................</td>
<td>0 July 29, 2009</td>
<td>130</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the &quot;Army Specialist Jeremiah Paul McCleery Post Office Building.&quot;</td>
<td>H.R. 3319</td>
<td>July 23, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
<td>........................</td>
<td>0 Oct. 20, 2009</td>
<td>131</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the &quot;Patricia D. McGinty-Juhl Post Office Building.&quot;</td>
<td>H.R. 3539</td>
<td>Sept. 8, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
<td>........................</td>
<td>0 Nov. 16, 2009</td>
<td>132</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the &quot;W. Hazeen Hillyard Post Office Building.&quot;</td>
<td>H.R. 3767</td>
<td>Oct. 8, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
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<td>0 Nov. 16, 2009</td>
<td>134</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the &quot;Corporal Joseph A. Tomei Post Office Building.&quot;</td>
<td>H.R. 3788</td>
<td>Oct. 13, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Dec. 17, 2009</td>
<td>........................</td>
<td>0 Nov. 6, 2009</td>
<td>135</td>
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<tr>
<td>To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.</td>
<td>H.R. 4508</td>
<td>Jan. 26, 2010</td>
<td>SB</td>
<td>........................</td>
<td>........................</td>
<td>Jan. 27, 2010</td>
<td>136</td>
</tr>
<tr>
<td>To amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes.</td>
<td>H.R. 1377</td>
<td>Mar. 6, 2009</td>
<td>VA VA</td>
<td>Mar. 26, 2009</td>
<td>55</td>
<td>Mar. 30, 2009</td>
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<td>Committee(s)</td>
<td>Subcommittee(s)</td>
<td>Date</td>
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</table>

To provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

To strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

To extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.

To provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

To extend the pilot program for volunteer groups to obtain criminal history background checks.

To provide for a temporary extension of certain programs, and for other purposes.

To make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

To make certain technical and conforming amendments to the Lanham Act.

Entitled The Patient Protection and Affordable Care Act.

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

To permit the use of previously appropriated funds to extend the Small Business Loan Guarantee Program, and for other purposes.

To reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes.

To provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).
<table>
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<tr>
<th>Title</th>
<th>Bill No.</th>
<th>Date introduced</th>
<th>Committee</th>
<th>Date Reported</th>
<th>Report No.</th>
<th>Date of passage</th>
<th>Public Law</th>
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<tbody>
<tr>
<td>To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.</td>
<td>H.R. 4957</td>
<td>Mar. 25, 2010</td>
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<td>Mar. 25, 2010</td>
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<td>To prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.</td>
<td>S. 1147</td>
<td>May 21, 2009</td>
<td>Jud</td>
<td>Nov. 19, 2009</td>
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<td>Mar. 17, 2010</td>
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<td>To protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census.</td>
<td>H.R. 4621</td>
<td>Feb. 9, 2010</td>
<td>OGR HS&amp;GA</td>
<td>Mar. 10, 2010</td>
<td>Mar. 26, 2010</td>
<td>Apr. 7, 2010</td>
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<td>To provide a temporary extension of certain programs, and for other purposes.</td>
<td>H.R. 4851</td>
<td>Mar. 16, 2010</td>
<td>WM Bud E&amp;L EC FS Jud TI OGR</td>
<td>Mar. 17, 2010</td>
<td>Apr. 15, 2010</td>
<td>Apr. 15, 2010</td>
<td>157</td>
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<tr>
<td>To urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.</td>
<td>H.R. 4573</td>
<td>Feb. 2, 2010</td>
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<td>Mar. 10, 2010</td>
<td>Mar. 26, 2010</td>
<td>Apr. 26, 2010</td>
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<tr>
<td>To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.</td>
<td>H.R. 4887</td>
<td>Mar. 19, 2010</td>
<td>WM Fin</td>
<td>Mar. 20, 2010</td>
<td>Apr. 12, 2010</td>
<td>Apr. 26, 2010</td>
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<tr>
<td>To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.</td>
<td>H.R. 5147</td>
<td>Apr. 27, 2010</td>
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<td>Apr. 28, 2010</td>
<td>Apr. 28, 2010</td>
<td>Apr. 30, 2010</td>
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<td>To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.</td>
<td>S. 3253</td>
<td>Apr. 22, 2010</td>
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<td>Apr. 27, 2010</td>
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<td>Apr. 30, 2010</td>
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<td>H.R. 5146</td>
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To amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

To designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles R. Soles, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

To provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

To designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center''.

