United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, FEBRUARY 10, 2009 No. 27

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 10, 2009.

I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

FINDING A CREDIBLE APPROACH TO THE ECONOMIC CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 1 minute.

Mr. WOLF. Madam Speaker, this is an ad that appeared in newspapers around the country. It is an iceberg. We can see what is going to happen. It says:

''Today's economic crisis is just the tip of the iceberg.

''$56 trillion.

''We must focus on a much larger yet less visible threat: the $56 trillion in liabilities and unfunded retirement and health care obligations (that's $483,000 per U.S. household), and the dangerous reliance on foreign lenders that threaten our ship of state.

''Fortunately, the Obama administration and a growing number of congressional leaders recognize the urgent need to address these challenges with entitlement, budget, spending, and tax reforms. We believe a capable and credible approach is necessary: an action-oriented, bipartisan commission that will engage the American people, that will consider all options and that will make sensible recommendations that will be guaranteed to be put to a vote in Congress.

''Meeting today's challenges is very important, but addressing these structural challenges is crucial to navigating a better future for our children and grandchildren.''

The question is, Madam Speaker, will this Congress deal with the greatest economic crisis that we have faced for the last 50 years?

HONORING THE LIFE OF JOHN FETCHER

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

Mr. SALAZAR. Madam Speaker, I rise today to pay tribute to a true icon of Colorado, Mr. John R. Fetcher. John Fetcher passed away on Friday, February 6, 2009. He was 97 years old.

I saw John Fetcher just last week at the Colorado Water Congress meeting in Denver. He was a mentor to me, and he epitomized the phrase ''the stuff that legends are made of.''

In 1949, John decided to move to northwest Colorado where he settled on the Elk River outside of Steamboat Springs. A Harvard-trained engineer and a rancher at heart, John Fetcher made his mark on Colorado by building reservoirs, by managing water districts and by bringing what is now the Steamboat Ski Area into the modern age.

Fetcher was a pioneer in the ski industry. He designed and tested the first metal ski; he revolutionized the building of ski jumps and ski areas, and he was elected to the Colorado Ski and Snowboard Hall of Fame.

However, it was John's work of preserving the water of the Yampa Valley that he claimed as his most successful accomplishment. In a 2006 interview and at 96 years young, he explained, ''If they take our water, we're out of business. It's that simple.'' He understood, perhaps more than anyone I have ever met, that water truly is the lifeblood of the West.

In the 1970s, he led the effort to build the Yamcolo Reservoir, calling it a ''godsend to the ranchers.'' He followed his effort with the creation of Steamboat Lake and Stagecoach Reservoir, complete with a small hydro-powered plant.

Throughout his career, John Fetcher created, managed and continued to work with local water and sewer districts such as the Mount Werner Sewer and Water District and the Upper Yampa River Water Conservancy District. Fetcher also served two terms as a member of the Colorado Water Conservation Board from 1970 to 1980. A farmer and rancher himself, John was connected to the land and knew the value of a hard day's work.

Last year, I was shocked to pick up the paper and see the headline blare ''Fletcher to semi-retire.'' He was 96 years old at the time. I guess he had the right to switch only to part-time work.

Colorado lost a legend on Friday—a lover of life, a caretaker of our precious land and water, a tireless worker, a pioneer in the ski industry, a rancher, a devoted public servant, and a loving father and grandfather. He was one of the finest men whom I have ever met. He will be missed but never forgotten, having left a legacy that will live on for generations to come.

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Madam Speaker, my heart goes out to John's family.

HONORING WINSTON STRICKLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. GINGREY) for 1 minute.

Mr. GINGREY of Georgia. Madam Speaker, in celebration of Black History Month, I want to recognize African Americans from throughout Georgia's 11th Congressional District who have had a major impact on their community.

Today, I rise to honor Winston Strickland of Marietta, Georgia. Winston, known to most Cobb County residents as ''Strick,'' has been a cornerstone of the business community for more than 40 years. Marietta residents have likely frequented one of Winston Strickland's establishments—including Strick's Barber Shop, Strick's Grill, as well as his successful Laundromat.

In addition to Winston Strickland's many accomplishments in the business world, he has also had a major impact on the youth of his community in helping to found the Cobb organization of Blacks United for Youth. This community organization builds positive relationships between young people and officials in the school system and in the business community through mentorship programs and the Leadership Academy. The organization has provided more than $100,000 in college scholarships to local youth.

Last year, Blacks United for Youth honored Strickland by renaming their annual Making a Difference Award the ''Winston M. Strickland 'Making a Difference' Award.'' Strickland has also been honored as the Citizen of the Year by the Alpha Phi Alpha and Omega Psi Phi fraternities.

Winston Strickland strives to be a man of peace who helps others, and he is a role model for the community. He is one who, through his commitment to God, family and community service, can help bridge the gap between those in need and those who are willing and able to provide assistance.

I ask that my colleagues join me in thanking Winston M. Strickland for his leadership and service to Cobb County and for his commitment to improving his community.

THE FAILURES OF TARP

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

Mr. DEFAZIO. I have concerns about the new plan by Treasury Secretary Geithner. Now, he is not explicitly asking the Congress for more TARP money. In fact, the Senate already gave him $350 billion more of TARP money, but they are tapping the Federal Reserve, in addition to that $350 billion, for hundreds of billions of dollars for his new plan.

As the New York Times says, ''For all of its boldness, the plan largely repeats the Bush administration's approach of deferring to many of the same companies and executives who peddled risky loans and investments at the heart of the crisis.'' That's right. The people who have gotten us into this and who have enriched themselves are the people who are going to protect the taxpayers and who are going to get us out of this. I don't believe that.

Some of the most glaring deficiencies of his plan are the so-called restraints on the obscene executive compensations. They are a pale shadow of what they could be. There was one good provision in TARP that almost everybody missed. It said that, if Congress passes a law, all of the past TARP agreements—all of them—will have to be brought in compliance of that law. We could get back the money they paid out in bonuses if we pass a law to do that. I would suggest Mr. Geithner should ask, but if he will not ask, we should still pass the law and begin to make taxpayers whole.

Beyond that, instead of tapping the taxpayers and borrowing money, the other tremendous failure is to put in place a mechanism to pay for this in the names of the American taxpayers in this generation and in the two generations to come.

A modest imposition of a transfer tax—something we had from 1917, it was doubled during the Great Depression and only expired in the sixties—a transfer tax of up to one-quarter of 1 percent, something the British have on the London Exchange, would raise about $150 billion a year.

Wall Street—those scions of ''lift yourselves up by the bootstraps; we are capitalist types''—could pay for their own bailout. Now, there are a couple of things wrong with the proposal. One is it would hurt some speculators. Of course, people seem to think there is some value in speculators because some of them trade on one-tenth of 1 percent or less margin 100 or 1,000 times a day. It wouldn't hurt people whose 401(k)s have already been decimated. In fact, it would stabilize the markets, and it wouldn't put the taxpayers on the hook. It would be Wall Street on the hook. Now, I don't know what is wrong with that. I don't think Main Street America thinks there is anything wrong with that, but somehow, downtown at the Treasury, Mr. Geithner and, obviously, Wall Street think that's wrong.

So let's protect the taxpayers. Let's raise the money from Wall Street, itself, and let's put in meaningful and punitive restrictions on executive compensation, and if they want to go work somewhere else, good luck to them. Mr. Geithner said, ''Oh, they'll all go work for foreign banks.'' Good. Maybe they'll ruin the foreign banks, too, and that will give us a competitive advantage in the future when we grow our small- and medium-sized banks that didn't gamble like these jerks on Wall Street.

THE CONTRASTING RESPONSE TO THE COLLAPSE OF THE JAPANESE AND SWEDISH FINANCIAL SYSTEMS

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, in light of the announcement of the Treasury Secretary of a new version of the financial rescue package, I wish to consider a broader context, historical context, perhaps, to gain a better understanding of how we may best serve our efforts to stabilize our banking system and unlock credit for our path to economic recovery.

In a recent report by the IMF, there have been a number of financial crises in the postwar era indicated. However, two examples stand out as relevant to our own difficulties. During the past decade, Japan and Sweden suffered financial and economic trauma that involved substantial similarities to the current challenges facing us. However, it is the nature of the very distinct responses of these two nations which warrant our attention.

Charles Kindleberger, in his classic work ''Manias, Panics, and Crashes,'' explains the situation confronting Japan in the early 1990s. The bubble in Japan reached its crescendo in 1989. Real estate prices had been skyrocketing, and the banks even developed new financial instruments like the 100-year, three-generation mortgage. In a story that sounds all too familiar, when the bubble burst, Japanese bank loans slowed, and as the availability of credit declined, distressed sales caused real estate prices to decline. By 1991, stock prices had fallen by 60 percent, and it was not until 2003 that the stock prices in Japan returned to the level that they had been 20 years earlier.

To put this into perspective, it will be remembered that seven out of 10 of the world's largest banks were Japanese at the beginning of the 1990s. Before the decade was over, these financial giants were insolvent. They remained in business only because of an understanding that the Japanese government would keep them afloat.

One of the reasons the comparison of the Japanese and Swedish financial bubbles is helpful to us is that it reflects the role of an increasingly intertwined global economy. As Kindleberger points out, the bubble in Sweden was largely affected by the offshore branches of banks headquartered in Tokyo and Osaka. The surge in the flow of loans from these banks led to the increase in real estate and stocks in Sweden. Before all was said and done, the price of real estate in Sweden was to rise even faster than it did in Japan.

In a presentation of the Kansas City Federal Reserve Bank, Sweden's former Central Bank chairman, Urban Backstrom, pointed to a number of factors which led to the Swedish bubble—

an expansionary monetary policy similar to pre-bubble Japan, a tax policy that favored borrowing, sizable current account deficits, and an explosion of Swedish debt.

Within 5 years, the rate of debt to the gross domestic product rose from 85 percent to 135 percent. This credit boom led to a resulting boom in real estate prices. The speculative bubble had been created, and the Swedish economy became vulnerable to an implosion.

□ 1245

In seeking to rectify policies that had led to high inflation and high nominal interest rates, asset prices began to fall and economic activity headed south. Between the summers of 1990 and 1993, Swedish GDP dropped by 6 percent, unemployment rose to 12 percent, and the banking sector had loan losses of 12 percent of the gross domestic product. What is perhaps most instructive is for us to consider how differently these two nations responded.

The response of the Japanese government was largely predicated on the ''understanding'' that it would keep the banks afloat. The absence of any systematic overarching policy framework led to what could be best characterized as an ad hoc approach. And as a consequence, the Japanese financial system consisted of a large number of ''zombie banks'' which had the effect of undermining the confidence in the banking system. Furthermore, this unwillingness to address the reality of insolvent institutions rendered the banking system as a whole insolvent.

The response of the Swedish government to its financial collapse contains noteworthy contrast. This was explained by Swedish Central Bank Chairman Urban Backstrom. Due to the serious nature of the Swedish financial crisis, efforts were made to maintain the bank system's liquidity. Significant emphasis was given to the need for transparency and a realistic disclosure of expected loan losses. Banks applying for support had their assets valued by the Bank Support Authority using uniform criteria. In order to minimize the problem of moral hazard, the bank guarantee provided protection from losses for all creditors except shareholders. A separate authority was set up to administer the bank guarantee and to manage the bank that faced solvency problems.

The clear distinction between the Swedish model and the Japanese model was an overarching set of rules rather than a series of ad hoc responses. In contrast to their Japanese counterparts, the Swedish government quickly wrote down the value of bad assets and did not prolong the agony for the economy. Sweden, unlike the Japanese government, did not have an understanding that insolvent banks would be forever protected. We ought to look at the Swedish model.

ECONOMIC STIMULUS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise to emphasize the important responsibility that we have in this Congress, and the responsibility is now.

I am glad to have had the opportunity to listen to my good friend and colleague from California. I believe the emphasis of his remarks is that the reordering of our economy requires a multitask effort, particularly two direct tasks: the recapitalizing of our markets, particularly our banks, which Secretary Geithner has spoken to eloquently and forcefully this morning, and as well, spending; the economic stimulus package. I think where we need to have common agreement and bipartisanship is you can't do one without the other.

So I believe it is important that we answer the question of spending. The government is the spender of last resort, not the reckless spender, but the spender that will create jobs, create jobs in Indiana and Florida where the President is traveling, and create jobs in Texas.

Yesterday I traveled to one of our work source sites, our sites where individuals are able to get information about unemployment benefits. I was able to walk through and talk to those who have been unemployed for a year or more, and now even more recently. I listened to their descriptions and their hardships of trying to find work, listening to the construction worker who came from Florida who is well skilled, 17 years of using heavy equipment, but yet cannot find a job.

Madam Speaker, we need a stimulus package that is not nickel and diming but actually is fiscally responsible by spending the money where it needs to be spent. The mayor in the small town of Indiana where the President was yesterday said we need money spent. Republicans, Democrats, Independents, this is an American issue. We need jobs created for Americans.

So I would hope as we move to conference, we will ensure that the infrastructure mark of $12 billion is in place because that will put people to work in my own city of Houston. It may create an opportunity for $180 million for the Metro system, the mobility system, to begin work, and workers utilized for utility work. Remediation work is important. It will keep the money for school renovation and repair. That is important. Keep the $10 billion for schools. We know that 598,000 jobs were lost. We now have a total of 21.6 million Americans who are unemployed or have gotten out of the system it is so bad. We need the stimulus package so 95 percent of working Americans can get tax cuts. We need it so that it creates and saves 3 to 4 million jobs, including the green energy jobs, the jobs that will allow us to green America, to produce alternative energy and be able to retrofit our buildings and save energy, the weatherization of our homes.

It will invest in renewable energy to create green jobs and promote health information technology to modernize our health system. We know how problematic it is for seniors and people with young children to go from doctor to doctor and not have those systems.

With 21.6 million Americans unemployed, we need a stimulus package that works. We also need language in the stimulus package. Do you recognize that there is no whistleblower protection for transit security offices, the TSA officers that you see that are airport screeners, they can't tell you when something wrong has happened that creates an unsafe situation, an insecure situation. We need to keep language in there that allow those individuals to be protected by whistleblower language. Why do we have people who are in security who can't tell us that the security system is failing? So I am going to argue vehemently that the language in the House bill remain to protect transit security officers at our Nation's airports so they can tell us what is wrong and what is right.

What we need most of all is to ensure that we have a stimulus package that complements the recapitalizing of our Nation's banks. We need to make sure that as the government takes some of these toxic assets, working with the private sector, we are spending money to create jobs, building highways, bridges, creating Metro systems, making sure our buildings are safe, and making sure that children can go to schools that are redone, repaired or built from the ground up.

What kind of America are we? We can put Texans back to work, and Houstonians back to work, and those from the Midwest and the East and the South. We can do it if we assure ourselves that we have the kind of effective program that is here.

What we want to do also is make work pay. We want that tax credit that provides money to the families. We want to increase the earned income tax credit and give tax relief for 60 million children through the expansion of the child tax credit. That puts money in America's hands. So today is an important day. Vote for the American people. Vote for the stimulus.

As a Representative of 18th Congressional District, I have made it a top priority to help Houstonians who have retained their jobs during this economic situation and bring jobs back to my district for those citizens who are still looking for work.

Just yesterday, I spoke to a man who lost his job in Florida and went to Houston because he heard there were jobs there. But a grim reality greeted him when he arrived. The job prospects in Houston were no better than what he faced in Florida.

In 2008, Houston's unemployment rate increased from 4.5 percent to 5.4 percent over the course of only a year. I toured an unemployment benefits office in Houston yesterday. It is understaffed and overwhelmed. On an average day, more than 100 people would visit that office. Unemployment experts expect even more job losses in Houston this year.

It is critical that Houston residents receive the tools they need to reverse the high rates of job loss and the skyrocketing mortgage foreclosure rates leaving many families helpless in our region.

Any economic stimulus bill will need to increase unemployment benefits by $25 to seriously address the economic crisis and ensure that Americans have money to live and pay their creditors. It will help families survive and put food on the table while they look for work. It is also our duty to provide up to 33 weeks of additional unemployment benefits. It will buy our citizens more time to find employment during this grim economic climate.

Retaining the House version of the increased Earned Income Tax Credits, and increased credit for the refundable portion of the Child Credit will give families some much needed tax relief to make it through this economic climate.

Children are the forgotten victims of our economic times. The Economic Stimulus Bill will help create jobs for our educators. Schools in my district in Houston are old and in need of repair. Some are at risk of being shut down. Our children are our future. They not only deserve to learn in buildings that are up to standard, but the schools also need to be modernized with high tech tools to help them compete in 2009 and beyond. We cannot forget about our children.

The House version of the stimulus bill sets aside 79-billion dollars for our Nation's schools. The money will go towards repairing and modernizing the buildings that will shape the future leaders of this country. An additional amount was set aside for school construction. School construction is critically important because it will create jobs and allow Americans to invest in the future of our children. The Senate Stimulus Bill only provides 39-billion dollars for our schools. That is almost half of the funds proposed by the House Stimulus Bill. Our children deserve better.

The story of my constituents in Houston is also the story of Americans throughout the country who are desperately trying to care for their families and make ends meet.

Last month, the U.S. lost more than 500-thousand jobs, bringing the total to 21.6 million unemployed Americans. The economy is expected to hit record lows in 2009.

According to the U.S. Bureau of Labor Statistics, America's unemployment rate rose to 7.6 percent in January. Houston's unemployment rate is not as high yet, but any amount above 4 percent full employment is a bad sign. That is unacceptable.

The Economic Recovery and Reinvestment Act is critical to avoiding an economic disaster. The Senate Bill cuts additional funding to basic public safety such as Federal aid to firefighters, the Coast Guard and officers with the Transportation Safety Administration. These are hardworking men and women who watch over the security of our homeland. They keep our families safe.

The House Stimulus Bill provides additional dollars to programs such as Head Start and Violence Against Women. The Senate bill takes dollars away from women and children, by cutting funds to these programs. As Members of Congress, there is no justification for taking dollars away from our most vulnerable citizens—none.

The Senate bill cuts federal aid to NASA, one of Houston's main employers. That means more loss of employment. We need to start creating jobs, not cut them.

This recovery package needs to become a reality with as much funding as we can spare to help our citizens. It should address the mortgage foreclosure crisis. We need to invest federal dollars into our country's infrastructure projects, particularly Houston Metro.

The Economic Stimulus Bill in both the House and Senate is not simply a wish list or an appropriations bill. It is a necessity. I am fighting to ensure that Texans get the Federal dollars needed to get citizens out of the unemployment office and back into the workforce.

HONORING DR. JEANA BRUNSON

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to take this opportunity to recognize the life and work of Dr. Jeana Brunson. Dr. Brunson was born and raised in Mobile, Alabama, a city located on the resplendent coast of the Gulf of Mexico which is best known for being the home of the first and true Mardi Gras in the Americas.

Dr. Brunson would remain in Mobile until she earned her bachelor's degree in studio art from the University of South Alabama. She then moved from her beloved Mobile to the University of Texas in Austin where she earned her certification as a teacher. Her pursuit of academia then took her to Lubbock, Texas, where she would earn her master's degree in museum science from Texas Tech University while also serving as a research assistant for the costume and textile division for the Museum of Texas Tech.

Her work in Lubbock earned her a position of cataloger and curatorial assistant for the Kansas Museum of History in Topeka, Kansas, and then on to the curator for the Camden County Historical Society in Camden, New Jersey.

The position of registrar for the Museum of Science in Tallahassee, Florida, finally brought her to the place which she has been calling home for the past 20 years. She quickly moved up the ranks as she proceeded from registrar to curator to senior curator. During her time as head of research and collections, she earned her Ph.D. in historic costume and textiles. Finally in 2001, she was able to enjoy the fruition of her labor and the realization of her dreams when she became the director and chief curator for the Museum of Florida History in Tallahassee, Florida.

From this post in Tallahassee, Madam Speaker, she has been able to collect political materials, women's suffrage materials, garments, and assorted other pieces of historical significance for a new exhibit to be produced in 2013 honoring the accomplishments of the women of my home State of Florida.

Among the honorees will be another great woman of Florida and a person whom I have always admired, a constituent of my congressional district but a person who belongs to our entire State and to our Nation, Roxcy Bolton. Roxcy Bolton is a pioneer among Florida's women. She was inducted into the Florida Women's Hall of Fame for forcing police and prosecutors to make rape crime a priority as well as illustrating to health departments the need for rape treatment centers. In fact, the rape treatment center in our public hospital in Miami-Dade Florida is named after Roxcy Bolton.

Dr. Brunson also has traveled across the country earning prestigious positions and meritorious accolades for her fine work. Each stop has had its pitfalls and its windfalls, but she has never succumbed to the temptation of acquiescence in the face of adversity. The lessons that the good doctor learned on this long road have been to the benefit of our entire Nation. As the director and chief curator for the Museum of Florida History, Dr. Brunson has become the steward of Floridian culture. She has worked tirelessly to preserve the work of courageous women, like Roxcy Bolton, so their stories can be preserved for the benefit of our next generation.

I pray that we may all learn from the examples set by Dr. Jeana Brunson, that we may never let our passions be eroded by our difficulties, and that we may persevere and never falter in the pursuit of our dreams.

Congratulations, Dr. Brunson.

A POLICY THAT DOESN'T WORK

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

Mr. MCCLINTOCK. Madam Speaker, Benjamin Franklin warned us that ''Passion governs, but she never governs wisely.''

As the Congress and the President rush to enact the latest in a long line of mega-spending bills, I think we would be well advised to spend a little more time on the dispassionate math of the matter.

The Congressional Budget Office issued a report last week that warns us, as reported by the Washington Times, that the spending bills may ''help in the short term but result in so much government debt that within a few years they would crowd out private investment, actually leading to a lower gross domestic product over the next 10 years than if the government had done nothing.''

We are already running a $1.2 trillion national deficit this year with a spending bill racing back toward this House to add another $800 billion on top of that.

Let's put that in perspective: a $2 trillion deficit, that is 150 times the size of the annual deficit that has brought the State of California to the brink of bankruptcy. That is $6,500 of new debt for every man, woman and

child in the United States, $26,000 for an average family of four. And that is not a theoretical number. That family will have to repay that $26,000 plus interest from their future taxes just as surely as if it appeared at the bottom of their credit card statement this month.

This is all being done in the name of stimulating the economy, but the supporters of this policy have not have been able to cite a single example in all of recorded history where massive government spending has actually stimulated an economy. There are plenty of examples where it ruined economies and brought down great nations.

The supporters of this policy have not been able to explain how the government can inject a single dollar into the economy that it has not first taken out of that same economy. They have not been able to explain how we strengthen our economic future by leaving the next generation with an unprecedented debt that will take them decades to pay off.

What the President told us last night, and my friend from Texas said just a few moments ago, is that by spending another $800 billion, they can create or save up to 4 million jobs. That sounds good until you realize that comes to more than $200,000 a job by their own numbers. By their own numbers, we could literally send those 4 million lucky families a check for $100,000 and save half of what they plan to spend.

□ 1300

If this policy worked, we would already be enjoying a period of unprecedented economic expansion. The bailouts and spending and loan guarantees already issued now total $9.7 trillion. As Bloomberg pointed out this week, that is enough to pay off 90 percent of all of the home mortgages in America. Not 90 percent of the bad mortgages, 90 percent of all of the mortgages.

We have not seen prosperity from these policies because these policies don't work. They didn't work in Japan in the 1990s, as my friend from California just mentioned, they didn't work in America in the 1930s. The unemployment rate in 1939, after nearly a decade of New Deal spending, was the same as it was in 1931.

Madam Speaker, history tells us that bankrupt nations don't last very long. Before we can secure the blessings of liberty to ourselves and our posterity, the Nation's finances must first be solid. So I beg the majority to pause and consider carefully what they are doing. I beg the President to pause and consider what kind of legacy he wants to leave the Nation. And, I beg the American people, while there is still time, to rise up and to demand a return to fiscal sanity.

STIMULUS BILL

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

Mr. PENCE. Madam Speaker, we gather on this floor at a time just a few moments after the United States Senate has passed by a sufficient majority a spending bill, the intention of which is to stimulate this economy. But careful examination shows, and more Americans every day are realizing, that the only thing the Democrat stimulus bill will stimulate is more government and more debt.

Let me say emphatically: House Republicans know two things to a certainty. Number one, we are in a recession; American families are hurting; millions have lost their jobs, and millions more worry that they will be next. But, number two, Republicans also know this Congress must do something.

Despite the fact that the President of the United States last night told the Nation's media and the American people that he disagreed with some in Congress who believe we should do nothing, let me say, with great respect to our President, I know of no Republican member of the House or Senate who believes that in these difficult times we should do nothing. I would be prepared to stand corrected if the administration would like to provide names, but a casual survey of Republican members of the House and the Senate should instruct the American people that Republicans believe we should do something, but we also believe we should take time to get it right; that we should create a stimulus bill that is not, as the bills that have passed the House and Senate now are, a stimulus bill that actually is not a long laundry list of worn-out liberal spending priorities but actually is, at its center, a bill that will give working families and small businesses more of their hard-earned dollars to spend.

At the President's invitation, Republicans brought forward a Republican alternative which would give the average married couple a tax break this year of some $3,400. We would let small businesses write off up to 20 percent of their profits this year. This kind of tax relief, Madam Speaker, is precisely the kind of tax relief that John F. Kennedy advanced to stave off an economic downturn in the 1960s; that is what Ronald Reagan did to turn back an even more serious recession in the 1980s; and, after the towers fell in New York City and the Pentagon was struck on 9/11, it was what this Congress did in a bipartisan way to turn around a downturn in our economy.

Tax relief, when combined with some modest investment in infrastructure that I believe Republicans in the main would support, is precisely the kind of stimulus that the American people want to see happen, and it is not what has passed out of the House or Senate.

But I rise today with a hopeful note that, after some tough partisan rhetoric in recent days, this Congress now with the conference committee will come together and will again embrace President Obama's call for bipartisan input on this bill. Conference committees, for people looking in, are really the time when the House and Senate reconcile differences. But sometimes they can be a fresh start in legislation; and our hope is that now we will be able to bring forward these time-honored, time-tested efforts for growing our economy. And I believe the American people are with us.

Yesterday, in Indiana, I held a town hall meeting a little bit south of where the President was. Three hundred Hoosiers gathered at Donner Center in Columbus, Indiana yesterday. And I have to tell you, Madam Speaker, I sensed, as was reported in the local paper today, a tremendous amount of skepticism about the idea that we can borrow and spend and bail our way back to a growing economy. There was tremendous support in that room for tax relief for small businesses and working families.

But a little girl named Hillary rose and touched my heart. She said to me: Congressman PENCE, my dad is raising me and her sibling as a single parent. Little Hillary told me he just got his hours cut from 40 hours a week to 24. She said, ''Is there anything in this bill that they just passed that will get my dad his hours back?'' And I looked at her with no small amount of emotion and I said, ''Hillary, because I can't answer yes to that question, because I can't tell you that something in the Democrat stimulus bill will help your dad get back to full time, I can't support this bill.''

The American people are on to it. We need to come together in a bipartisan way and do what history teaches will get this economy growing again.

TARP: A TROUBLING INVESTMENT

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

Mr. STEARNS. Madam Speaker, I rise today to address the troubling results of a report that was just released last Friday by the Congressional Oversight Panel on the Troubled Asset Relief Program, TARP.

In summary, the 50-page report indicates that our United States Treasury has overpaid by about $78 billion in order to implement the largest private sector bailout in American history. In fact, the study directly states that, ''Treasury paid substantially more for the assets it purchased than their current market value.'' How much more? Our Treasury purchased assets worth about $178 billion for $254 billion. That is a direct and unnecessary transfer of our taxpayer dollars to private financial institutions that utilize reckless investment strategies.

Thus, the Treasury has essentially shortchanged taxpayers to the tune of $78 billion and has not acted as a good steward of our taxpayers' funds. To be sure, former Secretary Paulson looked the American people in the eye and assured us that the taxpayer investment

in the TARP program was sound, and we would be given full value in return for our investment. In a public statement to the American people in October, Paulson said of the TARP program, ''This is an investment, not an expenditure, and there is no reason to expect the program will cost taxpayers anything.'' Unfortunately, Paulson's statement couldn't be further from the truth. The first $350 billion in TARP funds was spent in haste, and we have nothing to show for it but waste.

And the reason for this waste? The use of standardized documents that hindered Treasury's ability to address differences in credit quality among the capital infusion recipients. Furthermore, our Treasury has also failed to explain its reasoning for subsidizing some banks more than others, leaving taxpayers and Congress in the dark.

To add more fuel to the fire, Neil Barofsky, the Special Inspector for the TARP program, came out last week and stated: The government needs to beef up its oversight and fraud prevention mechanism in regard to the TARP program. He stated, ''The Troubled Asset Relief Program represents a massive and unprecedented investment of taxpayers' money, designed to stabilize the financial industry, but the long-term success of this program is not assured.''

American taxpayers are rightly infuriated. Our Treasury has yet to even adopt baseline fraud prevention standards for the TARP program. Additionally, there is a noticeable lack of oversight language included with the TARP capital infusion contracts. Special Inspector Barofsky strongly cautions that oversight language is needed in all TARP contracts, particularly with big banks like Citicorp and Bank of America, and automobile companies like Chrysler and General Motors. Given this troubling investment situation, I am skeptical of how the next $350 billion will be spent.

Looking back to October when former Secretary Paulson came to Congress with a 2½ page double-spaced document ceding himself total authority to spend $700 billion in taxpayer dollars, I suppose it is not entirely surprising to find out that $78 billion has been wasted. The bailout plan was weak from the very beginning. It was Congress that had to step in and demand oversight and transparency of Paulson's TARP program. And what we ended up getting was a proposal for self-regulation, with Paulson and former Fed Chairman Ben Bernanke as two of only five members of an oversight board charged with monitoring their own actions. What we really need is oversight by only those who are independent of the administration and that do not have ties to the Wall Street banking community.

So today on the House floor, I echo the sentiments of the Congressional Oversight Panel, which stated, ''If TARP is to garner credibility and public support, a clear explanation of the economic transaction and the reasoning behind any such expenditure of funds must be made clear to the public.'' Our Treasury has less than 30 days to act together before the next report is released, and hard-working taxpayers deserve to hear that their investment has not been made in vain.

RECESS

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

Accordingly (at 1 o'clock and 12 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

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

PRAYER

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

Lord God, we bear witness to the prayer of Your servant, John. Not sure Psalm 71 is one of his favorites, it seems, however, to spring from his lips. A speech not thundered in this Chamber, not enforced by the Chairman's gavel. This prayer is more of an intimate whisper lingering longer than any other.

''O God, be not far from me, my God, make haste to help me. I will always hope and praise You, ever more and more. My mouth shall declare Your justice, though I know not its full extent. O God, you have taught me from my youth and till the present moment, I proclaim Your wondrous deeds.''

Today, Lord, we reflect on the faithful service of the Dean of the House. Tomorrow, the Honorable JOHN DINGELL of Michigan will become the longest serving Member in history. So we add our Amen to the psalmist's prayer: ''Lord, renew Your blessing upon me and comfort me over and over again.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1. An act making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1) ''An act making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. INOUYE, Mr. BAUCUS, Mr. REID, Mr. COCHRAN, and Mr. GRASSLEY, to be the conferees on the part of the Senate.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the following Senator as Chairman of the Senate delegation to the British-American Interparliamentary Group conference during the One Hundred Eleventh Congress:

The Senator from Vermont (Mr. LEAHY).

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican Leader, appoints the following Senator as Vice Chairman of the British-American Interparliamentary Group conference during the One Hundred Eleventh Congress:

The Senator from Mississippi (Mr. COCHRAN).

H.R. 1: AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

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

Mr. HOLT. Madam Speaker, I rise to highlight the importance of science in our American Recovery and Reinvestment Act. Research and innovation lie behind the long-term economic success of this country, and it's worth noting that science research creates jobs now. A report by the Information Technology and Innovation Foundation determined that for each additional $1 billion invested in science in the economic recovery, 20,000 American jobs

are created. These jobs go not just to scientists but to research assistants, electricians, technicians and construction workers.

We need to provide a comprehensive set of jobs in this package so that our new roads and bridges built with the funds lead to research facilities and high tech start-up companies that will provide the foundation for the economy of the 21st century.

The ideal project is one that keeps on giving, and that is exactly what scientific research projects do. In his inaugural address, President Obama said, ''We will restore science to its rightful place.'' The legislation we have been considering places science in an important place in short-term job creation and long-term economic growth.

HONORING THE WOMEN OF TOMORROW MENTOR AND SCHOLARSHIP PROGRAM

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to commend a wonderful organization in my congressional district, the Women of Tomorrow Mentor and Scholarship Program. Founded in 1997 by veteran TV journalist, Jennifer Valoppi, and Telemundo President Don Browne, the program has been a pioneer institution for inspiring at-risk young women to achieve their fullest potential through education and job training.

The participants of the Women of Tomorrow program receive mentoring and guidance from highly accomplished professional women in our community. These women share their experiences and techniques for achieving academic and professional success, and their efforts bear fruit, as the high school graduation rate of Women of Tomorrow participants is 90 percent, well over the national average.

Thanks to the Women of Tomorrow organization, under the leadership of its executive director, Bianca Erickson, countless at-risk teenagers are given the encouragement to dream big for the future. Nearly all of the program's high school graduates pursue a college education.

I am grateful to all the individuals who have dedicated their time to this tremendous organization, and I ask that the names of the board of directors be inserted in the CONGRESSIONAL RECORD: Dr. Diane Walder, Marisa Toccin, Donna Feldman, Jamie Byington, Judge Judith Kreeger, Betty Amos, Katherine Fernandez-Rundle, Don Browne and Jennifer Valoppi.

THE GOVERNMENT'S TRIPLE BOGEY

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

Mr. POE of Texas. Madam Speaker, we are being told by the administration that unless America plays this stimulus package game, ''the country may never recover.'' Once again the politics of fear and intimidation are on Capitol Hill.

If we open up this $835 billion package and look inside, we see all types of goodies for special interest groups that is nothing more than government waste.

There are millions in the package for grant money for neighborhood electrical vehicles that go to government workers. Here's one of these $7,500 vehicles right here. It looks like a golf cart to me. Why should the taxpayer be forced to buy these contraptions?

Does anyone really think this will help the economy?

Well, the taxpayers are yelling ''fore'' while being left out in the rough, and Congress keeps adding strokes to the scorecard.

This bill is supposed to get the economy back on the fairway, but it's just one bogey after another.

Want to stimulate the economy? Let Americans keep more of their own money.

No golf carts for government workers. The government is millions of strokes over par by playing this stimulus game.

And that's just the way it is.

WHAT THE AMERICAN PEOPLE SHOULD KNOW

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

Mr. KIRK. Madam Speaker, the American people should know the $800 billion stimulus bill is not the only spending bill coming. In 2 weeks, we will consider a $410 billion omnibus with 4,000 earmarks in it, followed by a $100 billion supplemental. Americans should know that these three spending bills will trigger a need to borrow $2.6 trillion in just the next few months. That's five times more than the United States has ever borrowed.

Each taxpayer now owes $56,000 on this debt, and after these bills pass, you will owe $76,000 each. The cost of this debt will rip the cost of a college education from each family.

Last week I was the first Member of Congress to bother even to visit the Bureau of Debt. They will attempt to borrow $2.6 trillion over the next few months to try to pay for these three spending bills.

ASSISTANCE FOR THE UNEMPLOYED

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

Ms. FOXX. Madam Speaker, America faces an unambiguously dramatic economic downturn. And Americans are hurting in this very difficult economic time.

But Republicans in the House are still waiting for an opportunity to bring our ideas for economic recovery to the table. So far we've been shut out of negotiations. For instance, Republicans have proposed real assistance for the unemployed by slashing Federal taxes on unemployment benefits, but our suggestions for economic recovery have been ignored.

The result? A bill that does little to stimulate the economy and lots to stimulate the Federal Government and our national debt.

We must pass a bill that helps struggling workers get back on their feet, and that encourages entrepreneurs, the real engines for job creation, to take risks again.

Madam Speaker, we cannot borrow and spend our way back to prosperity.

SOMETHING MUST BE DONE TO STIMULATE OUR ECONOMY

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

Mr. SHUSTER. President Obama said that something must be done to stimulate our economy, and I wholeheartedly agree. Unfortunately, my colleagues on the other side of the aisle must have thought President Obama said spend $1 trillion of our children's and grandchildren's money on programs that drive up the national debt and do little to stimulate the economy.

The fact is, little of the dollars spent in the Democratic stimulus actually creates jobs. But for every $1 billion we spend on infrastructure, 30,000 jobs are created; however, the Democrat stimulus package has less than 10 percent that they are spending on a proven job creator.

Instead of accepting a bill that is long on waste and short on substance, House Republicans have an alternative that provides lasting long-term tax breaks to help hardworking families, home buyers and small businesses through these difficult times.

Basic economics teaches us that high Federal spending will dramatically increase inflation.

Madam Speaker, the American people do not need Congress to add to their list of economic problems. We must address the true problems at hand and fix our economic crisis, not quench the Democrats' thirst for more big government.

The Republican approach will work to pull our economy out of this recession. It's time to put politics aside and put Americans first. It's time to adopt the Republican alternative.

DEFICIT SPENDING

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

Mr. GOHMERT. Madam Speaker, last night I sat here for much of an hour listening to Democratic colleagues across the aisle decrying how terrible deficit spending was. And the tax cuts brought us record revenue into the U.S.

Treasury. That wasn't the problem. The problem was that we were deficit spending. And that's a large reason why the Democrats won the majority in November of 2006, to cut out deficit spending.

So, after hearing my friends across the aisle last night talking about how bad deficit spending was, I went back, and as I thought about it last night, it could mean only one thing. Our Democratic colleagues, including the majority leader that spoke so eloquently last night here, are going to vote with us against this deficit monstrosity because parents, most parents, would do anything to make the life of their children better. But not here in Congress. We've got a bill that is going to allow us to live better at the expense of our children, and we should not do this to future generations if we care.

IT'S CRITICAL THAT CONGRESS ACT QUICKLY AND RESPONSIBLY

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

Mr. OLSON. Madam Speaker, with employment hitting unprecedented highs, it is critical that Congress act quickly and responsibly to turn the economy around. Unfortunately, many of my Democratic colleagues continue to play partisan politics with our children's and our grandchildren's future. Apparently the backers of the stimulus bill believe that any government spending can be justified as an economic stimulus. The result in both this Chamber and the Senate is a bill larded with spending on Democratic policy priorities that will not impact the economy for years, if at all.

Republicans have put forth a real solution, one that provides targeted tax relief to hardworking Americans, and provides economic relief to allow businesses to invest in themselves and rebuild our economy.

As the President has said, the decisions we make now will have long-term consequences on our future and future generations. At the very least, we owe those future generations a thoughtful debate and objective economic justifications for our actions.

PEOPLE ARE WORRIED BACK HOME

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

Mr. LATTA. Madam Speaker, last weekend I was home, and folks back home are worried. They're worried about what this Congress is doing. They're worried about their futures, they're worried about their kids, they're worried about their jobs.

One of the things when I was talking to a lot of the folks at home over the weekend was, first of all, they said what happened to that $700 billion that you all passed last year for the financial bailout? And they're worried about what's going to be going on right now with this $838 billion that we've seen come out of the Senate. And, of course, that's not the correct figure because after you figure in your interest, you're over $1 trillion.

And when you talk about that $1 trillion, you know right now we owe $3 trillion to foreign governments, with as of 2 months ago the Chinese owning $682 billion of our debt. We watch this keep rising and rising, and the people want to know what's the future going to hold for them; where are the jobs going to be.

Well, the Republicans have offered a plan, especially one in which Ohio, under our plan, would create 246,000 jobs, compared to the 142,000 jobs offered under the current stimulus package.

I think that this Congress should examine what this Congress should be doing, making sure that we spend our dollars wisely.

□ 1415

WHERE WERE THE MEDIA . . . ?

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

Mr. SMITH of Texas. Madam Speaker, sometimes media bias is most evident by the news that reporters choose not to cover.

For example, where were the media when the Congressional Budget Office announced last week that the economic stimulus package would reduce the long-term potential output of the economy? Almost every national media outlet ignored the CBO's negative report.

Where were the media when the White House announced last week that it would seize oversight of the Census Bureau and, thus, be able to politicize the nonpartisan census?

Where were the media when President Obama decided that an internal investigation by his own attorney was sufficient to clear his staff of any inappropriate dealings with the former Governor of Illinois?

Madam Speaker, can you imagine what the media would have done if a Republican President were involved?

RESIGNATION AS MEMBER OF COMMITTEE ON FOREIGN AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Foreign Affairs:

WASHINGTON, DC,
February 9, 2009.

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

DEAR SPEAKER PELOSI, This letter is to inform you that I will be taking a leave of absence from my position on the House Committee on Foreign Affairs (HCFA); however, I reserve my right to retain my seniority on HCFA during my service on the Permanent Select Committee on Intelligence.

Please do not hesitate to contact me or my Chief of Staff, Shana Chandler, with any questions or concerns.

Respectfully yours,

ADAM SMITH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Mr. OBEY. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 1) making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

Mr. OBEY. Madam Speaker, for purposes of debate only, I yield 30 minutes to the gentleman from California (Mr. LEWIS). All time yielded during consideration of the motion is for debate only.

Madam Speaker, I yield myself 1 minute.

I think the need for this action is obvious. The country is in trouble economically. We need to put an economic recovery package in place just as soon as possible. Going to conference is the next step to making that happen, and I would urge support for the motion.

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield myself such time as I might consume.

It was less than 2 weeks ago that we debated the House version of the economic stimulus package. When we began this process, I was hopeful that the House and the Senate would heed the President's call for bipartisanship. Madam Speaker, clearly, that has not occurred. The House and Senate have now cleared their respective versions of the same legislation. To date, eleven Democrats have opposed the stimulus package in the House, and only three Republicans—that is three Republicans—have supported it in the Senate.

The manner in which this package was developed is the clearest demonstration to date that, while the President expresses his sincere interest in bipartisan collaboration, his own leadership in the House stubbornly clings to a top-down approach to governing. That top-down approach to governing that has dominated our politics

in the House these last 2 years is the single greatest impediment to bipartisanship and is the greatest threat to this institution that most of us love so much.

I am absolutely convinced that, given the opportunity, the chairmen and ranking members of each of the twelve appropriations subcommittees could have and would have worked together responsibly to develop a bipartisan piece of legislation that would stimulate the economy and would create millions and millions of American jobs. Given the opportunity, Republicans and Democrats would have produced a package that would have garnered the support of the House majority on both sides of the aisle. That, however, did not occur with this package.

The chairmen and ranking members of our Appropriations subcommittees were never given an opportunity to work in such a fashion. Not only were subcommittee chairmen and ranking members prevented from working constructively, but the majority staff of the Appropriations Committee was instructed on more than one occasion not to engage or to share information with their minority counterparts. Think about that, Madam Speaker. At the subcommittee level, we have very fine staff, very fine members who spend time concentrating in areas of expertise, and they were told by the top of the committee, ''do not communicate at the staff level within the subcommittees,'' cutting off any sensible form or chance for compromise.

Bipartisanship is a pragmatic and constructive willingness on the part of both parties to engage in a beneficial give-and-take on various areas of disagreement to form consensus. Given this definition and approach and the manner in which critical legislation is now written, bipartisanship in this House really is no longer possible. It certainly does not even appear to be desired by the leadership.

I have said publicly and sincerely on several occasions that I want to see our President be successful. The urgency of the present economic situation demands that we work together in a constructive fashion, but that cannot occur when decisions are made solely by a handful of powerful leaders while the voices of other Members, who have much to contribute, are routinely disregarded and are summarily dismissed.

Spoken during our floor debate when he was discussing this process just 11 years ago, the words of Chairman OBEY ring particularly true when we consider my frustration at this moment. I quote my chairman, Mr. OBEY.

He said, ''This is no way to establish bipartisan consensus. This is no way to establish a decent working relationship between the executive and legislative branches. We need to try to find common ground between the two parties.''

We are proceeding with a motion to go to conference, but let us not for one moment believe this stimulus package is an example of bipartisan legislation, because it is not now nor was it intended to be from the very beginning.

I reserve the balance of my time.

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

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, before we continue with a stimulus policy that has consistently failed to stimulate anything other than the government, I think the supporters of this program need to answer some very simple questions.

For example, the President, himself, told us yesterday that this $800 billion of new spending is going to produce 4 million new jobs. Well, that's great until you pull out a pocket calculator and realize that that comes to $200,000 per job.

Question: Why don't we just send those 4 million lucky families a check for $100,000 and save half of what the President wants to spend according to his own numbers?

The President, himself, told audiences this weekend that the spending bill would produce a renaissance of highway, road and bridge construction.

Question: If that is the object of this bill, why is only 3 percent of the funding going for that purpose?

The Congressional Budget Office last week noted that the current spending bill, although producing temporary relief, will incur so much long-term debt as to reduce overall GDP growth over the next decade.

Question: How do we strengthen our economic future by leaving the next generation with an unprecedented debt that will take decades to pay off?

We know of many cases where massive government spending and borrowing has destroyed economies and has brought down great nations. One need look no further than to the old Soviet Union.

Question: When in the recorded history of civilization has massive public spending ever stimulated an economy?

It did not work in Japan in the 1990s. The Japanese call that their lost decade. It did not work in America in the 1930s. The unemployment rate in 1939, after nearly a decade of New Deal spending, was the same as it was in 1931.

Madam Speaker, history warns us that bankrupt nations do not last very long. Before we continue with yet another round of massive spending and borrowing, I suggest we get some answers to these inconvenient questions.

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

Mr. LEWIS of California. Madam Speaker, I am privileged to yield 2 minutes to my colleague, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Madam Speaker, like many people, I have had a chance to at least look briefly at this bill. I have grave concerns about what it is going to do.

We are spending more than $1 trillion in a hurried-up fashion here with very little oversight and with no hearings. Everything is just rushing forward. Everyone understands that we have got a real problem—an economic downturn in this country. We've got to do something, and we've got to act quickly to save those jobs, those opportunities for our families. We've got to get the country back on its feet again so it can prosper.

We had a proposal brought forth that was totally ignored—the idea of creating over 6 million new jobs at half the cost of what this bill costs—and it has been totally thrown aside. This would have put money immediately into people's pockets. It would have had them spending and getting this economy going and rolling again. That is exactly what we need to do, but we've never had an opportunity to put those into this bill.

It's not only what the bill does as far as spending over $1 trillion. Some provisions in here make dramatic changes in the way our government operates. When we look at reversing welfare reform, the one great thing back from the Clinton administration, this is going to turn that on its head and allow people to stay on welfare for as long as they would like.

I think it also is very, very serious when we talk about a major change in health care reform in that this is going to put the government in charge of rationing health care, standing between you and your doctor. This is something that at least there should be some debate about. Somebody should have a chance to offer amendments to change these bills, these ideas that make massive changes in the fundamental way that we have welfare reform and the way our health care is delivered in this country.

Madam Speaker, to me, this is outrageous. We have got to step back. We have got to think about these things before we just jump into these major changes that are going to do great harm to our economy and to the future of our children and grandchildren.

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

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 2 minutes to my colleague, the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE of Minnesota. Madam Speaker, I rise today in support of a meaningful solution to the economic challenges facing our Nation. The House Republican economic recovery plan, for example, would have created 6.2 million new jobs, and would have provided critical tax breaks for the small businesses that are the engine of our economy.

□ 1430

Unfortunately, today the Senate passed a borrow-and-spend bill that is full of wasteful spending and fails to provide the immediate relief the American people demand.

According to Rasmussen Reports, 62 percent of Americans want more tax cuts and less government spending in an economic stimulus plan. Yet only one-third of the Senate's bill focuses on that much-needed tax relief.

Madam Speaker, I've been contacted by hundreds and hundreds of Minnesotans who understand the need for meaningful relief. These men and women are frustrated with ineffective legislation that favors the creation of new government programs over new jobs—and saddles our children and grandchildren with more debt and bigger government.

One of these Minnesotans owns a trucking company. And he reported that he's had the worst quarter and the worst months in the history of his company, which is a second-generation company. They're having to lay off truckers. It's hard times. He does not support the Senate stimulus package.

One of those Minnesotans is another employer, a small businessman, had over 150 employees. They've had no new orders for systems since this summer. They, too, were having to lay off employees.

We understand that there are people hurting, but neither of these Minnesotans favors this non-stimulus plan.

Madam Speaker, let's listen to these American people. Let's listen to the Minnesotans. They deserve a stimulus that works.

Mr. OBEY. Madam Speaker, I continue to reserve my time.