To provide improvements for the operations of the Federal courts, and for other purposes.

To extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

To support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

To clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

To provide improvements for the operations of the Federal courts, and for other purposes.

To extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

To designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".
<table>
<thead>
<tr>
<th>Title</th>
<th>Bill No.</th>
<th>Date introduced</th>
<th>Committee</th>
<th>Date Reported</th>
<th>Report No.</th>
<th>Date of passage</th>
<th>Public Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>To provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo.</td>
<td>H.R. 5139</td>
<td>Apr. 26, 2010</td>
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<td>May 19, 2010</td>
<td>June 8, 2010</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the “Private First Class Garfield M. Langhorn Post Office Building”.</td>
<td>H.R. 3250</td>
<td>July 17, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
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<td>May 14, 2010</td>
<td>June 9, 2010</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the “George Kell Post Office”.</td>
<td>H.R. 3634</td>
<td>Sept. 23, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
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<td>May 25, 2010</td>
<td>June 9, 2010</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the “E.V. Wilkins Post Office”.</td>
<td>H.R. 3892</td>
<td>Oct. 21, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
<td></td>
<td>May 25, 2010</td>
<td>June 9, 2010</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the “Ann Marie Blake Post Office”.</td>
<td>H.R. 4017</td>
<td>Nov. 4, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
<td></td>
<td>May 25, 2010</td>
<td>June 9, 2010</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the “Congresswoman Jan Meyers Post Office Building”.</td>
<td>H.R. 4095</td>
<td>Nov. 17, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
<td></td>
<td>May 25, 2010</td>
<td>June 9, 2010</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the “Sergeant Matthew L. Ingram Post Office”.</td>
<td>H.R. 4139</td>
<td>Nov. 19, 2009</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
<td></td>
<td>May 25, 2010</td>
<td>June 9, 2010</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the “Sergeant Christopher R. Hrbek Post Office Building”.</td>
<td>H.R. 4547</td>
<td>Jan. 27, 2010</td>
<td>OGR HS&amp;GA</td>
<td>May 18, 2010</td>
<td></td>
<td>May 25, 2010</td>
<td>June 9, 2010</td>
</tr>
</tbody>
</table>
To amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
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</thead>
</table>

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

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
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</tr>
</thead>
</table>

To provide a physician payment update, to provide pension funding relief, and for other purposes.

<table>
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<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
</table>

To designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the “Roy Rondeno, Sr. Post Office Building”.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
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</thead>
</table>

To provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. 3473</td>
<td>June 17, 2010</td>
<td>EPW</td>
<td>June 29, 2010</td>
<td>June 17, 2010</td>
<td>June 30, 2010</td>
</tr>
</tbody>
</table>

To amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
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</thead>
</table>

To amend the National Flood Insurance Program until September 30, 2010.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
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</thead>
</table>

To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
</table>

To amend the Internal Revenue Code of 1986 to extend the homeowner tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
</table>

To amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
</table>

To reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
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</thead>
</table>

Recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

<table>
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<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
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</table>

To permanently authorize Radio Free Asia, and for other purposes.