Mr. LEWIS of California. Madam Speaker, I am glad to yield 1 minute to Mr. ROE of Tennessee.

(Mr. ROE of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. ROE of Tennessee. Madam Speaker, this weekend the administration warned that our economic crisis could become a catastrophe if we failed to pass an economic stimulus package. Madam Speaker, avoiding a catastrophe is exactly why House Republicans are opposed to the package that the House considered just 2 weeks ago. The Senate bill, being hailed as a compromise by some, spends more money than the House bill did and still contains too much wasteful spending.

We strongly support a stimulus bill, but it must be a stimulus bill that grows our economy, creates jobs, and doesn't saddle our grandchildren with unnecessary debt. Purchasing golf carts for the Federal Government is not stimulative; neither is money designed to follow-up the census which doesn't even begin for 2 years.

We support reducing taxes for working families and small businesses and improving our roads and water and sewer infrastructure. All of this lays the groundwork for future growth and is a much wiser use for our precious tax dollars.

Mr. LEWIS of California. Madam Speaker, I am pleased to recognize Mr. POE of Texas for 2 minutes.

Mr. POE of Texas. Madam Speaker, it's been said: ''a billion dollars here, a billion dollars there, eventually we're going to be talking about real money.'' Well, we're talking about real money in this stimulus package. Madam Speaker, let's make it clear. Spending money doesn't automatically stimulate the economy. That is a myth.

Now, this package is, oh, 800, $900 billion. How much is that? Well, that means different things to different folks. Down in Australia, that is the entire cost of the Australian economy. Or looking at it another way, $900 billion, if you take every junior and senior in high school in every high school in the United States, this money could give them a 4-year college education at a private university—now we're talking about real money—and still have $150 billion left over.

Or looking at it another way, you could pay off 90 percent of the home mortgages in the United States.

This is serious business, Madam Speaker, and this bill does not stimulate the economy; it just spends a lot of taxpayer money.

What we should do is let Americans keep more of their own money. Cut taxes for those that pay taxes. Then they have their own money, they can spend it the way they want to, and they can stimulate our economy.

And that's just the way it is.

Mr. LEWIS of California. Madam Speaker, I am pleased to recognize the gentleman from Texas (Mr. GOHMERT) for 2 minutes.

Mr. GOHMERT. Madam Speaker, I can't tell you how it warms my heart to hear the former chairman say he was pleased to yield me time. I appreciate that.

But one thing that isn't pleasing is this so-called stimulus bill. It's an abomination. We should not be doing this to future generations. I've got two pairs of words for you: One pair of words, tax holiday; another pair of words, American energy.

Our President went from promising all of these millions of jobs, three million, I believe, initially through this stimulus package to now saying we're going to create or save four million jobs. Why would we add ''save''? Because there is no way to document saved jobs. So whatever happens, ''Well, we lost four million jobs, but gee, we saved four million in the process.'' I guess that's what will be said at the end of it.

The problem is this is not going to stimulate the economy when over half of it, 60 percent of it, is not going to be spent for a couple of years or so.

The economy needs help now, and we need to do it without devastating our children and grandchildren. I used to sentence people for doing unconscionable things to their children or to children, and here now I'm a part of a body who wants to live better by taxing and hammering future generations. That's not right. There is nothing virtuous, there is nothing noble in loading down our future generations with this kind of debt.

And, in fact, my Democrat colleagues got in the majority by talking in 2005 and 2006 about the deficit spending, and they were right then. We shouldn't be doing it. Tax cuts got us record revenue in the Treasury; deficit spending got us in trouble. Greed got us in trouble. The immorality of people wanting it for themselves was just too much.

It is time to get back to morality and not loading up future generations, not making our children suffer for the sins of their parents. Let's don't sin any more by being immoral in the way we throw money. Let's do this the right way.

Mr. LEWIS of California. Madam Speaker, I am pleased to recognize a member of the committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN), for 3 minutes.

Mr. FRELINGHUYSEN. Madam Speaker, I strongly support an economic stimulus bill that will produce jobs that actually put people to work, especially in the private sector. H.R. 1 does not do that.

The notion that we need to expand State and Federal public employee rolls with a massive dollar increase in existing and entirely new domestic programs is not what my constituents back home want. My constituents are losing their jobs on Main Street and on Wall Street. The value of their homes has been reduced. Some teeter on the brink of forfeiture. Families' savings and investment accounts have been savaged.

And in this context, the House leadership proposes a bill that guarantees a burst of state and Federal hiring: bureaucracies that will undoubtedly handcuff small businesses with more rules and more regulation.

What's wrong with this picture?

As an illustration of what's wrong with the bill, let's look at the energy and water portfolio. Frankly, more funding has been proposed in H.R. 1 than could be possibly spent intelligently and effectively.

Under the bill, the budget for Department of Energy grants and loans explodes to $30 billion. This sum alone is greater than the entire budget for the whole Department of Energy last year. Instead of being our premier R&D agency, DOE will become a grants-manager for tens of billions of borrowed money, much of it spent in expanding the Federal workforce. And what's left will expand State governments. Little will filter down to people who actually work with their hands, actually make things more efficiently, and advance technology.

This is all a recipe for more dysfunction for government acquisition systems that can barely handle their own workloads today. Are the State governments prepared? Their manpower is down, and those who might provide oversight and accountability are walking the unemployment lines as we speak.

My colleagues, remember Katrina: Poor planning, shoddy execution, noncompetitive contract awards, abuse of

contractor flexibility, inadequate oversight, a climate for waste, an open invitation to fraud and corruption.

Madam Speaker, there are many reasons to oppose H.R. 1. Those who do not remember the lessons of Katrina are bound to repeat those mistakes. In the meantime, we're missing a precious opportunity to create real private sector jobs and prevent layoffs.

I've heard from my constituents in New Jersey. They want a stimulus package, but they don't want this one.

Mr. LEWIS of California. Madam Speaker, could I inquire about the time remaining on each side.

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) has 12 minutes remaining; the gentleman from Wisconsin (Mr. OBEY) has 29½ minutes remaining.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the ranking member for recognizing me.

And I want to just say, you know, as I spent time at home this weekend, I would see the polls were 38 percent of the American people in favor of this stimulus bill. Evidently those 38 percent don't understand that this is a government-expansion spending bill and not really a stimulus bill. But I don't know who the 38 percent of those people were because everybody I talked to in my district was upset that we were trying to create new government spending programs and claim it to be a stimulus.

There are 20 new programs in this stimulus bill that have never been in the government before, 20 new programs. There needs to be some programs that we find that are inefficient. I can't believe that every program in our government is working to where it services the citizens.

But let me say this: The things that we are spending money on, such as car credits—a lot of people say, ''Good. Car credits are great,'' but they're for two-wheel, three-wheel electric plug-ins; not for the cars that are sitting on these lots today that these dealers need to get rid of.

So we need to look at what the Republican plan did and actually give people money to keep in their own pocket. In fact, they wouldn't even have to give it. They could just keep it from what they're paying right now in their Federal taxes. This is a way to stimulate the economy. Spending other people's money does not stimulate. Spending other people's money does not stimulate. We are spending people's money that are the taxpayers. They need to spend that money. We're borrowing money from foreign countries to be able to do this. We're printing money at a very rapid rate.

What we need to be doing, Madam Speaker, is looking at ways to create the jobs that the average person that's standing in the unemployment line can have right now, not create more government and create more government jobs, but create more jobs in the private sector.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 1 minute to the Republican leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Madam Speaker, let me thank my colleague from California for yielding.

Today, earlier, President Obama held a town hall meeting in Fort Meyer, Florida. He discussed the need to create more jobs for Florida families and families across our country. This has been one of our shared goals since the outset of this process. And that's why House Republicans have crafted a plan that creates the most jobs in the shortest period of time. In fact, our plan would create 141,000 more jobs for Florida families than the package that's under consideration.

And overall, it would create twice as many jobs, some 6.2 million jobs in all, at half of the price of the bill that's moving through Congress.

And don't just take my word for it. This is based on the methodology used by President Obama's own nominee as chair of the White House Council of Economic Advisers, Dr. Christina Romer.

How? How do we create all of these jobs? We encourage investment and create jobs by letting families, small businesses, home buyers and job seekers keep more of what they earn. Unfortunately, the House and Senate bills take us in a different direction.

We already know that they rely on slow-moving, wasteful spending here in Washington, but there's more.

The plan that's currently on the table tries to take advantage of the crisis in our economy to enact a series of liberal policy proposals that have nothing to do with economic recovery. It discourages Americans from working, loosens welfare reform's work requirements, and encourages more Americans to become dependent on government programs. And through a proposal called Comparative Effectiveness, it aims to put the Federal Government in charge of some of the most important life and death decisions that families face.

The bill is supposed to be about creating jobs, not about reversing welfare reform or letting government ration out America's health care options.

There is still time for both parties to work together to craft a bill that puts job creation first and foremost. But I think it's up to the majority to help make that happen.

□ 1445

Republicans want to work in a constructive way to help families during this economic crisis, and we want to answer the President's call for bipartisanship and his call for a plan that creates jobs first and foremost. The bills being considered don't do that.

We do believe that our economy is in a crisis. Families and small businesses are hurting, and the government must act, but we must act in a prudent way that does what we all want to do, and that's to preserve jobs in America and to create more jobs in America.

Unfortunately, the plans that we're seeing don't do that. The plan that we put on the table for consideration would, in fact, create 6.2 million jobs over the next 2 years, twice as many jobs as the bills being considered at half the price tag.

It's time to work in a bipartisan way to solve this crisis, and I would urge my colleagues to listen to our ideas and work with us on behalf of the American people.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for yielding.

Madam Speaker, I would just urge my colleagues to take a second look before committing this bill to conference.

We're making some fundamental changes in the way health care is administered in this country as a result of this bill, which has nothing to do with the creation of jobs but everything to do with the government taking a greater and greater share of our personal liberties that pertains to health care.

Certainly the funding cliffs that are present in the funding for Medicaid and COBRA—COBRA extending medical benefits for 12 months, Medicaid an additional 18 months—but what happens at the end of that 12- or 18-month interval? Do those individuals just fall off a cliff or will Congress have to come back with yet more money?

Already we're talking about an $800 billion bill. We don't include in that the cost of capital. If we were honest about this bill and included the cost of capital and the cost of funding past those funding cliffs, this, in reality, would be a $3 trillion product.

And, Madam Speaker, I spent an hour today down at the Bureau of Debt and watched $32 billion be auctioned off shortly before one o'clock today. That was the third time today that they've had an auction down there. This is an incredible amount of paper that we're selling on the worldwide market, and you have to wonder how long the market can sustain that.

And perhaps just as pernicious, we heard the minority leader mention the comparative effect of this statute, the health information technology statute, something that I support, that I believe in but really has no place in a stimulus bill. Look at the power, look at the power we're giving to the Office of the National Coordinator for Health Information Technology that provides medical decisions, sets the time and place of care. We're devolving an enormous amount of power to an individual that none of us, in fact, even know who that is at the present time.

We're politicizing health care in this country in a way that's never been

done before, and we at least ought to be honest with the American people about what we're doing and not do it under the cover of night.

Mr. LEWIS of California. Madam Speaker, I yield to the gentleman from Georgia (Mr. GINGREY) 2 minutes.

Mr. GINGREY of Georgia. Madam Speaker, I thank the gentleman for yielding.

I stand in opposition to H.R. 1, and I can stand here and talk about specific line items in the bill that were first presented to us in the House, not a whole lot different from what's coming over from the Senate, but the bottom line is that we on this side of the aisle have an alternative that would do a whole lot better, and I don't think I can say it any better than comparing my own State of Georgia.

The Republican alternative would create 186,000 jobs in the State of Georgia. This bill would create 113,000. That's a difference of 73,000 jobs, and we do it, Madam Speaker, with much less spending, in fact less than half of the spending that's in this current bill. And we do it by making sure that the tax cuts are directed towards small businessmen and -women and, of course, lowering the capital gains and the tax on dividends.

So we get money in the hands of the people immediately, 5 percent cut in taxes across-the-board, every marginal rate, and last but not least, Madam Speaker, to cut spending 1 percent across the board, with the exception, of course, of national defense.

I've heard President Obama and others say, you know, we need to do something right now; don't just stand there, do something. But this clearly is a time that we need to take a deep breath and make sure that we do the right thing because the downside risk of adding $1.2 trillion worth of debt to a 10.7 current debt, I don't know how our children and grandchildren will ever pay for this, and the chances of it being successful are slim and none in my opinion.

I'm opposed to it. I think we can do better.

Mr. LEWIS of California. Madam Speaker, I'm proud to yield 2 minutes to Mr. COLE from Oklahoma, a member of the committee.

Mr. COLE. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today to speak against going to conference on the stimulus bill, H.R. 1. However, I'm also rising in support of keeping the conference open.

The time has come to expose this legislation for what it is, a grab bag of special interest projects that will do little in the way of stimulating the economy and will significantly increase our deficit, literally risking our bond rating and triggering future tax increases.

Never in the history of our country has so much money been spent in so little time with, frankly, so little oversight.

As a new member of the Appropriations Committee, a gentleman asked me, well, what's it like? I said, I don't know. I showed up to one meeting. We spent $358 billion in about 3 hours. It was an open process. There was full debate, but there hadn't been subcommittee meetings, and there wasn't time for genuine discussion and give-and-take, in my view.

This train is moving so fast down the tracks, it's hard to determine, frankly, what's in the legislative package from day-to-day, and unfortunately, in my opinion, the package has not been bipartisan in nature. It's not been developed through negotiation and discussion.

Madam Speaker, I trust the President when he says that this should be a bipartisan package, and frankly, I wish the Democratic leadership in the House had seen fit to make it so. But a bipartisan package generally requires the two sides to sit down and negotiate, and frankly, genuinely bipartisan legislation usually requires that some Members on each side vote ''no.''

What we have today is a package that's going to be rammed through on a largely partisan vote where, frankly, the minority feels like it hasn't had an opportunity to participate. Again, I have no problem with that because that's the legislative process. As our friends like to say, they won the election.

Of course, so did we. Everybody that's in this body won an election. Everybody has a point of view, and if you want to have genuine bipartisan legislation, then you have to involve the other side.

The route we're taking will end up, again, in virtually universal support by Democrats and universal opposition by Republicans. It doesn't have to be that way. We could have either debated the Republican alternative or done something else and found common ground.

Mr. LEWIS of California. Madam Speaker, I reserve the balance of my time. May I inquire of the chairman if he has any additional speakers. I'm going to reserve and yield back my time.

Mr. OBEY. I have one speaker, myself.

Mr. LEWIS of California. I yield back the balance of my time.

Mr. OBEY. Madam Speaker, I don't intend to take a lot of time, but I do want to respond to some of the claims and comments made today in opposition to this legislation.

First of all, I do want to thank the gentleman from Oklahoma (Mr. COLE). Like myself, he is a committed partisan, and I think, like myself, he is also an institutionalist, and while I recognize that he very much differs with the product that we have before us, I appreciate the fact that he did indicate that the committee consideration of this bill was an open process.

Let me simply respond to a few of the comments made by my friends on the other side of the aisle.

We're told by numerous speakers that this package is too large. In fact, I fear that it may be too small. We can't determine the proper size of any economic recovery package unless we have some understanding and some anticipation of the size of the problem that it is meant to alleviate.

My old friend Archie the Cockroach, for instance, in talking about the need for proportion said once, In life you always need proportion. ''Of what use is it for a queen bee to fall in love with a bull?''

I think that if we have large and serious economic crisis coming at us, that response needs to be large, bold and aggressive, and that's what I believe the President's package is.

Now, this package is $820 billion. It represents less than 6 percent of our total gross domestic product spread over several years. I would point out that when World War II hit us governmental spending went from 10 percent of GDP in 1940 to 44 percent in 1943 and 1944, a huge percentage, an increase of 34 percent. That was to save the country in time of war.

I would submit that the challenge to our economy today is every bit as large as the challenge of World War II was to this country in another time because we have been faced with the prospect of virtually total collapse of the financial sector of this economy.

Under the previous President, President Bush, when the crisis finally hit, this Congress gave him the benefit of the doubt, and even though we, many of us, had strong misgivings about the wisdom of the proposal, and even though many of us were frustrated by the fact that Secretary Paulson would not provide sufficient relief on the mortgage front, we nonetheless supported the President's request because we were told that the alternative was to see an absolute freeze up and collapse of the credit markets in this country, with disastrous results. Not just for those Wall Street wizards who helped cause the problem, but would also have resulted in the crushing of everybody else below them on the economic ladder as they fell from their Wall Street perches.

And now the President is asking us to do two additional things. His Secretary of the Treasury today is scheduled to explain to the country what their second step will be with respect to trying to stabilize the financial system in this country and, at the same time, trying to do something to deal with the horrendous collapse of housing prices and the horrendous collapse of people's equity in their homes. And then the next thing the President wants us to do is to pass this package.

Now, this package, as I've said, is a huge, huge endeavor. It is certainly of the size that would have been shocking just a few months ago, but it's responding to a problem just as large, and I want to show you what we're trying to respond to.

This chart shows projected unemployment levels from now through 2

years from today. It was presented by Mr. Mark Zandi, one of the principal economic advisers to Senator MCCAIN in the last campaign. He represents Moody's Economy.com. The red bars indicate what he expects to happen to the unemployment levels if we do nothing. What he expects is that unemployment will rise from over 7 percent, slightly over 7 percent where it is today, to almost 11 percent and perhaps even higher 2 years from now.

□ 1500

In other words, he sees the economy sliding ever more deeply into the abyss over the next 2 years if we do nothing.

The blue bars represent what he thinks the unemployment levels will be if we do pass a $750 billion economic recovery package. Even then, he projects that by the second quarter of—not this year, but next year—he projects that unemployment will still have risen to around 9 percent.

As the President said last night, what that means is that no matter what we do, we are going to have a very, very rough year. And it is his hope and it is the expectation of most economists that if we pass this package, or something close to it, then we will be able to mitigate the rise in unemployment, that we will be able to reduce the expected levels of unemployment by at least 2 percent. And we hope what that will do is to begin to bring additional revenues back into the Treasury and, at the same time, in combination with the other actions of the President, restore a modicum of public confidence in the economy. Between those two actions, get the economy moving again, slowly but surely.

So this package attempts to use the only tool that we have available to get the economy going again. Normally, when we run into economic trouble, what we would do is rely on monetary policy in order to get us out of it. The problem is we have already fired that gun. The Federal Reserve has already brought interest rates down to record low levels. So we don't have that bullet in the gun any more.

About the only bullet left that we can fire is one of fiscal stimulus. And that is what this bill tries to do. It tries to make up for the fact that over the next 2½ years we are expected to have a $2.5 trillion hole in the economy because of the collapse of consumer purchasing power. And, as a result, what the President is trying to do is to partially fill that economic hole to mitigate the expected steep rise in unemployment.

And so the President is trying, in essence, to create or preserve about 4 million jobs by providing additional funding to produce clean, efficient energy alternatives. He wants to provide more jobs by trying to transform our economy through beefing up science and technology. He wants to provide more jobs by modernizing roads, bridges, transit, and waterways, to deal with the crumbling infrastructure of the last 30 years.

He wants to preserve hundreds of thousands of jobs by helping States to maintain their education budgets as their own revenue sources collapse so that we don't have to lay off school teachers; so we don't have to lay off janitors; so we don't have to lay off speech therapists and guidance counselors; so that we don't have to lay off cops; so that we don't have to lay off park workers.

In addition, he wants us to provide tax cuts in order to enable the middle class to finally get a little better deal on the tax side of the ledger. He wants to help workers hurt by the economy by providing additional help for those who have lost their jobs by way of an extension and an expansion of unemployment compensation. And he also wants to help those who have lost their health insurance by providing greater access to Medicaid and by providing some help to keep up with what is called their COBRA payments.

So that is what this package is all about. It is not perfect by any means. And we have substantial, but I hope not overpowering, differences between us and the Senate.

And so the purpose of this motion is to simply have us get on with it. To take the next step we know that we have to take if we are going to do something constructive to move this country forward. We can all debate the fine points of this package until the cows come home, as they say in my area of the country. But the fact is, sooner or later we need to take heed and remember what Franklin Roosevelt said in a not very different situation years ago when he said, ''We need action, and action now.''

This package is meant to begin that process. I would urge Members to support the motion.

Mr. OLVER. Madam Speaker, I support quickly moving forward with a recovery package to put America back to work.

The reckless actions of much of Wall Street, coupled with years of inadequate regulatory oversight, have led to a housing and financial crisis of enormous proportions. Spiraling foreclosure rates have put millions of families on the brink of disaster and infected the entire economy. We must stop an economic collapse and throw a life-line to the millions of people that are struggling to find work and support their families.

In the last four months alone, the economy has lost over 2 million jobs. By the end of 2009, an additional 3–5 million Americans could lose their jobs and without this package, the unemployment rate is likely to rise to 12 percent.

Any final bill must create new jobs by: repairing and improving our nation's roads, highways and bridges and improve and expand public transportation in urban and rural areas. Surface transportation funding in the House bill would create more than 1 million new jobs.

The House and Senate bills would also create jobs by investing in safety and capacity improvements at our Nation's airports; capital investments in Amtrak and intercity passenger rail; and energy retrofits in our Nation's public housing, HUD assisted housing and Indian reservation housing.

This is just some of the important job creating stimulus in this bill.

It is important that we act quickly to bolster the sagging economy.

I strongly support this investment package because it will help put America back to work and improve our transportation and housing infrastructure.

Mr. NEAL of Massachusetts. Madam Speaker, I am very pleased to be here to support this motion to go to conference on the Recovery bill. It has been some time since we have had an actual conference on a tax bill. The purpose of conferences is to work out differences between the chambers and that give-and-take will usually result in a better bill.

I commend Chairman RANGEL for crafting a responsible tax title that will deliver substantial relief in tough economic times. This means 95 percent of all taxpayers will see tax cuts through the Making Work Pay credit, including 2 million families in Massachusetts. Working families will also benefit from improvements to the child tax credit, the earned income tax credit, and a new higher education tax credit.

Businesses across the country will benefit from bonus depreciation and small business expensing provisions, as well as relief for those businesses with net operating losses. And state and local governments will see substantial relief for infrastructure needs through greater bond authority and lowering the costs to borrow.

The Senate has worked its will and made a number of changes to our House bill, which our conferees should give due consideration. Twenty-six million families will be protected from the AMT under the Senate bill, and that is a provision I am hopeful we can include here. It is something we will enact this year, no doubt. But sooner is better than later.

However, some of the spending cuts, especially for education and higher education, could eliminate the possibility for many of our schools, colleges, and universities to pull out of this economic slump, where credit is tight and borrowing prohibitively expensive.

I am very optimistic and have great confidence in our conferees to craft a recovery package that lifts our economy out of the mire. As the President has directed, time is of the essence. So I urge my colleagues to support this motion.

Mr. CAPUANO. Madam Speaker, I supported H.R. 1, the American Recovery and Reinvestment Act, because we need to create and preserve jobs. In the final analysis I believe that this bill offers enough stimulus to earn a ''Yes'' vote from me. There is no question that help is needed. Each day seems to bring more sobering news about layoffs and business closings. This bill will serve as a boost for job creation and for our overall economy. It is estimated that the legislation, once enacted, will create or save millions of American jobs. I also believe, however, that this legislation relies too heavily on tax cuts to stimulate the economy and a fair amount of the spending, though generally desirable, does not offer a truly stimulative aspect. Nevertheless, on balance I felt that it was better to accept an imperfect bill than wait for a perfect measure that may never materialize. We simply cannot wait much longer to provide as much relief as possible to the American public.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

The motion was agreed to.

MOTION TO INSTRUCT

Mr. LEWIS of California. Madam Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. LEWIS of California moves to instruct the managers on the part of the House that they shall not record their approval of the final conference agreement (as such term is used in clause 12(a)(4) of rule XXII of the Rules of the House of Representatives) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in such clause.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Thank you, Madam Speaker. I yield myself such time as I may consume.

The debate over the Pelosi-Obey nonstimulus package has often focused on the nearly $1 trillion it will spend, much of it in ways that will not stimulate our economy or create badly needed jobs. It will, however, stimulate tremendous growth in the size and scope of the Federal Government and our national debt.

Well-meaning people can disagree about this legislation, but the simple truth is that nearly 2 weeks after it passed the House, we are still discovering every day what exactly is in this package. The Senate just passed its own version this afternoon and I'm certain that Senators, too, will discover aspects of this bill in the coming days that they were simply unaware of when it came to a vote.