<table>
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<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
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</table>

To provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

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<tr>
<th>Bill</th>
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<tbody>
<tr>
<td>S. 3473</td>
<td>June 17, 2010</td>
<td>EPW</td>
<td>June 29, 2010</td>
<td>June 30, 2010</td>
<td>July 2, 2010</td>
</tr>
</tbody>
</table>

To amend the Economic Stabilization Act of 2008 to extend the authority of the Troubled Asset Relief Program for 180 days, and for other purposes.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
</table>

To provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

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<tr>
<th>Bill</th>
<th>Date</th>
<th>Committee</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
<td>Bill No.</td>
<td>Date introduced</td>
<td>Committee</td>
<td>Date Reported</td>
<td>Report No.</td>
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</tr>
<tr>
<td>To amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.</td>
<td>H.R. 4213</td>
<td>Dec. 7, 2009</td>
<td>WM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.</td>
<td>H.R. 689</td>
<td>Jan. 26, 2009</td>
<td>ENR</td>
<td>May 14, 2009</td>
<td>143</td>
</tr>
<tr>
<td>To amend title 46, United States Code, to establish requirements to ensure the safety of passengers and crew on cruise vessels, and for other purposes.</td>
<td>H.R. 3360</td>
<td>July 28, 2009</td>
<td>TI</td>
<td>Nov. 7, 2009</td>
<td>332</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the 'Clarence D. Lumpkin Post Office'.</td>
<td>H.R. 4840</td>
<td>Mar. 12, 2010</td>
<td>OGR</td>
<td>May 18, 2010</td>
<td>0</td>
</tr>
<tr>
<td>To protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.</td>
<td>H.R. 723</td>
<td>Jan. 27, 2009</td>
<td>NR</td>
<td>Jan. 13, 2010</td>
<td>397</td>
</tr>
<tr>
<td>Making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes.</td>
<td>H.R. 4899</td>
<td>Mar. 21, 2010</td>
<td>App</td>
<td>May 14, 2010</td>
<td>188</td>
</tr>
<tr>
<td>To provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.</td>
<td>H.R. 5610</td>
<td>June 28, 2010</td>
<td>E&amp;L</td>
<td>June 30, 2010</td>
<td>27</td>
</tr>
<tr>
<td>To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.</td>
<td>H.R. 5849</td>
<td>July 26, 2010</td>
<td>SB</td>
<td>July 27, 2010</td>
<td>27</td>
</tr>
<tr>
<td>To modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.</td>
<td>S. 3572</td>
<td>May 13, 2010</td>
<td>EPW</td>
<td>June 18, 2010</td>
<td>209</td>
</tr>
<tr>
<td>To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program grant authority and to improve airline safety, and for other purposes.</td>
<td>H.R. 5900</td>
<td>July 28, 2010</td>
<td>TI</td>
<td>July 29, 2010</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Title</td>
<td>Sponsor</td>
<td>Ref.</td>
<td>Committee</td>
<td>Date</td>
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</tr>
<tr>
<td>4861</td>
<td>To designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the “Steve Goodman Post Office Building”;</td>
<td>H.R.</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>June 29, 2010</td>
</tr>
<tr>
<td>5051</td>
<td>To designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the “Zachary Smith Post Office Building”;</td>
<td>H.R.</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>June 29, 2010</td>
</tr>
<tr>