What is most troubling is how some of the Federal agencies will distribute the massive amounts of funding provided for in this bill. For instance, agencies will use funding in the House-passed bill for these endeavors: $30 million for salt marsh harvest mouse habitation restoration in the San Francisco bay; $8 to $10 million for oyster restoration in the Gulf of Mexico; $600 million for the acquisition of plug-in vehicles, which are not made or currently available in the United States. Sadly, the list goes on and on.

While these may be worthy endeavors, they certainly do not meet the test of being ''timely, targeted, and temporary.'' And they certainly do not belong in an economic stimulus bill.

I had hoped when this process began that the House and Senate would embark on a bold new experiment—building a bipartisan consensus—to reflect not only the tone set forth by the President, but to live up to the expectations of the American people.

Let's face it—my voters and your voters are sick and tired of the typical Washington finger pointing and want us to work together. The House leadership had a tremendous opportunity to use this legislation as a vehicle for bipartisanship. Much to my disappointment, the decision was made to forego bipartisanship in the name of expediency. I believe this expediency will prove costly over the long run.

As the House and Senate prepare to conference separate versions of the stimulus package, it is absolutely essential that House Members and Senators know exactly what is included in the final conference agreement.

It is for this reason that I am making this motion to instruct House conferees not to sign the final conference agreement unless the text of such agreement has been available to the conferees in an electronic, searchable, and downloadable form at least 48 hours prior to their approval.

If the House is about to cast its approval of the largest spending bill in history, the least we can do is to ensure that Members have 48 hours to review what is in it. That is not an unreasonable request. To the contrary, it is the reasonable and responsible thing to do.

While this motion limits public availability to conferees, I think any final agreement should, in practice, be available to the public in advance as well. Members have an obligation to their constituents to know the contents of the conference report before they cast their vote in what certainly will be one of the most important votes they will ever cast in this body. They should know—have a chance to know—what is in it. We ought not act in haste when spending almost $1 trillion of our taxpayers' money.

I urge Democrats and Republicans alike to join me in supporting this motion to instruct conferees and provide that 48 hours I mentioned.

I reserve the balance of my time.

Mr. OBEY. Madam Speaker, I yield myself 4 minutes. Madam Speaker, we have often been accused of trying to push this bill rapidly through the Congress. In fact, we have been trying to push a recovery package through this Congress for the last 150 days.

We began this process in September when we tried to persuade the previous Bush administration of the necessity to support an economic recovery package. That White House would have none of it. Nonetheless, we put together a package—very modest in size compared to this one—trying to look for anything that President Bush would sign, and that product was well known.

It has evolved gradually since that time as the economy has descended further and further and further into a recessionary and deflationary spiral. We now have had this legislation in both the House and the Senate appear on the Web.

Our committee, as soon as we produced the final product in the House, placed the bill on the Web. And the Senate placed the Nelson amendment, which is the amendment that they are now operating on, they placed it on the Web as well. So I think both Chambers have demonstrated that they are trying to do every bit that they can to provide transparency for the process.

I have no objection to what the language in this motion to instruct conferees says. I do have one caution: every day that we do not take action, an additional 20,000 Americans lose their jobs. And that is accelerating.

I don't intend to go anywhere. The Speaker has made it quite clear that this Congress is not going to go home for its Presidents Day recess until this package is finished. So we are scheduled to adjourn for that recess on Friday. But I have no problem sticking around for as long as it takes to get the job done.

I would point out that there's considerably less to this proposal than meets the eye because all it does is to require the text of the proposal to be available to the managers of the bill. And I suspect that the managers, who will be participating in these discussions, will know literally from moment to moment exactly what it is that they are doing.

□ 1515

I am sure that each and every person appointed to be managers on both sides of the aisle will be reasonably competent so that they can do that. So I would simply point out the effectiveness is simply to delay consideration of this legislation when it does come back from conference. If that is what Members want to go on record as supporting, I have no objection whether this passes or not. I will be around as long as it takes; and, frankly, I expect it is going to take a whole lot longer than just this week.

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I am proud to yield 3 minutes to the gentleman from Texas (Mr. BARTON), the ranking member of the Energy and Commerce Committee.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. First, let me say I rise in support of the motion to instruct. But what I really want to talk about is President Obama's call for bipartisanship. We heard it last night in his press conference; we have heard it in every major speech that he has given. And, somehow, it is just the Republicans' fault that we are not being bipartisan. Well, I have had it up to here with the rhetoric. The reality is totally different.

We have before us a motion to go to conference in which not one Republican amendment was accepted on the House floor, in which there were no hearings in any of the committees in the House of Representatives, in which in the Energy and Commerce Committee of which I am the senior Republican we didn't have any hearings. We

did have a markup. We got five Republican amendments accepted in the markup in committee, but three of those were stripped when the bill came to the floor. We are apparently going to have five House conferees out of 435 Members; we are going to have nobody from the Energy and Commerce Committee, nobody from the Education and Workforce Committee, nobody from the Ag Committee, nobody from Homeland Security, nobody from Veterans', nobody from Financial Services. The list goes on and on. That is not bipartisanship. I don't know what it is; but if President Obama is listening, if you really want to be bipartisan, pick up the phone and call the Speaker and say: allow the 41 percent of the House that represents the Republicans to be a part of the process. It is not bipartisan where we are presented a bill and told ''take it or leave it.''

Now, I understand that if one side has 59 percent and the other side has 41 percent, the 59 percent can win every vote; but that doesn't mean that the 41 percent has no say. And we have a bill somewhere between $820 billion and $850 billion, which is more than the entire economy of the country of Australia, which is 20 years of state spending of the State of Texas, which is equal to almost the entire discretionary budget of United States of America, and we are going to pass it after a floor debate 2 weeks ago of 3 to 4 hours, and I don't know how many hours of debate we are going to have today and tomorrow, but it is 3 or 4 hours. Now, that to me is shameful.

The regular appropriation process, which Mr. OBEY is the chairman of, they have 12 subcommittees; they have hearings in every subcommittee; they have markup in every subcommittee. They take each bill to the full committee and have a markup. The bills, theoretically, come to the floor separately and under an open rule where any Member of the House can stand up and offer an amendment.

This process is a dictatorship. I could talk about the substance of the bill, but at least know, the American people, that the process that we are spending $800 billion to $900 billion is a closed system. I strongly oppose it.

Mr. OBEY. I yield myself 1 minute.

Madam Speaker, I yield myself this time to simply observe that my friend from Texas is wrong in one respect. The gentleman suggested that no Republican amendments were adopted on floor consideration of the bill. The Platts amendment was adopted; the Shuster amendment was adopted. The last time I looked, both of those gentlemen were Republicans.

I would also point out that in the committee consideration of the bill, more Republican amendments were adopted, much to my consternation, than were Democratic amendments. I would also point out, in our hearing in the full committee we did have a hearing on the need for an economic recovery package. When we held that hearing, I am sorry that only three members of the minority attended because the minority members were asked by the ranking member of the committee to boycott the hearing.

Mr. LEWIS of California. Madam Speaker, I am pleased to yield 2 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. Madam Speaker, I thank the ranking member for yielding me this time. I support his motion to instruct and think he has done a very fine job of explaining part of the problems that we have with this bill.

President Obama I understand had promised that, before he would sign any bill, it would be available to the American public for at least 5 days. We are only asking for 48 hours, and yet we are getting excuses after excuses for why this bill cannot be made available for 48 hours. We all remember the rush to fund Katrina, what a debacle that was. And I remember the old saying: act in haste and repent at leisure. We don't know what is in this bill, and we need to know.

Much has been made of the Senate action to cut spending in the bill, but it doesn't show the full picture, because in many ways the Senate bill will lead to an even bigger expansion of the Federal Government and long-term Federal spending than the House bill. If all the new programs proposed by the House and Senate make it into the conference report, we will have created 42 new government programs, programs that the taxpayers likely are now on the hook to continue funding in the future. The Senate bill did nothing to cut the number of existing Federal programs that were included in the House. In fact, the House and Senate combined to propose to expand 87 existing Federal programs, 82 billion from the Senate bill and 93 billion in the House bill. This is not funding for one-time stimulative programs, but will go on to expand these programs, forcing Congress to maintain most, if not all, of these higher funding levels. The public doesn't understand that.

The final stimulus package can include as many as 129 new and expanded Federal programs. And my colleague, the chairman of the Appropriations Committee, failed to mention that, in terms of amendments that were accepted by the committees, that after three amendments were accepted by the full Appropriations Committee they were taken out in the Speaker's office when the bill was rewritten in the Speaker's office.

Mr. OBEY. I yield myself 30 seconds to simply again correct the gentlewoman. The fact is that the amendment that related to the process by which highway projects were funded and approved was not taken out in the Speaker's office; it was taken out on the House floor when, on a bipartisan basis, Republican and Democratic members of the T&I Committee wanted to see that changed.

I reserve the balance of my time.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentlelady from Missouri (Mrs. EMERSON), a member of the committee.

Mrs. EMERSON. Madam Speaker, first, I would like to say that I hope this bill can be vastly improved in the conference committee.

While much has been said about the Senate cuts, their version of the bill still costs $838 billion, which is a $20 billion increase over the House-passed bill of $819 billion.

Also, with regard to the Financial Services section of the recovery bill, and particularly since I am a new ranking member, I am disappointed that neither I nor the minority's committee staff were given an opportunity to consult with the majority members or staff before the bill was produced and unveiled on the Internet. I hope that this practice won't continue as this stimulus bill is negotiated with the Senate and as the committee begins its work for fiscal year 2010.

With regard to the motion to instruct before us, it simply asks that the House conferees not approve of the final conference agreement until the text of the legislation has been available in an electronic, searchable, and downloadable form for at least 48 hours prior to voting on the final agreement. I think this is a simple request, and it is a simple request that ensures American people have an opportunity to review the bill and contact their representatives regarding its content. I believe, and I think all of us believe, that our constituents have a right to see the bill before it is voted out of conference and it is no longer amendable.

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

Mr. LEWIS of California. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from the committee, Mr. KIRK of Illinois.

Mr. KIRK. Spending under this legislation totals over $800 billion, requiring the Bureau of the Debt, we project, to attempt to borrow $2.1 trillion to finance this legislation. And this legislation isn't the only big spending bill we will consider. Shortly, we will consider a $410 billion omnibus appropriation reportedly containing 4,000 earmarks, followed by a $100 billion supplemental.

I was just at the Bureau of the Public Debt today watching the Federal Government go $32 billion in debt, one of three public auctions. We have an enormous requirement for borrowing money, five times more than in the history of the United States, totaling $76,000 per taxpayer if this legislation passes. We have seen other sovereign debt issues fail. Recently, the government of Germany failed to auction its debt because so much was being offered.

Under this legislation, and with other legislation that is pending on the omnibus and on the supplemental, the Bureau of the Debt will be forced to auction $150 billion per week of the

United States going into debt. We have never seen so much debt auctioned before, and this is not coordinated with other governments. Other governments, like the Government of China, the Government of the United Kingdom, France all have their own stimulus packages going into debt $1.2 trillion themselves.

The question: With all of these governments borrowing over $3 trillion, who has the money to pay this? Now we know our kids are going to pay for this long term, but who is going to pay for this next week? And the answer is: maybe debt markets, maybe not.

We have never seen the United States go this far into debt this quickly. It took 40 Presidents, from President Washington to President Reagan, to build up $1 trillion in debt. The previous President doubled our debt to $6 trillion. But now, we are going $2.6 trillion more into debt in a month. In a month. Can we auction this much debt this quickly? It is a question that should be asked and answered before we pass this legislation.

Mr. OBEY. I yield myself 1 minute.

Madam Speaker, the last people in the world I will take lectures from on fiscal responsibility are those Members of this House who voted for the Bush economic programs that borrowed $1.2 trillion and then took us into a war which, before it is over, will cost us another at least $1.5 trillion.

Secondly, I would simply answer the gentleman's question when he asks who is going to pay. I would ask, who is going to pay if we do nothing and do not implement this package? I would submit the people who will pay will be every American who loses his or her job, every businessman who loses his ability to get credit because of the constriction of the economy; every student who will have to quit college because his family cannot afford to help him go.

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

Mr. OBEY. I yield myself an additional 1 minute.

And every person who loses one-third to one-half the value of their 401(k)s because of the continuing unraveling of the economy.

□ 1530

That is who will pay.

We need to stop the political rhetoric and recognize this problem is serious enough that we need to rise above our usual recitation of trivia and deal with the major problems facing this country. And we can't do that without taking action on this package.

Mr. LEWIS of California. Madam Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman from California has 17½ minutes remaining. The gentleman from Wisconsin has 23 minutes remaining.

Mr. LEWIS of California. Madam Speaker, I yield 3 minutes to the gentleman from Indiana, our conference chairman, MICHAEL PENCE.

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

Mr. PENCE. I thank the gentleman for yielding.

I take a second chair to no one in this conference in my respect for the integrity of the chairman of the Appropriations Committee. Mr. OBEY is a man with whom I differ on a broad range of issues, but he is a man of integrity, Madam Speaker. And I come to this floor in part to acknowledge that.

Let me say also how much I appreciate that the chairman said that he has no objection to the motion to instruct conferees on H.R. 1 that is before the body today that would require that before the House shall record its final approval to the conference agreement that the text of the agreement should be made available to the managers in an electronic, searchable and downloadable form for at least 48 hours. I commend the chairman for that.

I would respectfully disagree with the statement that the chairman just made, Madam Speaker, and it's a statement that we heard the President of the United States make last night. And maybe it was inadvertent by the chairman, but it is this contrast that somehow this debate is between people that want to do something and people that want to do nothing. With great respect to the chairman, that is not an accurate articulation of the competing positions on this bill.

House Republicans know we are in a recession. This is a very serious time in the life of American families and in the life of our economy. At the President's invitation, House Republicans brought forward a series of proposals that would bring fast-acting tax relief to working families, small businesses and family farms. And despite President Obama's laudable call for bipartisanship, those House Republican proposals were completely excluded from this bill. And so to hear last night on national television and to hear today that there are those of us in the body that would do nothing, I would say respectfully to my Democratic colleagues and to this administration, who are you talking about? I know of no Republican in the House or the Senate who believes in these challenging economic times that we should do nothing. House Republicans believe simply that we should do the right thing. And millions of Americans stand with us that this massive spending bill that is nothing more than a tired wish list of leftover liberal spending priorities is not the answer. But we simply believe that we can do better. And by requiring that this legislation be on the Internet for 48 hours before final vote, we believe we're going to have a better opportunity to get the American people even more into that conversation than they are today.

I still believe that we can achieve a bipartisan result. I believe in the goodwill of the chairman of the Appropriations Committee. And I believe in his integrity. I believe in the goodwill of a great number of my colleagues on the Democrat side of the aisle. And I believe our President is sincere in saying that in these difficult economic times, we ought to be coming together and bringing the best ideas from both sides of the aisle to confront this very serious recession. But let's bring the American people into this debate. Let's pass this motion and ensure that this bill is open to the public for 48 hours. And we will hear what they have to say.

Mr. OBEY. I yield myself 1 minute.

Let me simply say in response to the gentleman's comments, that indeed I believe that Republican ideas have been included. I have had dozens of conversations with members of the minority side of the aisle who would talk to me about this item or that item that they thought either ought to be in or be out of the package. And we've responded in numerous instances. I would also point out that the President himself has pointed out that when he first talked to Republican leadership about what ought to be in this package, they told him there ought to be a healthy dollop of tax cuts in the package, and that when he produced the package, which did contain significant tax cuts, a number of Republicans then indicated that they were, in fact, pleasantly surprised by the fact that the President had done that.

Apparently, however, since then, they have decided to move the goalpost. The President can't do much about that. And I can't do much about that. I suspect that the people moving the goalposts are the people who might consider moving it back again.

Mr. LEWIS of California. Madam Speaker, it is my honor to yield 1 minute to the whip on the Republican side of the aisle, Mr. CANTOR.

Mr. CANTOR. Madam Speaker, I thank the gentleman.

And let me respond to the last statement from my colleague on the other side of the aisle, Mr. OBEY, that that is not the way things happen. We were invited to the White House because the President felt it appropriate to reach out to us to take into consideration our proposals. We submitted to him in person a Republican economic recovery plan. Yes, it was more weighted for tax relief. Yes, it was, in a reduced way, a spending formula, because at the end of the day what any stimulus bill should be about is preserving, protecting and creating jobs, period. And as the President said last night, there is a lot in this bill that people may like. But do you know what? He also said the plan is not perfect because it was produced in Washington. This President came to this town and was elected because he said he was going to deliver on change.

Madam Speaker, I would say if we are serious about a true stimulus bill, let's get down to business. Let's provide small business tax relief because they create 70 percent of the jobs in

this country. Let's not embark on a spending spree that is the biggest spending spree in the history of this country.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, the saying everybody in here already knows is that ''if you find yourself in a hole, it's time to stop digging.'' And there was far too much deficit spending for far too long.

This bill, clearly, with all its lack of transparency, is not about jobs. If it were just about jobs, then we could have the proposals by the Energy Committee and the Republicans in the Natural Resources Committee with some of the Blue Dogs, we could open up Alaska to oil and gas exploration where it has not been, open up the OCS, and we would get 3 million jobs without taking the future away from our children.

Now, the American people intuitively know this is not a good thing. Even though there is so much that is not transparent, they are not allowed to see it because of the opposition to the former chairman's motion here. But they know. The Dow knows. I just saw we are down 380 points even with this bill having passed the Senate and being brought in here now. People understand this is not a good thing. If it's something you're proud of, then go along with the motion to instruct and let the American people see this product you apparently are so proud of that is going to just auction off our children's future.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Speaker PELOSI, as well as President Obama, talked about wanting to have a new era of openness and transparency. And that is exactly what this motion to instruct is all about. It is to bring openness and transparency of this huge bill to the American public.

And I can't understand why my Democrat colleagues seem to be so bent on getting this bill to the floor and passed, because we don't even know what all is in there. I understand that the $600 million that were originally slated in the House bill to prepare America for socialized medicine has been expanded to $2 billion. And the American public has the possibility of having their health care decisions made by some health care czar and some bureaucracy here in the Federal Government, not by their doctor. And in fact, their doctor may be even chosen by this health care czar.

This is not right. This is not transparency. This is not fairness. The American people deserve better than this. So I encourage my Democratic colleagues to look at this motion to instruct and to support it so that the American people can see what is in this bill. We can come back next week or some time or even through the weekend. We can put it online today. And we can vote on it on Friday evening or Thursday evening if you will just do that. So I encourage my Democratic colleagues to support this motion to instruct so that we can have the transparency that the American public deserves.

Mr. OBEY. I yield myself 1 minute.

Madam Speaker, I hope that the Thursday or Friday that the gentleman is talking about, I hope he recognizes that it's likely to be next Thursday or Friday, not this one. Secondly, I must say I am amused when I hear the reference to ''socialized medicine.'' Does anybody really believe that it's socialized medicine if we are putting $2 billion in this legislation in order to help change our medical records from paper records to computerized records so we can reduce the number of mistakes that are made in hospitals and create more efficiency and save money in the health care area? With the rising costs of health care nationwide, shouldn't we be looking for ways to make the system more efficient to save money? That is what that $2 billion does, despite somebody's desire to look for ghosts.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Speaker, I would like to thank the ranking member for the opportunity to speak. And I do stand in favor of the motion to instruct requiring 48 hours for the information on this bill to be made available electronically in a readable, researchable and downloadable database. I think that is important to the American people.

And I want to stress that we have heard a lot of talk about what people stand for. I haven't heard anyone that says that we shouldn't be doing something. We absolutely need to be taking issue with where the American economy is today, to be making sure that we are working as hard as we can to provide solutions. There are American families out there that are hurting each and every day. I don't think any of us up here don't have that first and foremost on our mind.

Madam Speaker, it's not only important that we do something, but it's important that we do the right thing. This is such a monumental step for this government to take. It has been said that this is an historic precedent on the level of spending that we are taking to drive the economy. It really begs us to take the time to get it right. We need to take the time to focus on the right mix of tax cuts and spending that will truly stimulate the economy, dollars that make their way into the economy immediately. Over 60 percent of this bill doesn't make its way into the economy for more than 19 months. I don't know that anybody here would say that that is truly stimulative to the economy and things that are going to equate to jobs in a timely manner for folks that are suffering right now.

I think it's important to make sure that all the American people are heard on this. This is so important. There are members on this side that represent folks out there that want to make sure that ideas we hear from them are projected in this bill and they make their way into the final version that is to be considered here coming out of the conference report. I think that is incumbent upon this body to make sure that that happens. This bill is too important to make sure that we have the participation of everybody. We need to make sure that this information is available for the American public to understand, for their comments to come back to us, for us to have the opportunity to make sure that those comments make their way into this legislation. This is groundbreaking legislation, and it needs to happen now.

Mr. LEWIS of California. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Well, I thank my fellow congressman from California (Mr. LEWIS) for the fine work he does for all Americans.

I rise today in support of the motion to instruct conferees on H.R. 1. I would argue that it should be retitled. It should be titled ''People Before Politics.'' All it is asking is 48 hours to see the example of more than 800 pages spending more than $800 billion. It is roughly $1 billion a page. I think the American public has a right to know what is in the bill and what it is being spent on.

When I was watching television today and watching one of the interviews by one of our fellow Senators, one that helped negotiate where this bill currently was, when asked a question, he said, I only agreed to $780 billion. But the score today says $838 billion. When they asked him a question about what has gone in and what has been put in about health care, he said, I never agreed to that. So even the Senators themselves that have been negotiating this bill before it goes into conference are questioning what is in it. I think the American public has a right to know.

I would tell you that a little more than a week ago we sat on this floor and we had an debate about this bill. And unfortunately, there was a partisan vote and then a bipartisan vote about this bill. One side of the aisle almost all voted ''yes.'' That bipartisan vote was a handful of Democrats and Republicans who said ''no.'' And I think their voice has a right to be heard. And their voice of saying ''no'' is not ''let's not do anything.'' We believe there is an ability to do something better. And on this side of the aisle, the Republicans have sat together, worked in a bipartisan group and worked together also in a working group and laid out to this President and have given him the ideas that said how can we improve, how can we move together in moving forward? And what

we are saying with the motion to instruct is let's continue the work, let's improve it and let's make the American people be first and foremost. Let's put people before politics.

□ 1545

Mr. OBEY. Madam Speaker, I yield 5 minutes to the distinguished chairman of the House Ways and Means Committee.

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

Mr. RANGEL. Madam Speaker, there may be a lot of people that have objection to the process in which we have moved forward, but one thing is abundantly clear and that is, the President of the United States, and every economist from the left to the right, believes that if we don't do something and do it fast, that our economy would be in far worse shape than we find it today.

To think the number of people that are losing their jobs, losing their health insurance, losing their families and losing their hope are things that are not labeled Republican and Democrats. This is what the core of America is all about.

I cannot think of anything that's more American, even the American flag, than our middle class citizens, our middle class taxpayers. Whether we've been involved in war, whether we've been involved in depressions, it's been the guts of these people that's been able, with pride, with dignity, to be able to come back stronger than ever. And now we find that their demands have increased, but at the same time, their resources have decreased. These are people that work hard every day; that have families with kids in school, that want to protect their health. And the one thing they can't do is purchase.

I don't understand this word that you have to build the confidence of people in the market. But one thing is that if you're the working poor, $500 or $1,000 in the family, that's not confidence, that's filling a gap, that's filling a need. And it seems like it makes so much sense, no matter what town or village that you live in. If people can't afford to buy, if they can't afford to buy from the small businesses in their towns and villages, then these people have inventory that has built up, but they also have staff and clerks and employees that they can't afford to hire. Once these people are discharged, fired, laid off and go right back into the general economy, these are the middle class people. They're not the rich. They're not the poor, they're not the homeless, but there are people that believe that this country will never let them down.

And so the President says that 95 percent of people who work hard every day would be receiving some type of a tax cut. It would seem to me that, whatever objections you have, that time is not our friend. We find more small businesses closing, more people going into unemployment, losing their benefits for health. And in this bill we try to ease the pain, to try to stop the hemorrhage that we have from job loss, to try to make certain that someone who wants to buy would believe that they can keep their kid in school, that they will be able to have a job the next day and they don't have to hold back.

I'm hoping that we try to break this partisan past that we have, because I don't see how anyone can explain to anyone that's in trouble as to what their party label would be.

Our country is involved in an intensive care unit, and it seems to me that they're saying that we need an infusion of resources, an infusion of health care, an infusion of economic assistance. If we don't help this patient, our great Nation, then most every economist has said that she could come to near death. And every day we hold back this care, every day we hold back this injection of having funds, whether it's the earned income tax credit that allows people to work, even though they may be below poverty, they still are able to work and have their dignity, to be able to have children that are deductible where we can receive an additional two or $3,000 a year. It may not be much to people who are in the upper income, but to the people who have to count their salaries each and every week to see whether or not they can put food on the table, clothing on their children's back, or to be able to fulfill that dream, once the dream that Americans have, that they will not be able to succeed, to me, that's even more important than the economic loss that they would have.

To believe that in this great Nation of ours, no matter what the economic setbacks will be, that we can and we will recover, we've done it before, during bad times. We've come back after World War II stronger than ever. And I think this President, this new President has given hope to people, not only throughout our towns and villages, not only throughout the United States of America, but indeed throughout the world.

I don't see how any Democrat, having a Republican President, could not say during this time for our Nation that we'll put our party labels behind, we'll work together and try to save the economy of this great country. Now's the time, I really think, if you're talking about bipartisanship, that this is the time to see whether or not we can work together because this word ''confidence'' means not Democrats and not Republicans, but Americans working hard together.

Mr. LEWIS of California. Madam Speaker, I hate to inquire again, but I really need to know if I have enough time for my colleague.

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) has 6 minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 16 minutes remaining.

Mr. LEWIS of California. In that event, Madam Speaker, I am happy to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding, and I certainly agree with the previous speaker that we do need to have bipartisan cooperation on this. And of course, we got off on the wrong foot. This bill was passed in the House without having the beauty of subcommittee hearings. There was one general hearing back in December, before many of the Members who voted on it were even sworn in to be a Member of Congress. So I think we could go back and this week, maybe in a conference committee, open it up and allow some of the amendments that were left out of the Senate or the House side to be included in it, and maybe we could work in a bipartisan fashion.

This bill, as it is now, is more expensive as it comes out of the Senate than it was by the House, which had a bipartisan vote against it. There was a partisan vote for it, but a bipartisan vote against it.

Only 7 percent of the spending in the bill goes to public works projects. That's $57 billion out of $838 billion. And only 22 percent of the money could actually be spent this year. So much for urgency and shovel-ready projects.

The Senate bill actually increases spending $19 billion over the House bill, which, on a bipartisan basis, so many of us voted against. It creates all kinds of new programs, 32 new programs. Now, some of them were being stripped out by the Senate that the House put in there. That was good. But I just found out about a new $100 million program to get new lunchroom equipment into schools. Now, maybe that's a good idea, but why can't that be done where it's always been done, on a local level? $100 million so that schools can buy new lunchroom equipment.

There's also funding in there for the Department of Energy that actually doubles their annual appropriation, in a stimulus package. There's even a grant in there to study privatization on American Samoa and the Northern Mariana Islands. What is that about? Have you read that language? I don't think anybody has. It's very peculiar. How did that get in there?

And you know, this bill the President brags about has no earmarks, let's be serious. It has $200 billion worth of earmarks, but they will be made by State and local authorities. It won't be made by the Congress. At least when the U.S. Congress does earmarks it gets posted on the Web page and people can find out who requests it. But no, we're going to have phantom, ghost earmarks to the tune of $200 billion.

Madam Speaker, the Republican alternative to this bill creates more jobs at a lower price tag. The Republican bill, through tax credits to small business, creates about six million jobs, and that's from the Congressional Budget Office, a nonpartisan analyst of this. The price of the Republican one is about $400 billion.

We stand ready to work with the President and work with the Democrats on a good, bipartisan package because we think doing something is the right move. But this package deserves a ''no.''

Mr. OBEY. Has the gentleman from California yielded back his time?

Mr. LEWIS of California. I have not. I have no additional speakers, however and it's my intention to inquire of the chairman if he's got three or four speakers.

Mr. OBEY. Just one.

Mr. LEWIS of California. Okay, then I would yield back the balance of my time.

Mr. OBEY. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin has 16 minutes.

Mr. OBEY. I yield myself 5 minutes.

Madam Speaker, this bill is more than 150 days late. And every day that we delay, if you take a look at what's happening in the economy, an additional 20,000 people are losing their jobs.

So we've had plenty of time to talk about our philosophical differences. We've had plenty of time to talk about our different views of the viability of the market. We've had plenty of time to talk about our views of the role of government.

But people back home are not interested in our theoretical or our philosophical views. They're interested in whether or not we have a clue about what is happening on Main Street America, what is happening in businesses all over this country, what is happening when metal working companies and paper mills and dozens of other businesses lay off workers every day, every hour. And they want to know whether we can end the speechifying long enough to actually do something that will help them. That's what this is about.

So we can argue about one-tenth of 1 percent of this bill, whether we like it or not. The fact is that some of the same people who were only too willing to vote for $1.2 trillion worth of tax cuts paid for with borrowed money under President Bush, the same people who were willing to allow us to go to war and spend over $1 trillion in a war that will plague us for years, these are the same people who supported economic policies that, essentially, resulted in the average working family having flat wages for the last 8 years. These same people are now telling us, ''Oh, don't do this. We've got a better idea.''

Well, we've tried those ideas for 8 years, and what has been the result? The result has been that, for the last 8 years, over 94 percent of the economic growth in this country, over 94 percent of the economic growth of this country went into the pockets of the wealthiest 10 percent of American families. And so, the other 90 percent were struggling to get table scraps.

And how did they respond? They responded by borrowing. They borrowed more for their houses. They borrowed more to send their kids to college. They borrowed more to pay for health care and a lot of other things. And then, the housing bubble and the Wall Street bubble burst and they got hit with the results. And so, now they are suffering for the bubbles that we've had in the economy the past 8 years. And they're looking for somebody to recognize what's happened to them and looking for somebody who will help to actually do something about the fact that they're losing their health care, losing their homes, losing their jobs, losing their ability to send the kids to college, and losing hope.

This package, by itself, will not solve any of those problems. All it will do, if we can finally produce it, all it will do is to minimize the damage and to try to inject an additional source of consumer spending in the economy, in hopes that we can begin the process of eventually turning this economy around. That's what this is all about.

We've had our time for debates. It's been a long time now, over 150 days, as I said. The time to move is now.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the motions on H.R. 1 considered today.

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

There was no objection.

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

□ 1600

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mr. LEWIS).

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to instruct will be followed by 5-minute votes on motions to suspend the rules with regard to House Resolution 114, if ordered, and House Resolution 60, if ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 29, as follows:

[Roll No. 54]

YEAS—403

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)

Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—29

Berkley
Bilbray
Boyd
Brown, Corrine
Campbell
Castor (FL)
Davis (IL)
DeGette
Gallegly
Granger
Grayson
Harman
Hinchey
Johnson (IL)
Kind
Klein (FL)
Kosmas
Meek (FL)
Miller, Gary
Putnam
Rush
Schock
Sessions
Souder
Stark
Tiberi
Wasserman Schultz
Wexler
Woolsey

□ 1630

Ms. LINDA T. SÁNCHEZ of California and Mr. PAUL changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL GIRLS AND WOMEN IN SPORTS DAY

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 114.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 114.

The question was taken.

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

Mr. CONNOLLY of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 34, as follows:

[Roll No. 55]

YEAS—398

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—34

Berkley
Bilbray
Bonner
Boustany
Boyd
Brown, Corrine
Campbell
Castor (FL)
Davis (IL)
DeGette
Gallegly
Granger
Grayson
Harman
Johnson (IL)
Kind
Kirk
Klein (FL)
Kosmas
Linder
Meek (FL)
Miller, Gary
Moore (WI)
Pitts
Putnam
Rush
Schock
Sessions
Souder
Stark
Tiberi
Wasserman Schultz
Wexler
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1637

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair will ask all present to please rise for a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their families, and all who serve in our Armed Forces and their families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

There was no objection.

RECOGNIZING AND COMMENDING UNIVERSITY OF OKLAHOMA QUARTERBACK SAM BRADFORD FOR WINNING THE 2008 HEISMAN TROPHY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 60.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 60.

The question was taken.

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

Mr. CONNOLLY of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 0, not voting 38, as follows:

[Roll No. 56]

YEAS—394

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis (CA)
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—38

Bachus
Berkley
Bilbray
Boustany
Boyd
Brown, Corrine
Campbell
Castor (FL)
Davis (IL)
DeGette
Gallegly
Granger
Grayson
Grijalva
Hall (NY)
Harman
Herger
Johnson (IL)
Klein (FL)
Kosmas
Larsen (WA)
Lewis (GA)
Linder
Markey (MA)
Meek (FL)
Miller (MI)
Miller, Gary
Putnam
Rush
Schock
Sessions
Souder
Stark
Tiberi
Velázquez
Wasserman Schultz
Wexler
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1646

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Illinois. Mr. Speaker, I was unable to cast votes on the following legislative measures on February 10, 2009. If I were present for rollcall votes, I would have voted "yea" on each of the following:

Roll 54, February 10, 2009: On Motion to Instruct Conferees on H.R. 1: Making Supplemental Appropriations for Fiscal Year Ending 2009.

Roll 55, February 10, 2009: On Motion to Suspend the Rules and Agree: H. Res. 114, Supporting the goals and ideals of "National Girls and Women in Sports Day."

Roll 56, February 10, 2009: On Motion to Suspend the Rules and Agree: H. Res. 60, Recognizing and commending University of Oklahoma quarterback Sam Bradford for winning the 2008 Heisman Trophy and for his academic and athletic accomplishments.

PERSONAL EXPLANATION

Mr. MEEK of Florida. Mr. Speaker, on rollcall Nos. 54, 55 & 56, had I been present, I would have voted "yea" on all three.

APPOINTMENT OF CONFEREES ON H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 1: Messrs. OBEY, RANGEL, WAXMAN, LEWIS of California, and CAMP.

There was no objection.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. MCMAHON. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 41

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, February 24, 2009, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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 is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

HONORING MIAMI UNIVERSITY FOR ITS 200 YEARS OF COMMITMENT TO EXTRAORDINARY HIGHER EDUCATION

Ms. FUDGE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 128) honoring Miami University for its 200 years of commitment to extraordinary higher education, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 128

Whereas article III of the Northwest Ordinance states that ''religion, morality, and knowledge being necessary to good government and its happiness of mankind, schools and the means of education shall forever be encouraged'';

Whereas Miami University was named for the Miami Indian Tribe that inhabited the area now known as the Miami Valley Region of Ohio;

Whereas Miami University is our Nation's 10th oldest public institution of higher learning;

Whereas Miami University's motto is Prodesse Quam Conspici, ''to accomplish without being conspicuous'';

Whereas Miami University is a student-centered public university deeply committed to student success, building great student and alumni loyalty, and empowering its students, faculty, and staff to become engaged citizens who use their knowledge and skills with integrity and compassion to improve the future of our society;

Whereas Poet Laureate Robert Frost once referred to Miami University as ''the most beautiful college there is'';

Whereas Miami University is the birthplace of the McGuffey Eclectic Readers written by William Holmes McGuffey, ''School Master to the Nation'', who wrote and compiled the first 4 Readers while a Miami University faculty member;

Whereas Miami University is cited annually by national college rankings as being one of the Nation's best values among public universities, and provides the opportunities of a major university while offering the personalized attention found in the best small colleges;

Whereas Miami University is named as one of the ''Public Ivies'', offering ''an education comparable to that at Ivy League universities at a fraction of the price'' in the book ''The Public Ivies: America's Flagship Universities'';

Whereas Miami University is among a select group of universities in the Nation that have produced a Rhodes Scholar, a Truman Scholar, and a Goldwater Scholar in the same academic year;

Whereas Miami University's faculty are nationally prominent scholars and artists who contribute to Miami, their own disciplines, and to society by the creation of new knowledge and art;

Whereas Miami University has its own campus in Luxembourg and consistently ranks among the top 25 colleges and universities in the Nation for the number of undergraduate students who study abroad, where more than 35 percent of students study abroad before they graduate;

Whereas in Business Week magazine's latest ranking of undergraduate business programs, Miami's Farmer School of Business appears among the Nation's top 5 percent, ranking 8th among public universities and colleges;

Whereas Miami University has a retention and graduation rate that exceeds the national average for undergraduates, students of color, and athletes, and has the highest graduation rate in Ohio;

Whereas Miami has first-rate facilities, has completed a number of new facilities in recent years, including an engineering building and the Goggin Ice Center, and is currently constructing a new business school facility and planning for a new student center;

Whereas the Miami Student, established in 1826, is the oldest university newspaper in the United States;

Whereas Miami University is known as the ''Mother of Fraternities'', as it is the Alpha Chapter for 5 national Greek organizations, Beta Theta Pi, Sigma Chi, Phi Delta Theta, Phi Kappa Tau, and the Delta Zeta sorority;

Whereas the University has over 150,000 living alumni who reside in every State of the union and numerous countries throughout the world, where they contribute significantly to their local and global communities;

Whereas Miami University is ranked 7th on the Peace Corps' Top 25 list for medium-sized schools, with 39 alumni currently serving as volunteers, and since the Peace Corps' inception in 1961, 809 Miami alumni have joined the ranks, making Miami the No. 44 producer of volunteers for all time;

Whereas Miami University's alumni have a history of service to the United States, including a President of the United States (The Honorable Benjamin Harrison), 9 United States Senators, including sitting Senator Maria Cantwell (WA), 31 United States Representatives, including sitting Members, Congressman Paul Ryan (WI) and Congressman Steve Driehaus (OH), a Speaker of the House, the parents of a United States First Lady and grandparents of a United States President, 6 governors, 11 United States generals, and 7 United States ministers to foreign governments;

Whereas Miami University's alumni include 27 college presidents;

Whereas Miami University has enriched our Nation in the arts, humanities, and sciences through students and alumni who have achieved the pillar of their professions such as a United States Poet Laureate, Pulitzer Prize winners, a National Teacher of the Year, National Institute of Health Fellows, National Science Foundation Recipients, National Endowment of the Arts Awardees, and renowned journalists;

Whereas Miami University is known as the ''Cradle of Coaches'' for the unparalleled number of nationally prominent collegiate and professional coaches it has produced, 18 of whom have been recognized as national ''Coach of the Year'' including Paul Brown (Cleveland Browns), Walter ''Smokey'' Alston (Brooklyn/Los Angeles Dodgers), Woody Hayes (Ohio State University), Bo Schembechler (University of Michigan), and Vicki Korn (Miami University);

Whereas Miami University has created a Culture of Champions, an environment that teaches student athletes to excel in their chosen endeavors as distinguished by a National Football League Rookie of the Year, National Football League Super Bowl Champions, National Basketball Association World Champions, National Hockey League Stanley Cup Champions, Major League Baseball World Series Champions, and Olympic gold medalists;

Whereas Miami University has contributed to the economic growth of this country through the education of men and women who have gone on to lead some of our most August corporations such as AT&T, Inc., Proctor & Gamble Co., the J.M. Smucker Company, and United Parcel Service of America; and

Whereas Miami University is the largest employer in Butler County, Ohio, and serves as an economic powerhouse for Southwest Ohio, the State of Ohio, and the Nation with an economic impact of over $1,000,000,000 per year to the State of Ohio: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Miami University on the momentous occasion of its 200th anniversary, and expresses its best wishes for continued success;

(2) recognizes Miami's profound achievements and unwavering commitment to liberal arts education and the active engagement of its students in both curricular and co-curricular life that has continually attracted and produced some of the Nation's brightest faculty, staff, and students; and

(3) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to Miami University for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. FUDGE) and the gentleman from California (Mr. MCCLINTOCK) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

GENERAL LEAVE

Ms. FUDGE. Mr. Speaker, I ask unanimous consent to have 5 legislative days during which Members may revise and extend their remarks and insert extraneous material on House Resolution 128 into the RECORD.

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

There was no objection.

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

I rise today in support of House Resolution 128, which congratulates Miami University for their 200 years of commitment to extraordinary higher education.

Founded in 1809, Miami University was named for the Miami Indian Tribe that inhabited the area known as the Miami Valley Region of Ohio. The university is our Nation's tenth oldest public institution of higher learning.

I want to congratulate Miami University for making their campus a student-centered public university, where students and alumni carry with them a strong sense of loyalty, integrity, and compassion. MU students graduate with the necessary skills and drive to improve the future of our society. The

university is among a prestigious group of schools to produce a Rhodes Scholar, a Truman Scholar, and a Goldwater Scholar in the same academic year.

Among MU's other achievements is their extensive study abroad program. In fact, the university has its own campus in Luxembourg, and 35 percent of Miami students study abroad before they graduate. Students graduate MU ready to solve global problems with the knowledge acquired during their time at Miami University.

Miami University's alumni have a history of service to the United States, including Benjamin Harrison, former U.S. President; many Members of Congress; as well as several governors, generals, and ministers to foreign governments. Additionally, MU is ranked seventh on the Peace Corps' Top 25 list for medium-sized schools, with 39 alumni currently serving as volunteers.

Congratulations are also in order for the university's unparalleled number of nationally prominent collegiate and professional coaches the school has produced. The extraordinary number of successful coaches who got their start at MU has earned the university the nickname ''Cradle of Coaches.'' Furthermore, Miami boasts a distinguished list of professional and Olympic athletes.

This year, as the university community celebrates its 200th anniversary, Miami will reflect on two centuries of achievement and look ahead to many more years of learning, service, and athletic prowess.

Mr. Speaker, once again I express my support for Miami University, and I thank the minority leader for bringing this resolution to the floor. I encourage my colleagues to support this bill.

I reserve the balance of my time.

Mr. MCCLINTOCK. I yield such time as he may consume to my colleague, a distinguished alumnus of Miami University of Ohio, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I appreciate the gentleman for yielding, and you're wondering why a guy from Wisconsin is here to talk about Miami of Ohio—because this guy from Wisconsin is a graduate of Miami of Ohio. I graduated from Miami of Ohio in 1992.

I'd say one of the reasons why I am here, standing and talking in the well of the House of Representatives, is because of the lessons that I learned at Miami of Ohio. The things that shaped me there, the economics degree, the political science degree. In fact, one of my early involvements in politics was working as a college Republican, working door-to-door for a new person running for Congress by the name of JOHN BOEHNER. I have learned how to since pronounce that name BOEHNER. Back then, we didn't know how to pronounce it. But I did doors in Trenton, Ohio, on behalf of our now esteemed minority leader.

But, more to the point, Mr. Speaker, this is the bicentennial of Miami of Ohio. Two-hundred years of history. Founded in 1809. It's a school with such a rich history and proud tradition of top academic and athletic achievement. The ''Cradle of Coaches.''

It's consistently ranked as one of the best schools in the country. It's a public university, referred to as one of the ''public Ivys,'' ranking in the tops in business schools, arts and sciences, and architecture, and all other rounds of academic nature.

One of the great things about Miami is its beauty, its aesthetics. It's one of the most beautiful campuses in America. I think the poet Robert Frost called Miami of Ohio the most pleasant-looking campus there is.

Miami of Ohio has such a rich tradition. It has produced so many great, faithful servants here in the Capitol, in public, in private institutions. It's a real honor and privilege for me to be able to be here to be a part of this resolution, to be a cosponsor of it, and to honor this fantastic tradition. And I know that Miami's best days are yet ahead.

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

Mr. MCCLINTOCK. I yield such time as he may consume to my distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. I want to thank the Speaker and thank my colleagues who are here today to congratulate Miami University on their 200th anniversary. I have nine Miami grads that work for me on my staff. Clearly, you heard from Mr. RYAN, and Mr. DRIEHAUS, you will hear from soon, who are esteemed graduates of Miami of Ohio, as is Senator MARIA CANTWELL.

There will be a lot of nice things said about Miami, but it truly is quite an accomplishment for this university to have had such a successful run over the last 200 years. Miami of Ohio is in my district. It's probably the most difficult place to get to in my district. And I can only imagine how difficult it was in the early 1800s to find Oxford, Ohio.

But it is one of the most beautiful campuses in the country. They have a great record of achievement, and their graduates have gone on to do great things in all fields of endeavor.

And so I am proud to have Miami of Ohio in my district, and I am proud of my colleagues here who are Miami grads, and proud of my staff, who came from such an esteemed university.

Ms. FUDGE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. DRIEHAUS).

Mr. DRIEHAUS. I'm proud today to join with the minority leader and my distinguished friends and colleagues to pay tribute to one of our finest universities, and a source of pride for all Ohioans. For two centuries, Miami has stood as a hallmark of what public higher education should be in this country.

Miami University boasts excellence in a wide range of programs; a faculty amongst the best in the Nation; facilities and resources that allow Miami's academic community to realize its full potential; and an unparalleled commitment to student success. But Miami's achievement and legacy reach far beyond the confines of its classrooms.

Miami University was a product of the Northwest Ordinance. As Ohio's founders settled the lands west of the Appalachians, Miami stood as a beacon of learning in the untamed corners of a young Nation.

The many government leaders, artists, and scholars among Miami University's alumni have carried the school's message and tradition of excellence across the United States, and around the world. Their contributions to a range of disciplines and professions have left a lasting imprint on our laws and culture.

In the Freedom Summer of 1964, civil rights activists trained at Western College for Women, Miami's western campus. These young heroes brought their message of freedom and equality from Oxford, Ohio to Meridian, Mississippi. Three of them sacrificed their lives because they would not give up their commitment to the struggle against injustice and bigotry.

□ 1700

Their legacies and the achievements of so many others are part of Miami University's story and have become woven into the fabric of our Nation's history.

For me, Miami University holds a personal significance. I count myself, my wife Lucienne, and four of my siblings among Miami's proud alumni. Miami fostered my commitment to service, leading me to become one of the 809 Miami alumni to join the Peace Corps and to pursue a career working on behalf of my fellow citizens. Miami University opened doors of opportunity for me, as it has for thousands of others.

I add my voice to the many others congratulating Miami University on 200 years of distinguished service, and I wish the university an equally successful future.

Mr. MCCLINTOCK. Mr. Speaker, I yield to the distinguished gentleman from Michigan (Mr. EHLERS) for such time as he may consume.

Mr. EHLERS. I thank the gentleman for yielding. And I suspect most of you are surprised to see me rise to join in the accolades for Miami University, because most of you know that I come from Grand Rapids, Michigan, where I taught at Calvin College, and before that was at the University of California at Berkeley where I got my doctorate and taught for 6 years. But yet I have a history in Ohio as a well.

I spent my high school years living in Willard, Ohio, and I recall hearing numerous references to Miami University. I was urged to consider attending Miami University because it was such an outstanding school, and that has been engraved on my mind. As I got

into higher education and became a professor myself, I began to appreciate even more the quality of Miami University as well as the quality of their faculty and their curriculum. So I am pleased to join everyone here in giving accolades to Miami University.

Surviving for 200 years as a university of that stature, with strong emphasis on academic studies and background, is not an easy task for a university, and very few American universities have achieved that other than those along the east coast. So I am very pleased to congratulate Miami on their 200th anniversary, and wish them very well for the next 100 or 200 years as well. If every university in this Nation were as dedicated to academic learning as Miami University, this would be an even more wonderful Nation than it is. I am pleased to support this resolution.

Ms. FUDGE. Mr. Speaker, I am pleased to recognize the gentlewoman from Ohio (Ms. KILROY) for 2 minutes.

Ms. KILROY. Mr. Speaker, I also rise to congratulate Miami University on this occasion of its 200th anniversary.

Miami University is often referred to as the Harvard of the Midwest. We think of it as our ''public school Ivy.'' It is a public university that provides a world-class education to students from Ohio, around our country, and around the world. Miami University is an outstanding example of the kind of value that public institutions can provide, the strength of our public education system, and our public university system in Ohio.

I hope that all of us in this Chamber will recognize the strength of the programs at Miami University and the value of institutions like Miami to the strength of our democracy.

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

Mr. Speaker, I am delighted to rise today in support of House Resolution 128, honoring Miami University of Ohio on its bicentennial. This is a very agreeable discovery for me. I am a confirmed Orthodox Bruin, myself, but to discover the enormous contributions that Miami University has made to the Nation.