<td>5099</td>
<td>To designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the “Michael C. Rothberg Post Office”;</td>
<td>H.R.</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>June 29, 2010</td>
</tr>
<tr>
<td>1789</td>
<td>To restore fairness to Federal cocaine sentencing.</td>
<td>S.</td>
<td>EC</td>
<td>ENR</td>
<td>Mar. 15, 2010</td>
</tr>
<tr>
<td>1053</td>
<td>To amend the National Law Enforcement Museum Act to extend the termination date;</td>
<td>S.</td>
<td>NR</td>
<td>ENR</td>
<td>Mar. 2, 2010</td>
</tr>
<tr>
<td>2765</td>
<td>To amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.</td>
<td>H.R.</td>
<td>Jud</td>
<td>Jud</td>
<td>June 15, 2009</td>
</tr>
<tr>
<td>1749</td>
<td>To amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.</td>
<td>S.</td>
<td>Jud</td>
<td>Jud</td>
<td>Feb. 2, 2010</td>
</tr>
<tr>
<td>1586</td>
<td>To modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes.</td>
<td>H.R.</td>
<td>WM</td>
<td></td>
<td>Mar. 18, 2009</td>
</tr>
<tr>
<td>4380</td>
<td>To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.</td>
<td>H.R.</td>
<td>WM</td>
<td></td>
<td>Dec. 16, 2009</td>
</tr>
<tr>
<td>5872</td>
<td>To provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development.</td>
<td>H.R.</td>
<td>FS</td>
<td>BHUA</td>
<td>July 27, 2010</td>
</tr>
<tr>
<td>5981</td>
<td>To increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes.</td>
<td>H.R.</td>
<td>FS</td>
<td>BHUA</td>
<td>July 30, 2010</td>
</tr>
<tr>
<td>Title</td>
<td>Bill No.</td>
<td>Date introduced</td>
<td>Committee</td>
<td>Date Reported</td>
<td>Report No.</td>
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</tr>
<tr>
<td>To authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.</td>
<td>H.R. 511</td>
<td>Jan. 14, 2009</td>
<td>Agr ANF</td>
<td>Sept. 10, 2009</td>
<td>253</td>
</tr>
<tr>
<td>To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.</td>
<td>H.R. 2097</td>
<td>Apr. 23, 2009</td>
<td>FS BHUA</td>
<td>Sept. 9, 2009</td>
<td>232</td>
</tr>
<tr>
<td>To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the &quot;John C. Godbold Federal Building&quot;.</td>
<td>H.R. 4275</td>
<td>Dec. 10, 2009</td>
<td>TI EPW</td>
<td>April 14, 2010</td>
<td>234</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the &quot;President Ronald W. Reagan Post Office Building&quot;.</td>
<td>H.R. 5278</td>
<td>May 12, 2010</td>
<td>OGR HS&amp;GA</td>
<td>June 9, 2010</td>
<td>Aug. 16, 2010</td>
</tr>
<tr>
<td>To designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the &quot;Paula Hawkins Post Office Building&quot;.</td>
<td>H.R. 5352</td>
<td>June 17, 2010</td>
<td>WM</td>
<td>Aug. 5, 2010</td>
<td>Aug. 16, 2010</td>
</tr>
<tr>
<td>To amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.</td>
<td>S. 3656</td>
<td>July 27, 2010</td>
<td>Agr ANF</td>
<td>Sept. 15, 2010</td>
<td>239</td>
</tr>
<tr>
<td>To provide for the issuance of a Multi-national Species Conservation Funds Semipostal Stamp.</td>
<td>H.R. 5297</td>
<td>May 13, 2010</td>
<td>FS</td>
<td>Sept. 16, 2010</td>
<td>240</td>
</tr>
<tr>
<td>Making continuing appropriations for fiscal year 2011, and for other purposes.</td>
<td>H.R. 1454</td>
<td>Mar. 12, 2009</td>
<td>NR HS&amp;GA</td>
<td>Sept. 29, 2010</td>
<td>241</td>
</tr>
<tr>
<td>To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the &quot;James Chaney, Andrew Goodman, and Michael Schwerner Federal Building&quot;.</td>
<td>H.R. 3562</td>
<td>Sept. 14, 2009</td>
<td>TI EPW</td>
<td>Sep. 30, 2010</td>
<td>242</td>
</tr>
</tbody>
</table>