Its founding on February 17, 1809, marks its contributions to our Nation, developing into an institution with three campuses, over 20,000 students, and a rich history. The school is not only the 10th oldest public institution; it has the oldest school newspaper in America. Miami offers over 100 different areas of undergraduate study and over 50 areas of study for graduate work. This is the birthplace of the McGuffey's Readers. It produced a level of literacy unsurpassed in this Nation before or since. BusinessWeek magazine ranked Miami's Farmer School of Business as eighth among business schools found at public universities. Miami University was also named one of the best values in public colleges by Kiplinger's magazine this year. And of particular interest, I suspect, to this institution is the fact that Miami University has produced one President of the United States, seven United States Senators, 26 United States Congressmen, two of whom we have heard from today, a Speaker of the House, and six Governors.

I think we can learn a great deal from Miami University, which is annually cited as being one of the Nation's best values among public universities, ''offering an education comparable to that of Ivy League universities at a fraction of the price.'' So says The Ivy Leaguers.

We need to deliver, I believe, the same value to American families, who are going to be paying for a lot of the spending bills we are currently considering, as Miami University has given to its alumni. I would encourage my colleagues to vote for this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 128 ''Expressing the importance of honoring Miami University for its 200 years of commitment to extraordinary higher education.'' Miami University has served its community and this nation for two centuries. The contributions continue to mount as the doors of this illustrious institution of higher education remain open.

Founded in 1809, Miami University was built on a commitment to liberal arts undergraduate education and the active engagement of its students in both curricular and civic life. Named for the Miami Indian Tribe that inhabited the area, Miami University opened its doors to 20 students in 1824 to provide the opportunity for students to develop and grow to become great members of society. It is deeply committed to student success, builds great student and alumni loyalty, and empowers its students, faculty, and staff to become engaged citizens who use their knowledge and skills with integrity and compassion to improve the future of our global community.

Miami University is comprised of a scholarly community whose members believe that a liberal education is grounded in qualities of character as well as of intellect. The University's culture respects the dignity of other persons, the rights and property of others, and the right of others to hold and express disparate beliefs.

Miami University believes in honesty, integrity, and the importance of moral conduct. It defends the freedom of inquiry that is the heart of learning and combines that freedom with the exercise of judgment and the acceptance of personal responsibility.

Miami University provides the opportunities of a major university while offering the personalized attention found in the best small colleges. It values teaching and intense engagement of faculty with students through its teacher-scholar model, by inviting students into the excitement of research and discovery. Miami University's faculty is comprised of nationally prominent scholars and artists who contribute to Miami University, their own disciplines and to society. The University supports students in a residential experience on the Oxford campus and provides access to students, including those who are time and place bound, on its regional campuses.

Miami University provides a strong foundation in the traditional liberal arts for all students, and it offers nationally recognized majors in arts and sciences, business, education, engineering, and fine arts, as well as select graduate programs. As an inclusive community, Miami University strives to cultivate an environment where diversity and difference are appreciated and respected.

Miami University has a distinctive role among the nation's 3,500 colleges and universities in the way it successfully blends teaching and scholarship. Nationally recognized as one of the most outstanding public undergraduate institutions, Miami University gives undergraduates many opportunities to work with senior faculty on research projects and to participate in strong international programs. Miami University also has selective graduate programs in areas of special strength. It has never lost sight of its focus on intellectual development. Retention and graduation rates are some of the highest in NCAA Division I schools.

More than 180,000 proud Miami University alumni are located around the globe, serving as professional and community leaders. Miami University instills in its students intellectual depth and curiosity, the importance of personal values as a measure of character, and a commitment to life-long learning. Miami University emphasizes critical thinking and independent thought, an appreciation of diverse views, and a sense of responsibility to our global future and more importantly the responsibility of making positive contributions to society.

As Miami University marks its 200th anniversary, we celebrate and embrace the long and proud tradition of fulfilling its public mission: to contribute to a better future through the students it educates, the scholarships and creativity it produces and the services it provides to the local communities and beyond.

Mr. Speaker, I urge my colleagues to support the resolution honoring the importance of Miami University on the occasion of its 200 year commitment to higher education.

Mr. BOEHNER. Mr. Speaker, I rise today to congratulate Miami University for its 200 years of commitment to extraordinary higher education. There are 9 Miami graduates currently working for me, so I can tell you firsthand how well educated Miami students are. Miami is a student-centered university deeply committed to student success, building great student and alumni loyalty, and empowering its students, faculty, and staff to become engaged citizens who use their knowledge and skills with integrity and compassion to improve the future of our society. Miami University is the 10th oldest public university in the nation, and is located in my district in Oxford, Ohio.

Poet Laureate Robert Frost once referred to Miami as ''the most beautiful college there is.'' In addition to distinctions for the campus' beauty and first-rate facilities, Miami University is cited annually by national college rankings as being one of the nation's best values among public universities. According to Business Week magazine, Miami's Farmer School of Business is ranked among the nation's top 5 percent of undergraduate business programs, ranking 8th among public universities and colleges. Miami is also named as one of the ''Public Ivies,'' offering ''an education comparable to that at Ivy League universities at a fraction of the price.'' Miami provides the opportunities of a major university while offering the personalized attention found in the best small colleges.

Furthermore, Miami has a retention and graduation rate that exceeds the national average for undergraduates, students of color, and athletes, and has the highest graduation rate in Ohio. Much of Miami's success is owed to its stellar faculty. As nationally prominent scholars and artists, Miami's faculty contribute to the university, their own disciplines, and to society. In fact, while a faculty member at Miami, William Holmes McGuffey, ''School Master to the Nation,'' wrote and compiled the first 4 McGuffey Eclectic Readers.

Additionally, Miami recognizes the opportunities for personal and professional growth that living and studying internationally brings. With its own campus in Luxembourg, Miami consistently ranks among the top 25 universities and colleges in the nation for the number of undergraduate students who study abroad. These abroad opportunities have enabled countless Miami students to develop a broader perspective and keener understanding of the world as they contribute to society.

Miami alumni have a history of profound service to the United States, including a President of the United States (the Honorable Benjamin Harrison); 9 U.S. Senators, including sitting Senator MARIA CANTWELL (D–WA); and 31 U.S. Representatives, including sitting Members, Congressman PAUL RYAN (R–WI) and Congressman STEVE DRIEHAUS (D–OH). In addition, Miami students and alumni have achieved the pillar of their professions including a Poet Laureate, Pulitzer Prize winners, a National Teacher of the Year, and renowned journalists. As the nation's oldest university newspaper, the Miami Student has offered students the opportunity to develop their interests and skills in journalism since 1826.

Miami is also committed to creating an environment that teaches student-athletes to excel in their chosen endeavors. In fact, Miami is one of only 4 universities and colleges to generate both a United States President (the Honorable Benjamin Harrison) and a winning Super Bowl quarterback (Ben Roethlisberger). Miami alumni include a National Football League Rookie of the Year, National Football League Super Bowl Champions, National Basketball Association World Champions, National Health League Stanley Cup Champions, Major League Baseball World Series Champions, and Olympic gold medalists. Known as the ''Cradle of Coaches,'' Miami has produced an unparalleled number of nationally prominent collegiate and professional coaches, 18 of whom have been recognized as national ''Coach of the Year,'' including Paul Brown (Cleveland Browns), Walter ''Smokey'' Alston (Brooklyn/Los Angeles Dodgers), Woody Hayes (Ohio State University), Bo Schembechler (University of Michigan), and Vicki Korn (Miami University).

In addition to athletics, many Miami students also participate in Greek life. As the Alpha Chapter for 5 national Greek organizations (Beta Theta Pi, Sigma Chi, Phi Delta Theta, Phi Kappa Tau, and the Delta Zeta sorority), Miami University is known as the ''Mother of Fraternities.'' Greek life at Miami offers students the ability to engage in philanthropic activities and offers leadership opportunities that help prepare the students for their future.

Miami alumni have gone on to lead some of our most august corporations such as AT&T, Inc., Proctor and Gamble Co., the J.M. Smucker Company, and the United Parcel Service of America. As the largest employer in Butler County, Ohio, Miami University serves as an economic powerhouse Southwest Ohio, the state of Ohio, and the nation with an economic impact of over a billion dollars per year to the state of Ohio.

On February 17, 2009, Miami will celebrate its bicentennial. I congratulate Miami for the university's profound achievements and unwavering commitment to liberal arts education and the active engagement of its students in both curricular and co-curricular life that has continually attracted and produced some of the nation's brightest faculty, staff, and students. I wish Miami the very best in the future.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. FUDGE) that the House suspend the rules and agree to the resolution, H. Res. 128, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING THE 50TH ANNIVERSARY OF DR. MARTIN LUTHER KING, JR'S VISIT TO INDIA

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 134) recognizing the 50th Anniversary of Dr. Martin Luther King, Jr.'s visit to India, and the positive influence that the teachings of Mahatma Gandhi had on Dr. King's work during the Civil Rights Movement.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 134

Whereas Dr. Martin Luther King, Jr. changed America forever in a few short years through his teaching of nonviolence and passive resistance to combat segregation, discrimination, and racial injustice;

Whereas, in 1950, during the pursuit of a Bachelor of Divinity degree at Crozer Theological Seminary in Upland, Pennsylvania, Dr. King first became aware of the success of nonviolent political action employed by India's Mahatma Gandhi in political campaigns against racial inequality in South Africa, and later against British colonial rule in India;

Whereas Dr. King began an extensive study of Gandhi's life and ideas, and became inspired to use Gandhi's theory of nonviolent civil disobedience to achieve social change in America;

Whereas, in 1955 and 1956, Dr. King led the Montgomery Bus Boycott to protest the arrest of Rosa Parks and the segregation of the bus system of Montgomery, Alabama, during which time Dr. King was arrested and his home bombed;

Whereas the Montgomery Bus Boycott was the first large-scale, nonviolent civil rights demonstration of contemporary times in the United States;

Whereas, following the success of nonviolent protest in the Montgomery Bus Boycott, Dr. King desired to travel to India to deepen his knowledge of Gandhi's teachings on nonviolent principles;

Whereas Dr. King, his wife Coretta Scott King, and Lawrence Reddick, then chairman of the history department at Alabama State College, arrived in Bombay, India, on February 10, 1959 and stayed until March 10, 1959;

Whereas Dr. King was warmly welcomed by members of Indian society throughout his visit, and met with Prime Minister Pandit Jawaharlal Nehru, land reform leader Vinoba Bhave, and other influential Indian leaders to discuss issues of poverty, economic policy, and race relations;

Whereas, while in India, Dr. King spoke about race and equality at crowded universities and at public meetings;

Whereas followers of Ghandi's philosophy, known as satyagrahis, welcomed Dr. King and praised him for his nonviolent efforts during the Montgomery Bus Boycott, which they saw as a landmark success of principles of nonviolence outside of India;

Whereas the satyagrahis and Dr. King discussed Ghandi's philosophy, known as Satyagraha, which promotes nonviolence and civil disobedience as the most useful methods for obtaining political and social goals;

Whereas the satyagrahis reaffirmed and deepened Dr. King's commitment to nonviolence, and revealed to him the power that nonviolent resistance holds in political and social battles;

Whereas the trip to India impacted Dr. King in a profound way, and inspired him to use nonviolence as an instrument of social change to end segregation and racial discrimination in America throughout the rest of his work during the Civil Rights Movement;

Whereas Dr. King rose to be the preeminent civil rights advocate of his time, leading the Civil Rights Movement in the United States during the 1950s and 1960s and earning world-wide recognition as an eloquent and articulate spokesperson for equality;

Whereas Dr. King became a champion of nonviolence, and in 1964, at the age of 35, he became the youngest man to be awarded the Nobel Peace Prize in recognition of his efforts;

Whereas through his leadership in nonviolent protest, Dr. King was instrumental in the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965;

Whereas, between 1957 and 1968, Dr. King traveled more than 6,000,000 miles, spoke more than 2,500 times, and wrote five books and numerous articles supporting efforts around the country to end injustice and bring about social change and desegregation through civil disobedience; and

Whereas the work of Dr. King created a basis of understanding and respect, and helped communities and the United States as a whole to act peacefully, cooperatively, and courageously to restore tolerance, justice, and equality between people: Now, therefore, be it

Resolved, That the House of Representatives encourages all Americans to—

(1) pause and remember the 50th Anniversary of Dr. Martin Luther King, Jr.'s visit to India;

(2) commemorate Dr. King's legacy of nonviolence, a principle that—

(A) Dr. King encountered during his study of India's Mahatma Gandhi;

(B) further inspired him during his first trip to India; and

(C) he successfully used in the struggle for civil rights and voting rights;

(3) commemorate the impact that Dr. King's trip to India and his study of the philosophy of Mahatma Gandhi had in shaping the Civil Rights Movement and creating the political climate necessary to pass legislation to expand civil rights and voting rights for all Americans; and

(4) rededicate themselves to Dr. King's belief that ''nonviolence is the answer to the crucial political and moral question of our time'' and to his goal of a free and just United States.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, 50 years ago today, on February 10, 1959, Dr. Martin Luther King, Jr., arrived in Bombay, India, to study the principles of nonviolence developed and used so skillfully by Mahatma Gandhi, which Dr. King himself employed to become this Nation's greatest civil rights leader.

I commend my colleague, the gentleman from Georgia, Congressman JOHN LEWIS, for introducing this bipartisan resolution that calls upon all Americans to rededicate ourselves to Dr. King's belief that nonviolence is the answer to the crucial political and moral questions of our time. I would also like to acknowledge the many members of the Judiciary Committee that join in this resolution and, in particular, the gentleman from Texas, our ranking member, Mr. LAMAR SMITH.

During his month-long travel to India from February 10 to March 10, 1959, Dr. King gained a deeper appreciation for the power of nonviolent civil disobedience, a practice that Dr. King first discovered reading Henry David Thoreau's essay, ''On Civil Disobedience,'' while a student at Morehouse College.

Just as Gandhi had used it successfully in resistance to oppressive British colonial rule in India, Dr. King adopted it as a cornerstone of the American Civil Rights Movement, holding firmly and faithfully to it even when the peaceful demonstrations were met by dogs and fire hoses, and worse.

Nonviolence had already proven successful in the Montgomery bus boycott, and so it would be used later successfully in sit-ins used to protest segregated lunch counters, and in the freedom rides used to challenge segregated public transportation facilities.

In Memphis, Tennessee, on April 3, 1968, the eve of his assassination, Dr. King told us that ''it is no longer a choice between violence and nonviolence in this world; it is nonviolence or nonexistence.'' This remains his challenge to us as we confront the evils of our own time, from the police brutality and hate crimes here at home, to the threats to freedom emanating from around the world.

Can we always meet this challenge? Given our human frailties, that would be exceedingly difficult. But keeping that challenge in our hearts will help us always to look for the peaceful solution whenever possible, and to maintain our faith that we will sometimes be able to find it even in the most uncompromising situations.

As Dr. King observed in February of 1967 against the backdrop of the Vietnam War: ''Wars are poor chisels for carving out peaceful tomorrows.'' That statement speaks to us as loudly today as it did to those who heard it more than 40 years ago.

Standing on the shoulders of Gandhi, Dr. King called on us to promote equality and justice through steadfast nonviolence, and it is on the shoulders of Dr. King that we now stand to do our best to live up to his dream for us. I ask my colleagues to support this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I support House Resolution 134, which commemorates the 50th anniversary of Dr. Martin Luther King's trip to India, in which he paid his respects to the methods of nonviolent protest pioneered by Mahatma Gandhi.

Dr. King studied Gandhi's philosophy of nonviolent change at seminary, and in 1959 he had the honor of visiting the land in which the seeds of peaceful protest had been successfully sown by Gandhi.

Gandhi was the first to employ nonviolent protest on a mass political scale. This opposition resulted in national change. Dr. King, inspired by Gandhi's organized peaceful action, launched a similar effort to fight for racial equality under the law in the United States. That inspiration eventually materialized in the Nobel Peace Prize that was awarded to Dr. King in 1964, and a year earlier in a 250,000 person peaceful march Dr. King led through the streets of Washington, D.C. Dr. King was the leader of an historic nonviolent revolution in the U.S. Over the course of his life, he fought for equal justice and led the Nation towards racial harmony.

While advancing this great movement, Dr. King's home was bombed and he was subjected to relentless personal and physical abuse. Despite this violence, Dr. King responded in peace and with strong conviction and sound reasoning. As a pastor, Dr. King's religious beliefs were essential to the success of his nonviolent efforts.

□ 1715

Just as Mahatma Gandhi was a deeply religious man, so too was Dr. King. It is doubtful that such a long and enduring movement could have survived in either man's country without the power of religious inspiration behind it.

While Gandhi and Dr. King convinced millions of both the morality and the effectiveness of nonviolent change, their message, unfortunately, was not accepted by all. On the evening of April 4, 1968, while standing on the balcony of his hotel room in Memphis, Tennessee, Dr. King was assassinated. But a single vicious act could not extinguish Dr. King's legacy which endures to this day. And Dr. King's legacy is due in large part to the inspiration of Mahatma Gandhi, whose success helped endow Dr. King with the courage to lift voices, not weapons, in the struggle for equality here in the United States.

America is a better, freer nation today in large part due to the philosophical fellowship of Gandhi and Dr. King.

Mr. Speaker, I urge all my colleagues to join me in supporting this resolution. And let me also point out that I know that the two gentlemen from Georgia to my left, one who has spoken and one is getting ready to speak, as well as the Speaker himself, the gentleman from Illinois, have all been leaders in the Civil Rights Movement. And we certainly appreciate their leadership, their contributions and their success.

And I will reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I will yield as much time as he may consume to the sponsor of this resolution, the Honorable JOHN LEWIS of Georgia.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentleman from Georgia for yielding.

Mr. Speaker, 50 years ago today, Dr. Martin Luther King, Jr. and his wife, Coretta Scott King, took a historic trip to India to travel and study the path of Mahatma Gandhi. Dr. King was deeply influenced by the teachings of Gandhi and what he attempted to do in South Africa and what he did to liberate and free the people of India from the colonial rule of the British.

It was on Gandhi's preaching of the philosophy and the discipline of nonviolence that Dr. King patterned the nonviolent struggle in America to tear down the walls of segregation and racial discrimination. The great teacher gave us the philosophy of nonviolence, and Gandhi gave us the message and showed us the way. So it is fitting for the United States Congress to pause and recognize the 50th anniversary of Dr. Martin Luther King, Jr.'s trip to India and the impact that trip had on our Nation's struggle for civil rights and voting rights.

In a few days, Mr. Speaker, a group of Members of Congress will travel to India to walk the path that Dr. King walked. I am hopeful that we will have the opportunity to be inspired by this one man to carry the message of peace, hope and love to the rest of the world. Gandhi once said ''nonviolence is the first article of my faith. It is also the last article of my creed.'' He said that our choice was between nonviolence and nonexistence.

Dr. King said that we must learn to live together as brothers and sisters or perish as fools. The message of Gandhi and Dr. King still speaks to us today.

I call on all Members of the House to support this resolution.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), a member of the Judiciary Committee.

Mr. FRANKS of Arizona. I certainly thank the gentleman from Texas.

Mr. Speaker, today's resolution marks the 50th anniversary of the Reverend Dr. Martin Luther King's visit to India and the positive influence that the teachings of Mahatma Gandhi had on Reverend King's work during the Civil Rights Movement. Likewise, later this month, we will also celebrate President Lincoln's birthday because of his work to lay the foundation for what would become the greatest of American achievements, the recognition of the God-given equal value of all individuals regardless of their race, and the consequent and natural equal protection of the law for everyone.

Reverend King and President Lincoln had many things in common. But most prominently of all was their life's work to humanize the dehumanized, to give value to a human life that the law had previously regarded as being lesser than other more politically powerful persons.

Reverend King reminded us in his 1963 Letter From the Birmingham Jail that ''injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.'' Like Gandhi, Reverend King looked to his faith to transform society. Reverend King ultimately paid with his life the price for working to extend the equal protection of the law to all.

Mr. Speaker, those were the struggles of the past centuries. And those were the heroes of the past centuries. But their work is not done. The 21st century has its own civil rights struggle, Mr. Speaker. As Day Gardner, president of the National Black Pro-Life Union, has said, ''The biggest struggle for civil rights today is for the civil rights of the unborn child.''

Last year I joined black activists and black mothers from around the country at the corner of 16th Street Northwest in D.C. to protest what has been the deadliest form of discrimination in our country's history, the systematic elimination of millions, fully one-half of all black Americans conceived in this country, primarily at government-funded family planning clinics placed in our inner cities. Every day, Mr. Speaker, almost 1,500 unborn black children are aborted. Black babies are aborted at between four and five times the rate of that of white babies. Mr. Speaker, this equates to a genocide against black America. And yet our U.S. Government continues to increase the annual appropriation to Planned Parenthood and to other abortion providers every year.

Mr. Speaker, I have every conviction that if he were alive today, that Reverend Martin Luther King would not be silent in the face of such an outrage. Dr. King noted in his Letter From Birmingham Jail that the early church ''by their effort and example, brought an end to such ancient evils as infanticide.'' He didn't know that in 1973, 10 years after he wrote those words, that the U.S. Supreme Court would revive the practice of killing the innocent and that the black community would pay a higher price in blood than any other. Abortion on demand is called sometimes the exercise of hard-won rights. But in reality, Mr. Speaker, it is the extinguishing of a legacy.

The greatest failure of human government is the failure to recognize the inherent value of every human life. Unborn children in America are the greatest example of that today. It is the civil rights struggle before America in this century. Reverend King once said that ''The law cannot change a heart, but it can restrain the heartless. The law cannot make a man love me, but it can restrain him from lynching me.'' This Congress, I will introduce the PreNDA bill, the Prenatal Nondiscrimination Act, to end sex-selection abortion and race-selection abortion in America.

It is time to reject the discriminatory disgrace of aborting a child based on race or sex. Doing so might remind us all it is also time for the equal protection clause to realize its full meaning finally, that every human being is a child of God, with the God-given rights of life, liberty and the pursuit of their dreams. Nothing, Mr. Speaker, nothing, would honor the work of Reverend Martin Luther King or Mahatma Gandhi or President Abraham Lincoln more.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 3 minutes to the fine gentleman from the great State of Washington, Mr. JIM MCDERMOTT.

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

Mr. MCDERMOTT. Mr. Speaker, I'm honored to join my friend and colleague, Representative JOHN LEWIS, himself a legendary civil rights leader, in strongly supporting H. Res. 134 and in carrying a message of hope to an upcoming trip to India.

There is so much that we can learn from the lives of Dr. Martin Luther King, Jr. and Mahatma Gandhi. Gandhi's principle of ''satyagraha,'' nonviolent resistance, inspired change for the better throughout the world and particularly in the United States. As Dr. King said in a radio address in India in 1959 on this trip, ''the spirit of Gandhi is so much stronger today than some people believe.'' That statement is even truer today.

These two people changed their countries and the world for the better. And the world today would benefit from a new Dr. King or a new Gandhi. They taught us that violence begets violence. As Gandhi once said, ''An eye for an eye makes the whole world blind.'' No one doubts that there are serious problems in the world today, violence in the Middle East and many other places, the AIDS pandemic and extreme poverty where 1 billion people in the world live on less than a dollar a day. Missiles will not solve these crises. But people can, people of good will with courage and character, people like Dr. Martin Luther King and Mahatma Gandhi. We need them now more than ever. And this resolution and this upcoming trip by the Congress to India will honor their contributions to mankind and rekindle their spirit to seek peace by living in peace.

I urge my colleagues to support H. Res 134.

Mr. JOHNSON of Georgia. Mr. Speaker, may I inquire as to how much time is left for each side?

The SPEAKER pro tempore. The gentleman from Georgia has 12 minutes. The gentleman from Texas has 12½ minutes.

Mr. SMITH of Texas. Mr. Speaker, we don't have any other speakers at this time.

I would like to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would yield 3 minutes to the honorable Representative from the great State of Texas, Ms. SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. It is a privilege, Mr. Speaker, to have the opportunity to come to the floor today for such an important recognition of two iconic movers of change, individuals who laid the underpinnings of the reformation of nations that already had a good heart. Let me thank the manager, Mr. JOHNSON, for his leadership, and of course our ranking member, Mr. SMITH, my colleague from Texas, and the author of this legislation, JOHN LEWIS. I know that he wrote this legislation from the heart.

We will be recognizing this historic journey in a few days, the 50th anniversary of Martin Luther King's visit to India and the recognition of the intertwining of their spirits and their intellect between Martin King and Mahatma Gandhi. I had the opportunity to view the years-old film that was done on his life. Certainly we know that fictional aspects may have been

included. But the underpinnings of the film was the willingness to sacrifice for the greater good.