Conversational Note:

The table includes various bills introduced and passed through different committees and with different dates of introduction and report. Each bill has a specific purpose, such as authorizing the Secretary of Agriculture to terminate easements, requiring the Treasury to mint commemorative coins, reauthorizing agricultural mediation programs, and designating federal buildings. The dates range from January 14, 2009, to September 27, 2010, with various committees and report numbers listed for each. The Public Law numbers range from 231 to 242.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Date of Action</th>
<th>Committee</th>
<th>Vote</th>
<th>Action Date</th>
<th>Vote Date</th>
<th>Floor Action Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Bill No.</td>
<td>Date introduced</td>
<td>Committee</td>
<td>Date Reported</td>
<td>Report No.</td>
<td>Date of passage</td>
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</tr>
<tr>
<td>To amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.</td>
<td>S. 3717</td>
<td>Aug. 5, 2010</td>
<td>Jud</td>
<td>...............</td>
<td>Sept. 16, 2010</td>
<td>...............</td>
</tr>
<tr>
<td>To require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.</td>
<td>H.R. 553</td>
<td>Jan. 15, 2009</td>
<td>HS</td>
<td>May 27, 2010</td>
<td>200</td>
<td>Feb. 3, 2009</td>
</tr>
<tr>
<td>To increase the access of persons with disabilities to modern communications, and for other purposes.</td>
<td>S. 3304</td>
<td>May 4, 2010</td>
<td>CST</td>
<td>Aug. 3, 2010</td>
<td>386</td>
<td>Sept. 28, 2010</td>
</tr>
<tr>
<td>To require the Secretary of the Treasury to mint coins in recognition of 5 United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry “Hap” Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 152nd Anniversary of the founding of the United States Army Command and General Staff College.</td>
<td>H.R. 1177</td>
<td>Feb. 25, 2009</td>
<td>FS</td>
<td>May 20, 2010</td>
<td>..............</td>
<td>Sept. 28, 2010</td>
</tr>
<tr>
<td>To provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.</td>
<td>S. 2868</td>
<td>Dec. 10, 2009</td>
<td>OGR</td>
<td>Sept. 14, 2010</td>
<td>587</td>
<td>May 17, 2010</td>
</tr>
<tr>
<td>To implement certain defense trade cooperation treaties, and for other purposes.</td>
<td>S. 3847</td>
<td>Sept. 27, 2010</td>
<td>..............</td>
<td>..............</td>
<td>..............</td>
<td>..............</td>
</tr>
<tr>
<td>To authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.</td>
<td>S. 3729</td>
<td>Aug. 5, 2010</td>
<td>CST</td>
<td>Aug. 5, 2010</td>
<td>278</td>
<td>Sept. 29, 2010</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Date</td>
<td>Committee</td>
<td>Sponsor</td>
<td>Description</td>
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<tr>
<td>H.R. 3553</td>
<td>Sept. 10, 2009</td>
<td>FS</td>
<td>IA</td>
<td>To exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.R. 3689</td>
<td>Oct. 1, 2009</td>
<td>NR</td>
<td>ENR</td>
<td>To provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.R. 3980</td>
<td>Nov. 2, 2009</td>
<td>HS</td>
<td>HS&amp;GA</td>
<td>To provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S. 1132</td>
<td>May 21, 2009</td>
<td>Jud</td>
<td>Jud</td>
<td>To amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.</td>
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<tr>
<td>S. 3397</td>
<td>May 24, 2010</td>
<td>EC</td>
<td>Jud</td>
<td>To amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.</td>
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<td>H.R. 946</td>
<td>Feb. 10, 2009</td>
<td>OGR</td>
<td></td>
<td>To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.</td>
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<tr>
<td>H.R. 3219</td>
<td>July 15, 2009</td>
<td>VA</td>
<td>VA</td>
<td>To amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.</td>
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<tr>
<td>H.R. 4543</td>
<td>Jan. 27, 2010</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>To designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the “Anthony J. Cortese Post Office Building”.</td>
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<td>H.R. 5341</td>
<td>May 19, 2010</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>To designate the facility of the United States Postal Service located at 100 Ondorf Drive in Brighton, Michigan, as the “Joyce Rogen Post Office Building”.</td>
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<td>H.R. 5390</td>
<td>May 25, 2010</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>To designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the “David John Donafee Post Office Building”.</td>