And as I reflect upon Martin King's life, having had the opportunity to be a student worker of the Southern Christian Leadership Conference and absorbing the spirit of nonviolence that had been left by Dr. King, I know how much he was influenced by the life-changing attitude of Gandhi. Gandhi was willing to sacrifice life and limb in order to move mountains of change. And what you saw in his determination for freedom for the people of India were two things: One, the people of diverse faiths and beliefs in this then very large country could come together around the idea of freedom, and then at the same time, he was willing to sacrifice the times that he spent in the fasts where he was near death to show those that violence does not engender anything but violence.

□ 1730

And Martin King, in the various periods of his life, where the younger generation challenged this seemingly hapless and helpless method of nonviolence; you weren't accomplishing anything; they were taking advantage of you; they weren't respecting you. But he was willing to hold his ground and, in that, he was the masterful teacher to all of us who looked upon this young man who was willing to lead a country into freedom without violence. And so the intertwining of the two is a special moment. And I'm so very gratified that JOHN LEWIS saw fit to allow us to come to the floor of the House and acknowledge that we are in partnership with the largest democracy.

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

Mr. JOHNSON of Georgia. I yield an additional 1 minute to Congresswoman SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. We are in partnership with the largest democracy, India, and the longest democracy, the United States. And I hope we will take a lesson from this partnership of two men, now celebrating 50 years of that coming together, that determination and a way of handling people can garner us so much.

And this new President, who has claimed development and diplomacy as key elements to his foreign policy, gets it; that you can work as partnerships with those who you would think would be hostile to your beliefs.

I am very gratified to support this legislation, H. Res. 134, recognizing the 50th anniversary of the trip of Dr. Martin Luther King to India and the work that he did with Mahatma Gandhi, and the two of them, peace for ever and for everlasting.

Mr. Speaker, I rose today in strong support of H. Res. 134 "Recognizing the 50th anniversary of Dr. Martin Luther King Jr.'s visit to India and the point of influence that the leadership of Mahatma Gandhi had on Dr. King's work during the civil rights movement." I would like to thank Representative JOHN LEWIS, from Georgia, for his leadership in bringing this resolution to the floor. I urge my colleagues to support this important resolution. Because of the importance of the importance of Gandhi's life teachings on non-violence, I am participating in a historic CODEL to India, where members of Congress will sojourn in the land of Gandhi during the recess on next week.

It was through this experience that Dr. King, with a heart of servitude, was transitioned to become the greatest civil rights advocate of our century and possibly the greatest leader of our time. Mahatma Gandhi was a formative influence upon Dr. King's political civil disobedience. Dr. King and Gandhi believed that change would occur once Americans acknowledged the humanity of the oppressed in America.

Gandhi became a leader in a complex struggle. Following World War I, Gandhi launched his movement of non-violent resistance to Great Britain. Satyagraha, which involves utilization of non-violent measures to undermine the opponent, and ideally to convert him rather than to coerce him into submission, spread throughout India, gaining millions of followers. A demonstration against the Rowlatt Acts, which allowed certain political cases to be tried without juries and internment of suspects without trial, but resulted in a massacre of Indians at Amritsar by British soldiers. When the British government failed to make amends, Gandhi proclaimed an organized campaign of non-cooperation. Indians in public office resigned, government agencies such as courts of law were boycotted, and Indian children were withdrawn from government schools. Throughout India, streets were blocked by squatting Indians who refused to rise even when beaten by police. Gandhi was arrested, but the British were soon forced to release him. His non-violent movement set a new precedent for dealing with oppression and violence, no just in India, but the world over.

Dr. King and Gandhi journey's ironically began in the same fashion. It was a train ride in South Africa that created Gandhi. It was a bus boycott in Alabama that made Dr. Martin Luther King. They were ordinary men only seeking to heighten the moral conscience of the time. These men were the spokesmen for the oppressed, unjustly treated, and those denied their God given privileges to life, liberty, and the pursuit of happiness. Institutionalized racism and bigotry sought to keep the people of India, African Americans, and others from achieving those God given virtues.

Dr. King's journey to India came at a vital time in American history. The Montgomery boycott had ended and had proven to be a great success. The nation's leaders were now dealing with a new challenge, one it had not seen before, non-violent social disobedience. People, both black and white, were looking to the newly famed leader from Georgia as the conscience of the nation. While they looked to Dr. King, he looked to the east for inspiration. It was Mahatma Gandhi's teachings of non-violence that helped achieve success in Alabama. He knew that it would be Gandhi's teachings that would help the movement to achieve greater success in his quest for civil equality in the United States.

On the trip to India, Dr. King was surprised to find the extent to which the bus boycott was covered in India and throughout the world. King recalled, "We were looked upon as brothers, with the color of our skins as something of an asset. But the strongest bond of fraternity was the common cause of minority and colonial peoples in America, Africa, and Asia struggling to throw off racism and imperialism."

Dr. King's meetings with satyagrahis deepened his commitment to nonviolent resistance. His interactions with the Gandhi family ingrained in him the power of nonviolent resistance and its potential usefulness throughout the world, even against totalitarian regimes.

While discussing non-violence to a group of students in India, Dr. King said, "True nonviolent resistance is not unrealistic submission to evil power. It is rather a courageous confrontation of evil by the power of love, in the faith that it is better to be the recipient of violence than the inflictor of it, since the latter only multiplies the existence of violence and bitterness in the universe, while the former may develop a sense of shame in the opponent, and thereby bring about a transformation and change of heart."

The trip to India affected Dr. King in a profound way, deepening his understanding of nonviolent resistance and his commitment to America's struggle for civil rights. "Since being in India, I am more convinced than ever before that the method of nonviolent resistance is the most potent weapon available to oppressed people in their struggle for justice and human dignity. In a real sense, Mahatma Gandhi embodied certain universal principles that are inherent in the moral structure of the universe, and these principles are as inescapable as the law of gravitation," Dr. King said.

The contributions of Gandhi and Dr. King are many. The roles that these two humanitarians traveled to arrive at their respective destinations in history were long and difficult, but they deserve all the respect and admiration that history can bestow upon them. As Members of Congress, we have to respect and acknowledge the work of Gandhi and the teachings he left behind that greatly influenced and changed Dr. Martin Luther King.

Dr. King's trip to India further solidified his belief in nonviolence and peaceful resistance. Gandhi and Dr. King embodied the belief of doing unto others as you would have them to do unto you. They also believed in becoming the visible change you want to see in the world. They believed that men could live together peacefully despite their religious, racial, and cultural differences. Mohandas changed the way Indians were treated in South Africa and in India. Overthrowing the imperial British rule was no easy task, but Gandhi was able to do it. Through his Satyagraha teachings and non-violent protest, Gandhi put forth an example that vicariously aided in the liberation of African Americans in the United States.

It is imperative that we commemorate Dr. King's trip to India. It would be shameful of this Congress to pass on an opportunity to acknowledge the contributions of Gandhi and Dr. King to America's history.

Mr. BISHOP of Georgia. Mr. Speaker, it is my distinct honor to join my friend and colleague Representative JOHN LEWIS in support of H. Res. 134. This resolution commemorates the fiftieth anniversary of the Reverend Dr. Martin Luther King, Jr.'s visit to India, and the role played by the revered leader of Indian independence Mahatma Gandhi—and those who followed in his footsteps—in influencing Dr. King's non-violent approach to achieving

social and political justice. I embrace this opportunity to look back at the men and the movement which pressed this nation forward in its journey towards the fulfillment of our founders' creed, and look forward as the march toward opportunity, justice, and freedom for all continues.

When Dr. King left for India in February 1959, he was just beginning to make his mark as a leader of the national movement for civil rights. He had organized the successful boycott of Montgomery, Alabama's public transportation system in 1955, and founded the Southern Christian Leadership Conference two years later. His burgeoning success had provided his non-violent movement with the momentum and potential to become a truly powerful force in the pursuit of equal rights for all Americans. This momentum became entrenched during Dr. King's trip to India, where his immersion in the world of Mahatma Gandhi's own non-violent success led King to commit himself in his philosophical entirety to the principle of meeting hate and injustice with persistent non-violence.

Though Gandhi had passed away eleven years prior to Dr. King's journey, King was no less attentive to the followers of the great shanti sena—the "non-violent army" that Gandhi led in his successful effort to free his country from the grasp of colonialism. He encountered those who had stood with Gandhi through the long, arduous struggle for India's sovereignty, and came to deeply understand the necessary commitment and purpose of which believers in non-violence must never lose sight. Dr. King came to believe that if India can assert its independence from the bonds of the British Empire without violence, then the United States of America can achieve racial equality with the same approach. He took the lessons of a people half a world away and applied them to the struggle of his own nation, illustrating that a righteous cause pursued by means which justify its ends holds universal promise. Perhaps it is best articulated by Dr. King himself: "As I delved deeper into the philosophy of Gandhi, my skepticism concerning the power of love gradually diminished, and I came to see for the first time its potency in the area of social reform."

Now, with the passage of five decades, let us commemorate this historic journey of our beloved Dr. King, focusing on the lessons it taught him and the strength it provided him as he met the challenges of his day. Let us not only remember the past, but rather carry its lessons into a brighter future of promise and freedom. I once again express my heartfelt appreciation for Congressman LEWIS, a man whose own journey and career follow closely the principles and vision laid out by these two men, and urge all my colleagues to take this opportunity to honor those who refuse to allow the forces of hate and oppression to provoke them to lose sight of their vision for justice by embracing the nonviolent path.

Mr. BACHUS. Mr. Speaker, I rise in support of House Resolution 134, which recognizes the 50th Anniversary of Dr. Martin Luther King, Jr.'s visit to India.

It will be my honor to co-chair a delegation led by Congressman JOHN LEWIS, a colleague of Dr. King and true hero of the civil rights movement, that is going to New Delhi to commemorate his historic trip.

The lessons that Dr. King drew from Mahatma Gandhi's teachings of nonviolence came at a pivotal time in American history.

A century earlier, the issue of race and equality tore the United States apart. President Abraham Lincoln, whose 200th birthday we celebrate this year, prophetically said, "I believe this government cannot endure permanently half-slave and half-free." Unable to resolve this fundamental issue of human rights either politically or peacefully, the United States descended into an awful Civil War. After four bitter and bloody years, slavery was abolished and America's soul saved, but the undressed wounds of injustice and intolerance were deep and raw.

Several lifetimes later, amid a crescendo for full civil rights from millions still denied, leaders like Dr. King faced a choice. Was the way again through armed conflict, with all of its suffering, or through nonviolent resistance relying on the power of morality over mortar?

The principles of Gandhi helped show the way.

We know that Dr. King's gracious welcome and textured experiences in India served to guide him more surely down the path he had chosen for his people and country. He said, "Since being in India, I am more convinced than ever before that the method of nonviolent resistance is the most potent weapon available to oppressed people in their struggle for justice and human dignity."

Those beliefs would be put to the test during the civil rights struggles of the 1960s, including in my home state in Alabama. Sometimes, the challenges were visible and shocking, as they were with the church bombings in Birmingham and beatings at the Pettus Bridge in Selma. More often, there were the subtle slights born of fear and prejudice.

But whatever the indignity or assault suffered, the response was never hate. In his Letter from a Birmingham Jail, Dr. King set the direction: "I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek."

It is now 2009, 50 years since Dr. King's visit to India. I believe the U.S. has come farther in these last 50 years than in the preceding 100 years.

Providing all of our citizens with true equal protection under the law has made us a better, stronger nation. We will recognize the lasting legacy of the movement for nonviolent change next month when the Faith and Politics Institute holds its biennial Civil Rights Pilgrimage to Alabama. It has been my privilege to be associated with the Institute and this event, which brings citizens of all ages and races together to reflect on the lessons of the civil rights movement and retrace the steps of its courageous pioneers.

One mark of how far we've come is the creation of the Birmingham Civil Rights Institute, which overlooks the same park where fire hoses and police dogs were unleashed against peaceful citizens in 1963.

But what will be remembered in American history for all time is the inauguration of President Barack Obama. There is a small vignette from that day that perfectly illustrates the healing that has transpired in America and gives hope for the future. About 30 constituents from Congressman DANNY DAVIS's Chicago District was in the hallway where my office is located, unable to squeeze into a hearing room to view the President's speech on television. My staff invited them in and they all watched the speech together, a group of African-American constituents in the office of a Southern conservative. That is a mighty transformation since the racial turmoil in Birmingham.

We were united in celebration of the hope and promise that is America. Hope and faith is what inspired Dr. King during his mission and it is what brings us together today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the resolution, H. Res. 134.

The question was taken.

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

Mr. JOHNSON of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HONORING THE NAACP ON ITS 100TH ANNIVERSARY

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 35) honoring and praising the National Association for the Advancement of Colored People, NAACP, on the occasion of its 100th anniversary.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 35

Whereas the National Association for the Advancement of Colored People (referred to in this resolution as the "NAACP"), originally known as the National Negro Committee, was founded in New York City on February 12, 1909, the centennial of Abraham Lincoln's birth, by a multiracial group of activists who met in a national conference to discuss the civil and political rights of African-Americans;

Whereas the NAACP was founded by a distinguished group of leaders in the struggle for civil and political liberty, including Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villard, and William English Walling;

Whereas the NAACP is the oldest and largest civil rights organization in the United States;

Whereas the mission of the NAACP is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination;

Whereas the NAACP is committed to achieving its goals through nonviolence;

Whereas the NAACP advances its mission through reliance upon the press, the petition, the ballot, and the courts, and has been persistent in the use of legal and moral persuasion, even in the face of overt and violent racial hostility;

Whereas the NAACP has used political pressure, marches, demonstrations, and effective lobbying to serve as the voice, as well as the shield, for minority Americans;

Whereas after years of fighting segregation in public schools, the NAACP, under the

leadership of Special Counsel Thurgood Marshall, won one of its greatest legal victories in the Supreme Court's decision in Brown v. Board of Education, 374 U.S. 483 (1954);

Whereas in 1955, NAACP member Rosa Parks was arrested and fined for refusing to give up her seat on a segregated bus in Montgomery, Alabama—an act of courage that would serve as the catalyst for the largest grassroots civil rights movement in the history of the United States;

Whereas the NAACP was prominent in lobbying for the passage of the Civil Rights Acts of 1957, 1960, and 1964, the Voting Rights Act of 1965, the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006, and the Fair Housing Act, laws that ensured Government protection for legal victories achieved;

Whereas in 2005, the NAACP launched the Disaster Relief Fund to help survivors in Louisiana, Mississippi, Texas, Florida, and Alabama to rebuild their lives;

Whereas in the 110th Congress, the NAACP was prominent in lobbying for the passage of H. Res. 826, whose resolved clause expresses that: (1) the hanging of nooses is a horrible act when used for the purpose of intimidation and which under certain circumstances can be criminal; (2) this conduct should be investigated thoroughly by Federal authorities; and (3) any criminal violations should be vigorously prosecuted; and

Whereas in 2008 the NAACP vigorously supported the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007 (28 U.S.C. 509 note), a law that puts additional Federal resources into solving the heinous crimes that occurred in the early days of the civil rights struggle that remain unsolved and bringing those who perpetrated such crimes to justice: Now, therefore, be it

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

(1) recognizes the 100th anniversary of the historic founding of the National Association for the Advancement of Colored People; and

(2) honors and praises the National Association for the Advancement of Colored People on the occasion of its anniversary for its work to ensure the political, educational, social, and economic equality of all persons.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today we honor the National Association for the Advancement of Colored People, the Nation's oldest and largest civil rights organization, on the occasion of its 100th anniversary, for a century of unwavering commitment to justice and equality for all.

The NAACP, founded on February 12, 1909, by Ida Wells-Barnett, W.E.B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villiard and William English Walling was indeed a labor of diversity.

Since its inception, the NAACP has united students, laborers, professionals, scholars, officials and others of all races to advance its vision of a society in which all individuals have equal rights and there is no racial hatred or racial discrimination.

Historically, the NAACP may be best known for Thurgood Marshall's successful advocacy leading to the watershed 1954 Brown v. Board of Education decision, in which the Supreme Court held that separate educational facilities are inherently unequal.

The NAACP is also known for the work of its chief advocate for more than 30 years, Clarence Mitchell, who worked to secure the 1957, 1960 and 1964 Civil Rights Acts, as well as the 1965 Voting Rights Act and the 1968 Fair Housing Act.

But we salute the NAACP not only for these better-known accomplishments, but for all of its efforts to promote justice and equality for every American, throughout the past 100 years.

And the NAACP spoke out against lynching, challenged racially biased Supreme Court justice nominees as early as 1930, and pursued nondiscrimination policies in the military, in war-related industries, and the rest of the Federal Government during the world wars. At the height of the Civil Rights era, NAACP fought battles everywhere, on the ground, in the courtroom, and in the United States Congress.

Finally, in commemorating the 100th anniversary of the NAACP, we draw inspiration as we look to the continued work that lies ahead. From Dr. King and Coretta Scott King, from Rosa Parks, from Medgar Evers and Merlie Evers-Williams, from Julian Bond, from Kweisi Mfume and from so many others who have gone before, and from the current leadership of President Benjamin Todd Jealous, Washington Bureau Directory, Hilary Shelton, and Legal Defense Fund President John Payton, through whom the NAACP has been promoting African American graduation and college readiness, protecting and advancing voting rights and identifying solutions to our current fiscal crisis.

As we celebrate the NAACP's centennial anniversary, I am confident that the organization will remain an integral part of our Nation's efforts to protect and promote civil rights for all Americans.

I urge my colleagues to support H. Con. Res. 35.

I reserve the balance of my time.

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

Mr. Speaker, I support House Concurrent Resolution 35 which recognizes the 100th anniversary of the NAACP. For a century now, the NAACP has fought to bring justice and racial equality to all of America.

In 1917, the NAACP won a legal victory in the Supreme Court which held that States could not restrict and officially segregate black Americans into residential districts. The same year the NAACP fought for the right of black Americans to be commissioned as officers in World War I.

In 1935, NAACP lawyers Charles Houston and Thurgood Marshall won a legal battle to admit a black student to the University of Maryland.

During World War II, the NAACP led the effort that resulted in President Franklin Roosevelt's ordering a nondiscrimination policy in war-related industries and Federal employment.

And in 1948, the NAACP convinced President Harry Truman to sign an executive order banning discrimination by the Federal Government.

In 1954, under the leadership of Special Counsel Thurgood Marshall, the NAACP won one of its greatest legal victories in Brown v. Board of Education, which found segregated schools and other educational facilities in the United States to be unlawful.

In 1960, in Greensboro, North Carolina, members of the NAACP Youth Council launched a series of nonviolent sit-ins at segregated lunch counters. The segregation ended.

The history of America's modern struggle to live up to our constitutional principles includes a major role by the NAACP, and it continues to champion the cause of social justice today.

It is with pleasure that I join in supporting this concurrent resolution, which I hope raises even greater awareness of this organization's historic contributions to the cause of civil rights.

Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Texas (Mr. POE), also a member of the Judiciary Committee.

The SPEAKER pro tempore. Without objection, the gentleman from Texas will control the balance of the time.

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield as much time as he may consume to the gentleman from Texas, Congressman AL GREEN.

Mr. AL GREEN of Texas. Mr. Speaker, in the inner sanctum of my soul, I believe that although the arc of the moral universe is long, as Dr. King put it, it bends toward justice. However, I must confess that in the cognitive confines of my cranium, I know that it does so because of organizations like the NAACP.

For 100 years, the NAACP has been there bending the arc of the moral universe toward justice for all. From antilynching legislation to Brown v. Board of Education, to the election of the 44th President of this Nation, the NAACP has been there.

For 100 years, it's been there because of brave and noble Americans who

made great sacrifice that all may have a better life. Brave and noble Americans like NAACPer Rosa Parks, who took a stand by taking a seat and ignited a spark as a result that enhanced the Civil Rights Movement; brave and noble Americans like NAACPer Medgar Evers, who sacrificed his life in an effort to bring justice to all; brave and noble Americans like white NAACPer John Shalady, who was beaten by a mob and eventually died in his effort to secure rights for blacks.

For 100 years, it's been there demonstrating at the White House, negotiating and litigating at the courthouse. Hence, it is indeed most appropriate that the Congress of the United States of America honor the NAACP on this, its 100th anniversary.

To this end, Mr. Speaker, I thank Chairman CONYERS and Ranking Member LAMAR SMITH, subcommittee chair BOBBY SCOTT, floor leader HANK JOHNSON, and also now floor leader Judge TED POE. I also thank the 105 U.S. House cosponsors of this legislation. I thank Senator DODD and his 20 cosponsors of the companion legislation in the U.S. Senate.

And, in closing, at the risk of being both redundant and superfluous, I beg, beseech and entreat my colleagues to support this resolution because, in so doing, you are voting for liberty and justice for all, as pronounced in the Pledge of Allegiance. In so doing, you are voting for government of the people by the people for the people, as proclaimed in the Constitution. In so doing, you are voting for the equality of all, as promulgated in the Declaration of Independence. By voting for this resolution, you are continuing to bend the arc of the moral universe toward justice.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, today I stand here to honor the NAACP. We all honor the NAACP in this House. It has been at the forefront of the civil rights struggle in this country for 100 years, and though 100 years have passed since the founding of the NAACP, there still remains great work to be done.

Mr. Speaker, last summer dozens of black pastors and black mothers attended the 99th annual NAACP conference in Cincinnati to call on the NAACP to help expose one of the least known and yet one of the most pervasive forms of racism at work still in this country, the targeting of the black community by abortion providers. Many of these advocates who gathered at the NAACP I have the privilege to call precious friends. Dr. Alveda King, who leads King for America, is the niece of Dr. Martin Luther King.

□ 1745

Bishop Harry Jackson; Reverend Johnny Hunter, the founder of LEARN, America's largest African American pro-life organization; the Reverend Clenard Childress of LEARN Northeast; Catherine Davis with the Georgia Right to Life; Lawson Lipford-Cruz, the president of Black Students for Life; and David Owens, among many, many others. Their goal was simply to fulfill the mission of the NAACP, and that is to ensure equality and, most importantly, equal protection of the law for all.

Mr. Speaker, I want to quote Dr. Alveda King, the niece of Dr. Martin Luther King, who helped lead the rally outside the NAACP conference.

''Racism lives at Planned Parenthood. I say to my fellow NAACP members: It's time to tell the government to stop funding racism. Planned Parenthood will gladly accept donations for the specific purpose of aborting only black babies,'' King said. ''It locates its clinics in or near minority neighborhoods. It has led the way in eliminating African Americans to the point where one quarter of the black population is now missing because of abortion.''

King called on the Nation's oldest civil rights organization to remember its mission statement: ''To ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination.''

Day Gardner, the president of the National Black Pro-Life Union, said, ''As a child, I thought the NAACP to be a superhero organization, an organization that would fight racism right down to its very core.'' She stressed that the NAACP leaders need to have their eyes opened to the agenda of government-supported abortion providers and to what she believes is their strategic marketing to the black community.

According to reported statistics, Mr. Speaker, a black child is nearly five times more likely to be aborted than a white child.

Gardner continued. ''We are here to rally the NAACP, to make our voices heard as we shout in unison 'all across this great Nation the struggle is not yet over. The evil hand of racism is still at work.' ''

Gardner also spoke about the Federal tax dollars that go to Planned Parenthood. She said it was time for Congress to end that funding. She asked, ''Why are we forced to pay well over $300 million to an organization that is overtly racist? We are calling on the NAACP to stand boldly with us to defund Planned Parenthood and even lead the way in this, the greatest struggle for civil rights.''

Mr. Speaker, I just want to echo and agree with the words of Dr. King and of Day Gardner, that for the NAACP to fully advance the cause of the black community, it must take a stand and fight on behalf of the most helpless, voiceless, politically unempowered members of the black community—those being the unborn.

Today, one out of every two black babies conceived in this country is lost to abortion. That is an astonishing reality that I cannot find the words to describe. I just want to thank those courageous members of the NAACP for their fight against this unspeakable tragedy. We must all open our eyes to the racist history of abortion-on-demand movements in this country and its devastating impact on black America. It is past time to defund such a movement in this country.

To that end, I will also be reintroducing the PreNDA bill, the Prenatal Nondiscrimination Act, to end sex-selection abortion and race-selection abortion in this country. It is the duty of all of us to come together and to eliminate this deadly form of discrimination in this generation.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee—the Chair of the Commercial and Administrative Law Subcommittee of the Judiciary Committee, my good friend, Mr. STEVE COHEN.