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<td>H.R. 5450</td>
<td>May 27, 2010</td>
<td>OGR</td>
<td>HS&amp;GA</td>
<td>To designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the “Tom Bradley Post Office Building”.</td>
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<td>H.R. 6200</td>
<td>Sept. 23, 2010</td>
<td>WM</td>
<td></td>
<td>To amend part A of title XI of the Social Security Act to provide for a 1-year extension of the authorizations for the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program.</td>
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<tr>
<td>H.R. 3619</td>
<td>Sept. 22, 2009</td>
<td>TI</td>
<td>HS</td>
<td>To authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.</td>
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<td>Title</td>
<td>Bill No.</td>
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<td>To transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.</td>
<td>S. 1510</td>
<td>July 23, 2009</td>
<td>OGR HS&amp;GA</td>
<td>Oct. 5, 2009</td>
<td>86</td>
<td>June 28, 2010</td>
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<tr>
<td>To amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.</td>
<td>S. 3196</td>
<td>Apr. 15, 2010</td>
<td>HS&amp;GA</td>
<td>Aug. 2, 2010</td>
<td>259</td>
<td>Sept. 30, 2010</td>
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<tr>
<td>To designate a mountain and icefield in the State of Alaska as the 'Mount Stevens' and 'Ted Stevens Icefield', respectively.</td>
<td>S. 3802</td>
<td>Sept. 20, 2010</td>
<td>NR ENR</td>
<td>Sept. 30, 2010</td>
<td>239</td>
<td>Sept. 24, 2010</td>
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<tr>
<td>To designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the 'Navy Corporman Jeffrey L. Wiener Post Office Building'.</td>
<td>S. 3567</td>
<td>July 12, 2010</td>
<td>OGR HS&amp;GA</td>
<td>July 28, 2010</td>
<td>0</td>
<td>Nov. 16, 2010</td>
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<tr>
<td>Appointing the day for the convening of the first session of the One Hundred Twelfth Congress.</td>
<td>S.J. Res. 40</td>
<td>Nov. 15, 2010</td>
<td></td>
<td>Nov. 17, 2010</td>
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<td>Making further continuing appropriations for fiscal year 2011, and for other purposes.</td>
<td>H.J. Res. 101</td>
<td>Nov. 30, 2010</td>
<td>App</td>
<td>Dec. 1, 2010</td>
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<td>This Act may be cited as 'The Claims Settlement Act of 2010...'.</td>
<td>H.R. 4783</td>
<td>Mar. 9, 2010</td>
<td>WM Fin</td>
<td>Mar. 10, 2010</td>
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<td>To require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes.</td>
<td>H.R. 1722</td>
<td>Mar. 25, 2009</td>
<td>OGR HS&amp;GA</td>
<td>July 14, 2010</td>
<td>474</td>
<td>Sept. 29, 2010</td>
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<td>To provide for adjustment of status for certain Haitian orphans paneled into the United States after the earthquake of January 12, 2010.</td>
<td>H.R. 5283</td>
<td>May 12, 2010</td>
<td>Jud</td>
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<td>To amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.</td>
<td>H.R. 5566</td>
<td>June 22, 2010</td>
<td>Jud</td>
<td>July 19, 2010</td>
<td>549</td>
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<td>To clarify, improve, and correct the laws relating to copyrights.</td>
<td>S. 3689</td>
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<td>To reauthorize child nutrition programs, and for other purposes.</td>
<td>S. 3307</td>
<td>May 5, 2010</td>
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<td>To designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the 'Winston E. Arnow Federal Building'.</td>
<td>H.R. 4387</td>
<td>Dec. 16, 2009</td>
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<td>To amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes.</td>
<td>H.R. 6184</td>
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<td>To amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors.</td>
<td>S. 3987</td>
<td>Nov. 30, 2010</td>
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<td>Dec. 7, 2010</td>
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<td>Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.</td>
<td>H.R. 3082</td>
<td>June 26, 2009</td>
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<tr>
<td>To transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.</td>
<td>H.R. 1061</td>
<td>Feb. 13, 2009</td>
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<td>Oct. 21, 2009</td>
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</table>

To amend the National Children’s Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

To make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

To amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

To redesignate the Longfellow National Historic Site, Massachusetts, as the Longfellow House-Washington’s Headquarters National Historic Site.

To authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

To authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

To amend and extend the Child Safety Pilot Program.

To require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts.
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<td>To extend trade adjustment assistance and certain trade preference</td>
<td>H.R. 6517</td>
<td>Dec. 13, 2010</td>
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<td>House 111-</td>
<td>Dec. 15, 2010</td>
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<td>programs, to amend the Harmonized Tariff Schedule of the United</td>
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<td>States to modify temporarily certain rates of duty, and for other</td>
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<td>Dec. 29, 2010</td>
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<td>To protect consumers from certain aggressive sales tactics on the</td>
<td>S. 3386</td>
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<td>To extend certain expiring provisions providing enhanced protections</td>
<td>S. 4058</td>
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<td>for servicemembers relating to mortgages and mortgage</td>
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<td>Senate 111-</td>
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<td>To amend the Public Health Service Act to extend and improve</td>
<td>H.R. 847</td>
<td>Feb. 4, 2009</td>
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<td>terrorist attack in New York City on September 11, 2001, and for other</td>
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<td>To amend the High Seas Driftnet Fishing Moratorium Protection Act and</td>
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<td>the Magnuson-Stevens Fishery Conservation and Management Act to</td>
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<td>improve the conservation of sharks.</td>
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<td>courts to encourage enhancement of expertise in patent cases</td>
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<td>To enact certain laws relating to public contracts as title 41,</td>
<td>H.R. 1107</td>
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<td>To amend the Robert T Stafford Disaster Relief and Emergency</td>
<td>H.R. 1746</td>
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<td>Assistance Act to reauthorize the pre-disaster mitigation program</td>
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<td>To require quarterly performance assessments of Government programs</td>
<td>H.R. 2142</td>
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<td>for purposes of assessing agency performance and improvement,</td>
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<td>To establish agency performance improvement officers and the</td>
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<td>To amend the Federal Food, Drug, and Cosmetic Act with respect</td>
<td>H.R. 2751</td>
<td>June 8, 2009</td>
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<td>to the safety of the food supply.</td>
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<td>as Indian country certain lands held in trust for Indian pueblos</td>
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<td>H.R. 4602</td>
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<td>at 1332 Sharon Copley Road in Sharon Center, Ohio, as the &quot;Emil</td>
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<td>Bolas Post Office&quot;.</td>
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<td>To direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.</td>
<td>S. 841</td>
<td>Apr. 21, 2009</td>
<td>EC</td>
<td>Dec. 16, 2010</td>
<td>373</td>
<td>Dec. 17, 2010</td>
<td>Jan. 4, 2011</td>
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<td>To require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.</td>
<td>S. 3243</td>
<td>Apr. 21, 2010</td>
<td>HS</td>
<td>Dec. 17, 2010</td>
<td>376</td>
<td>Dec. 21, 2010</td>
<td>Sept. 28, 2010</td>
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TABLE OF COMMITTEE ABBREVIATIONS

AG ........Aging
Agr ........Agriculture
ANF ........Agriculture, Nutrition, and Forestry
App ........Appropriations
AS-H ........Armed Services (House)
AS-S ........Armed Services (Senate)
BHUA ........Banking, Housing, and Urban Affairs
Bud ........Budget
CST ........Commerce, Science, and Transportation
E&L ........Education and Labor
EC ........Energy and Commerce
EIGW ........Energy Independence and Global Warming
ENR ........Energy and Natural Resources
EPW ........Environment and Public Works
ETH ........Ethics
Fin ........Finance
FS ........Financial Services
FA ........Foreign Affairs
FR ........Foreign Relations
HEL&P ........Health, Education, Labor and Pensions
HS ........Homeland Security
H&GA ........Homeland Security and Governmental Affairs
HA ........House Administration
IA ........Indian Affairs
Int ........Intelligence
Jud ........Judiciary
NR ........Natural Resources
OGR ........Oversight and Government Reform
R ........Rules
RAdm ........Rules and Administration
Sci ........Science and Technology
SB ........Small Business
SBE ........Small Business and Entrepreneurship
SOC ........Standards of Official Conduct
TI ........Transportation and Infrastructure
VA ........Veterans' Affairs
WM ........Ways and Means

NOTE. –The bill in parentheses is a companion measure.
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