Mr. COHEN. Mr. Speaker, I am a life member of the NAACP. In my lifetime, in the city of Memphis, there have been all kinds of activists involved in civil rights work or in political work, and the people who have always stood out as the champions have been the members of the NAACP. They have been the people who have been involved in looking out for human rights, voting rights, and civil rights for people, regardless of their color, because it was the right thing to do and not because of any political advantage to themselves.

For those particular individuals of which Maxine Vasco Smith, Russell Sugarman, A.W. Willis, Jesse Turner, and others have been leaders, I commend them and thank them for their efforts before me.

This is the 100th anniversary of the NAACP. In the African American community, there are only two other organizations that are renowned and that have celebrated 100 years of existence. The others are the Alphas, a distinguished fraternity; Alpha Phi Alpha; and the AKA sorority, Alpha Kappa Alpha. Each has celebrated its 100th anniversaries most recently.

The NAACP today is headed up by Julian Bond, one of the heroes of the Civil Rights Movement. He is a distinguished gentleman who has done a phenomenal job for 50 years in leading people toward the rights of free conscience as well as civil rights and other rights. Those are the types of activities that the NAACP has been involved in.

It was started 100 years ago by a biracial group of people who thought it was time that America lived up to its promise. It had been approximately 40-some-odd years since the end of the Civil War, and yet we still had Jim Crow laws. This country had not advanced greatly from the time of the Civil War. We had the period of reconstruction, and then after that there was a step back in civil rights. These people decided there should be a change, and they have worked assiduously to see that that happens. They

are often known or thought about with Thurgood Marshall and the work done for the Brown versus Board of Education in 1954 in bringing about that landmark decision. The NAACP Legal Defense Fund, which does so much, is a separate arm from the NAACP, but it was founded by it, and their activities in the courts have yielded great benefits to Americans throughout the years.

When it comes to hate crimes, the NAACP has been on the front lines. With voting rights, they're on the front lines. So those leaders, such as Dr. Martin Luther King, Coretta Scott King, Rosa Parks, Medgar Evers, Myrlie Evers-Williams, Benjamin Hooks from my hometown of Memphis, Jesse Turner, Jr., from my hometown of Memphis, who served as national treasurer of the late Jesse Turner, Sr., and others have fought the good fight for the NAACP, and they continue to do so as the moral conscience of this Congress in lobbying for legislation that this Congress needs to pass.

They published a report card on the work of this Congress, and it does hold people up to account for the works that they have done in these years. They helped me in passing a policy for slavery in Jim Crow. I appreciate their work. I am proud, and I ask my colleagues to join with me in voting for the resolution.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I am a proud lifelong member of the NAACP, and today, I join my colleagues in celebrating this 100th anniversary. I am especially proud of my local moderate county branch of the NAACP where our chapter was created in 1932, and I believe this chapter ranks as one of the largest per capita branches in the United States, and has been active in education and law for all of these many years. I can tell you we are all better off for it.

Our chapter's proudest member is Ben Jealous, now the youngest and, in my opinion, the most dynamic president of the NAACP. As we recognize the great achievements of one of America's best organizations, let us not forget that the struggle continues. We still face discrimination in our communities, in our schools and in the workplace. It is a struggle that requires continuing education and legal action.

The NAACP offers us many examples as we continue on our path towards solving our racial troubles. Even the founders of the NAACP offer an important lesson on how such a diverse group can accomplish so much. The men and women—black and white, from different backgrounds and from different careers and from different religions—these people came together to create a force for good.

I want to thank the NAACP for 100 years of hard work. God bless your president and his family as he leads us into the next century of fighting for human and civil rights. We congratulate you on this historic day.

I'm a proud lifelong member of the NAACP, and today I join my colleagues in celebrating its 100th anniversary.

I am especially proud of my local Monterey County Branch of the NAACP, where our chapter was created in 1932. My chapter ranks as one of the largest per capita branches in the United States and has been active in education and law—and we're all better for it.

The Fort Ord Army training base in Seaside, Calif., was the first military base in the United States to be integrated in 1947. It was one of the largest bases in the United States to conduct training for Korea, Vietnam and many other conflicts. Now that base is closed, it's site is home to the newest campus of the California State University system—due in part to the fine work of the NAACP.

And our chapter's proudest member is Ben Jealous, now the youngest—and in my opinion the most dynamic—national president of the NAACP.

As we recognize the great achievements of one of America's best organizations, let us not forget that the struggle continues. We still have discrimination in our communities, in our schools and in the workplace. It's a struggle that requires continuing education and legal action.

Luckily, we have the rich history of the NAACP that offers us so many examples of how to proceed. One of the best is the group of individuals who founded the group. It shows us how such a diverse group can accomplish so much.

Along with a life of activism, W. E. B. Du Bois was a noted professor and writer. Archibald Grimké, the son of a slave owner and slave, was a journalist and lawyer. Henry Moskowitz was a Jewish physician. Mary White Ovington and Oswald Garrison Villard spent their lives writing. William English Walling, born into a former slaveholding family, once served as a factory inspector. And Ida B. Wells was also a noted women's rights activist.

America is the country where dreams come true. Certainly the world has seen such with the election of Barack Obama. But the work will never end until peace and justice are available to everyone.

I want to thank the NAACP for 100 years of hard work. You've made America a stronger and better nation.

And your work continues. God bless your president, Ben Jealous, as he leads us into the next century of fighting for human and civil rights. We congratulate you on this historic day.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I would yield 4 minutes to the honorable gentleman from the great State of Virginia, Mr. BOBBY SCOTT, who is also the Chair of the Crime Subcommittee of the Judiciary Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I am delighted to recognize the NAACP on its 100th anniversary. The NAACP holds a very special meaning to me because I have been a long-time active member of the group. I have had the honor of being Virginia's first individual Golden Heritage Life Member and Virginia's first Diamond Life Member, the organization's highest individual membership level. In addition, I have had the honor of serving as president of the Newport News, Virginia branch of the NAACP.

The NAACP is an organization that has made a difference from the very beginning. In 1909, 60 prominent Americans, including Ida B. Wells-Barnett and W.E.B. Du Bois, met on the occasion of the 100th anniversary of the birth of Abraham Lincoln to discuss racial violence and social justice. Out of that meeting, the NAACP was born with the goal of securing rights, liberties and protections for all Americans as guaranteed by the Constitution.

Since its inception, the NAACP has worked tirelessly to continuing looking for ways to improve the democratic process and by seeking the enactment and the enforcement of Federal, State and local laws that secure civil rights. The NAACP furthers its mission by making the public aware of adverse effects of racial discrimination and by seeking its elimination. The NAACP also seeks to educate the public about their constitutional rights, and it goes to court to enforce those rights when necessary.

The NAACP has a long and impressive history of activism. It has contributed greatly to shaping America as we know it today. One of its first legislative initiatives was anti-lynching legislation in the early 1990s. In the 1940s, the NAACP was influential in President Roosevelt's decision to issue an executive order prohibiting discrimination in contracts with the Department of Defense. The NAACP was very instrumental in President Truman's decision to issue an executive order ending all discrimination in the military. In 1946, the NAACP won the Morgan v. Virginia case where the Supreme Court banned States from having segregated facilities on buses and trains that crossed State borders. In 1948, the NAACP pressured President Truman into signing an executive order banning all discrimination in the Armed Forces. In 1954, the NAACP won its landmark case of Brown v. Board of Education, declaring separate but equal unconstitutional.

The NAACP is what the late Bishop Stephen Gill Spotswood, the former national board chairman, has called ''the oldest, largest, most effective, most consulted, most militant, most feared, and most loved of all civil rights organizations in the world.'' Bishop Spotswood's statement remains true today.

Even in the 21st century, the NAACP continues to be a strong advocate for fairness and equality. Recently, the NAACP was deeply involved in protesting the Jena 6 controversy where the efforts of the NAACP and others provided justice for the students in

that case. The NAACP continues their work on eliminating racial injustice. It continues to act as a watchdog to protect the civil rights of all people, and it educates the public about civil rights so that future generations will know that tolerance and equality are the norm rather than the exception.

Mr. Speaker, I congratulate the NAACP and its people on 100 years of service to our great country, and I wish them another successful century of service.

Mr. POE of Texas. I continue to reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Texas has 13 minutes remaining. The gentleman from Georgia has 4½ minutes remaining.

Mr. JOHNSON of Georgia. Mr. Speaker, I will yield 1 minute to the gentleman from Illinois, the honorable DANNY DAVIS.

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Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from Georgia for yielding, and I also want to commend the gentleman from Texas, Representative GREEN, for his introduction of this resolution.

I rise to be in agreement with all of those who have edified the examples of tremendous leadership provided by the NAACP.

On a personal note, though, I want to commend my wife, Vera, who is the chairman of our local Westside Branch NAACP, and Mr. Karl Brinson, who is the president. They do outstanding work and have continued to do so. I also want to commend Hilary Shelton for the tremendous job that he has done over the years keeping us informed.

And so I commend the NAACP on its 100th anniversary.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I would yield 1 minute at this time to the honorable gentleman from the State of Virginia, Mr. TOM PERRIELLO.

Mr. PERRIELLO. Mr. Speaker, I rise today to recognize the 100th anniversary of the NAACP as it celebrates its centennial.

Since its founding in 1909, the NAACP has been a tireless crusader against racial discrimination, and it has continuously called our great Nation towards an ever-expanding horizon of liberty and justice for all.

Often with support and protection from the NAACP, countless brave citizens of my district joined the great American struggle for civil rights. From slavery and segregation, through massive resistance and Bloody Monday marches, our area has passed through dark nights always to emerge at the dawn of a new era of equality.

I thank the NAACP, its staff, and its members for remaining true to our Nation's highest ideals. As it embarks on its second century with new leadership and a renewed commitment to human rights, I congratulate the NAACP on this landmark year in its history and extend our deep appreciation for victories won and those that remain before us.

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

Mr. JOHNSON of Georgia. Mr. Speaker, we have no additional speakers at this time, and if the gentleman yields back the balance of his time, I will do the same.

Mr. POE of Texas. Mr. Speaker, I want to congratulate my good friend and fellow judge from Texas (Mr. GREEN) for introducing this legislation, an individual I've known for now over 30 years and have been through a lot together back in the State of Texas and proud to see that he has introduced this legislation.

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

Mr. JOHNSON of Georgia. Mr. Speaker, I, too, would like to commend Congressman GREEN for his efforts in introducing this legislation, and I look forward to its passage.

Mr. BISHOP of Georgia. Mr. Speaker, this historic year marks both the inauguration of this country's first African-American president, Barack Obama, and the National Association for the Advancement of Colored People's (N.A.A.C.P.) 100th anniversary. February 12, 1909 was chosen as the founding date of the N.A.A.C.P. to commemorate President Abraham Lincoln's 100th birthday, with the hopes of realizing his vision of a unified nation overcoming racial and ethnic hatred and discrimination.

The following decades have seen the emergence of new challenges along America's journey towards equality. Yet the N.A.A.C.P. has persisted and has overcome these obstacles. It currently bears witness to numerous advancements that may have never taken place had it not been for the collective will of the many N.A.A.C.P. members who were willing to fight for what they believed was right.

Without the N.A.A.C.P., it is hard to say where this country would be if it never fought for African-Americans to have increased access to the ballot box.

Without the N.A.A.C.P., it is hard to say where this country would be if it never fought against discrimination—from schooling to housing, and from marriage to employment. After all, the NAACP's Legal department, headed by Charles Hamilton Houston and Thurgood Marshall, undertook a campaign spanning several decades to bring about the reversal of the "separate but equal" doctrine enshrined in the Supreme Court's decision in Plessy v. Ferguson.

Without the N.A.A.C.P., it is hard to say where this great country would be if it were not for the courageous men and women who risked their lives and livelihoods in order to promote the rights of everyone, regardless of the color of their skin.

In fact, it is hard to imagine such an America without the N.A.A.C.P. My life and the life of this nation would be much different if it were not for the organization's efforts to tear down the barriers of racial discrimination and hatred. The N.A.A.C.P.'s work, however, is not yet finished. If the last century is any indication though, as long as there is an N.A.A.C.P., all Americans will continue to have a powerful advocate for fairness, equality, and justice.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H. Con. Res 35 "Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 100th anniversary."

Mr. Speaker, H. Con. Res 35 recognizes the 100th anniversary of the historic founding of the National Association for the Advancement of Colored People (NAACP) and honors and praises the National Association for the Advancement of Colored People on the occasion of its anniversary for its work to ensure the political, educational, social, and economic equality of all persons. I urge my colleagues to join me in supporting H. Con. Res 35 because of the impact that the NAACP has had on me and other minorities across this great nation.

First organized in 1905, the group came to be known as the Niagara Movement when it began meeting at hotel situated on the Canadian side of the Niagara Falls. The group first met in Canada because the U.S. hotels were segregated. Under the leadership of Harvard scholar W.E.B. DuBois, the group later went on to become known as the National Negro Committee. It was not the date of the organization's second conference in 1910 that it formally adopted the name the National Association for the Advancement of Colored People.

The mission of the association was clearly delineated in its charter:

To promote equality of rights and to eradicate caste or race prejudice among the citizens of the United States; to advance the interest of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for the children, employment according to their ability and complete equality before law.

Since its inception, the National Association for the Advancement of Colored People (NAACP) has upheld its mission to fight social injustice and give a voice to the voiceless. The NAACP is among the largest and most prominent mass-membership, civil rights organizations in America.

Founded with a mandate to secure equal political, economic and social rights for African Americans, the NAACP has been in the forefront of every major civil rights struggle of the twentieth century. Using a combination of tactics including legal challenges, demonstrations and economic boycotts, the NAACP played an important role in helping end segregation in the United States.

The NAACP Legal Defense and Educational Fund, Inc., (NAACP LDF) a leading civil rights organization based in New York City, began as the legal wing of the NAACP under the leadership of Charles Hamilton Houston, a former professor at Howard University Law School. In 1938, Thurgood Marshall, Houston's student and future Supreme Court justice, succeeded him as NAACP LDF counsel.

Marshall further developed the strategies and goals of the legal department, establishing the Legal Defense Fund as an organization totally independent of the NAACP.

Among its most significant achievements was the NAACP LDF's challenge to end segregation in public schools. In the landmark Supreme Court case Brown v. Board of Education (1954), the Justices unanimously ruled that separate educational facilities for black

and white students were ''inherently unequal.'' That ruling and the Court's subsequent order that public schools be desegregated with ''all deliberate speed'' touched off a firestorm of protest in the South and contributed substantially to the growth of the modern-day civil rights movement. Today, the NAACP has over 500,000 members standing in unity with all who support protecting our constitutionally guaranteed civil rights against all who would oppose protecting these freedoms.

Even in my district in Houston, the NAACP seeks to be a voice against injustice for all minorities. The NAACP Houston Branch has a long and rich history championing civil rights in Houston on vital issues such as the desegregation of Houston schools, combating the spread of HIV/AIDS, and improved access to education and information technology.

The NAACP Houston Branch has played an instrumental role in breaking new ground on the path to freedom and equality for Houston's minority community. The branch has been experiencing tremendous growth in recent years while serving the Harris County area through its programs and myriad committees made up of its dedicated staff and volunteer members. Led by an Executive Committee of approximately 25 volunteers, there are approximately 800 members in the Houston Branch.

Some of the Houston Branch's programs include collaborations with the City of Houston Health Department in STD prevention and awareness programs, legal assistance in the form of legal consultation and educational seminars, a year-long enrichment program designed to recruit, stimulate, improve and encourage high academic and cultural achievement among African American high school students, and other programs beneficial to minorities across the city of Houston.

As a member of the Judiciary Committee, I truly appreciate the support from the NAACP in fighting for the reauthorization of the Voting Rights Act. We all know that without the reauthorization of the Voting Rights Act, the voting rights of many U.S. citizens would be in jeopardy. When I authored H.R. 745 in the 110th Congress, I am proud to say that with the NAACP's support, my colleagues and I were able to rename the Fannie Lou Hamer, Rosa Parks, Cesar E. Chavez, Barbara C. Jordan, William C. Velasquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006. This bill renamed the Voting Rights Act to demonstrate the many faces of the Civil Rights Movement. The bill was renamed to recognize the Hispanics and other persons of color who labored in the vineyards to insure that all receive equal treatment in the United States.

Mr. Speaker, H. Con. Res 35 provides for a tribute to celebrate the impact and achievements of the National Association for the Advancement of Colored People in their efforts to better the lives of minorities and the community. There is still a need for justice and equal treatment for minorities in our country. I am grateful for the many fights for equality that he organization has won, and thankful that the NAACP will be there in the future to champion the cause of justice wherever and whenever it needs a spokesman.

The struggles of the NACCP have helped pave the way for the election this country's first African-American President Barack Obama. During a speech celebrating the NAACP, President Obama declared that ''serving as . . . [P]resident, 100 years after the founding of the NAACP, I will stand up for you the same way that earlier generations of Americans stood up for me—by fighting to ensure that every single one of us has the chance to make it if we try.''

I thank my colleague, Representative AL GREEN, of Texas, for introducing this important legislation, to ensure that we celebrate, treasure and recognize the African American spiritual as a national treasure and I urge my colleagues to join me in supporting this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the resolution, H. Con. Res. 35.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

HONORING GRIFFIN BELL

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 71) acknowledging the lifelong service of Griffin Boyette Bell to the State of Georgia and the United States as a legal icon.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 71

Whereas Griffin Boyette Bell was born on October 31, 1918, in Americus, Georgia, to Thelma Leola Pilcher and Adlai Cleveland Bell, a cotton farmer;

Whereas Griffin Boyette Bell died on January, 5, 2009, at Piedmont Hospital in Atlanta, Georgia, after enduring long-term kidney disease and a battle with pancreatic cancer;

Whereas Griffin Boyette Bell was raised in the Shiloh community outside of Americus until his family moved into Americus to establish a tire retail store;

Whereas Griffin Boyette Bell proved himself a superior student in the Americus public schools and later at Georgia Southwestern College also in Americus;

Whereas in 1942, Griffin Boyette Bell was drafted into the Army, where he served in the Quatermaster Corps and Transportation Corps;

Whereas Griffin Boyette Bell, while stationed at Fort Lee, Virginia, met and married Mary Powell, who also had family ties in Americus, Georgia, and they later had one son, Griffin Jr;

Whereas in 1946, Griffin Boyette Bell, after being discharged from active duty in the Army with the rank of Major, enrolled in the Walter F. George School of Law at Mercer University in Macon, Georgia;

Whereas Griffin Boyette Bell worked at the firm Anderson, Anderson, and Walker while in law school;

Whereas Griffin Boyette Bell, while still a law student, passed the Georgia bar examination and was appointed city attorney of Warner Robins, Georgia;

Whereas Griffin Boyette Bell, after graduating Mercer University law school with honors in 1948, practiced law in Savannah, Georgia, and Rome, Georgia;

Whereas in 1953, Griffin Boyette Bell accepted an offer to join the Atlanta law firm of Spalding Sibley Troutman and Kelley, later renamed King and Spalding;

Whereas in 1958, Griffin Boyette Bell was appointed chief of staff to Governor Ernest Vandiver and while serving in that capacity was influential in organizing the Sibley Commission, which mapped Georgia's approach to school desegregation;

Whereas Griffin Boyette Bell, while as chief of staff to Governor Ernest Vandiver, also helped moderate State policy concerning civil rights and was instrumental in keeping Georgia's schools open during that turbulent period;

Whereas in 1961, Griffin Boyette Bell was appointed by President Kennedy to the 5th U.S. Circuit Court of Appeals where he served for 14 years and often played an instrumental role in mediating disputes during the peak of the United States Civil Rights Movement;

Whereas in 1976, President Jimmy Carter nominated Griffin Boyette Bell to be the 72nd Attorney General of the United States and he was confirmed to that position on January 25, 1977;

Whereas Griffin Boyette Bell brought independence and professionalism to the Department of Justice during his tenure as Attorney General by daily posting of his third-party contacts, including meetings and calls with the White House, Members of Congress, or other non-Justice Department individuals;

Whereas Griffin Boyette Bell in his capacity as Attorney General, advised the Carter administration and helped to increase the number of women and minorities serving on the Federal bench by recruiting Wade McCree, an African-American Eighth Circuit judge, to serve as Solicitor General of the United States and Drew S. Days III, an African-American lawyer for the NAACP Legal Defense Fund, to head the Civil Rights Division of the Department of Justice;

Whereas Griffin Boyette Bell also led negotiations to divide his former appellate court, the 5th Circuit spanning from Georgia to Texas, into two courts: a new 5th Circuit based in New Orleans and an 11th Circuit based in Atlanta;

Whereas Griffin Boyette Bell, upon resignation as Attorney General in August 1979, was appointed by President Carter as the Special Ambassador to the Helsinki Convention;

Whereas Griffin Boyette Bell served as a member of the Secretary of State's Advisory Committee on South Africa from 1985 to 1987;

Whereas in 1989, Griffin Boyette Bell was appointed Vice Chairman of President George H. W. Bush's Commission on Federal Ethics Law Reform;

Whereas Griffin Boyette Bell served as counsel to President George H. W. Bush during the Iran Contra Affair investigation;

Whereas in September of 2004, Griffin Boyette Bell was appointed the Chief Judge of the United States Court of Military Commission Review; and

Whereas during Griffin Boyette Bell's career as a lawyer, he specialized in corporate internal investigations, and many that were high profile, including E.F. Hutton following

Federal indictments for its cash management practices, Exxon Valdez after an oil spill in Alaska, and Procter and Gamble after rumors circulated that the company's moon-and-stars logo was a satanic symbol: Now, therefore, be it

Resolved, That the House of Representatives—

(1) acknowledges the lifelong service of Griffin Boyette Bell to the State of Georgia and the United States as a legal icon; and

(2) commends Griffin Boyette Bell for his tenure as Attorney General of the United States and his commitment to the American Civil Rights Movement.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today we honor the lifelong service of Griffin Boyette Bell to the legal profession and to the American civil rights movement. I want to thank Representative JACK KINGSTON of Georgia for introducing this fitting tribute to one of Georgia's native sons.

Griffin Bell was born in 1918 in rural Sumter County, the son of a cotton farmer. His family relocated to Americus, the county seat, when the advance of the boll weevil devastated cotton crops.

Griffin Bell excelled at school and for a while attended Georgia Southwestern College and worked in his father's successful tire shop. When duty called in 1942, Griffin enlisted in the U.S. Army serving in the Quartermaster Corps, the Transportation Corps, where he rose to the rank of Major.

After the Army, he attended Walter F. George School of Law at Mercer University in Macon, Georgia, graduating with honors. While still in law school, he was appointed city attorney of Warner Robins, Georgia. He practiced law in both Savannah and Rome, Georgia, eventually joining the Atlanta law firm now known as King and Spalding.

In 1959, he returned to public service as chief of staff to Governor Ernest Vandiver. One of his responsibilities was helping guide the State of Georgia in implementing the Supreme Court's Brown versus Board of Education decision requiring that public schools be desegregated—which was a matter that was creating public and political tensions throughout the South.

Working with the blue-ribbon Sibley Commission that he organized, he navigated a steady but incremental approach which helped Georgia implement the Brown decision without the school closings and other public rancor experienced elsewhere.

Griffin Bell's handling of this and other matters for Governor Vandiver brought him to the attention of President Kennedy, who appointed him in 1961 to the Fifth U.S. Circuit Court of Appeals, which used to incorporate the State of Georgia, but now Georgia is in the 11th Circuit.

In addition, among the many cases he dealt with during his 14 years on the bench were numerous school desegregation cases throughout the States from Texas to Georgia and Florida where he worked with a great deal of success to ensure that the Brown mandate was carried forward resolutely, but also with the cooperation and support of school boards and local communities whenever possible.

I had the opportunity to practice before the Fifth Circuit to promote civil rights on many occasions, including one case where I represented the NAACP in a voting rights case. In that case, the NAACP was denied an application to conduct voter registration drives. The court decided that the city could not prevent the NAACP from conducting voter registration drives if this would have a discriminatory effect, a decision which might not have been possible had lawyers and judges like Griffin Bell not had the courage to stand up for civil rights over the course of decades.

Judge Bell retired from the bench in March of 1976 only to be called back to public service soon thereafter by President-elect Jimmy Carter, who nominated him to be Attorney General of the United States. He was instrumental in restoring morale and public confidence at a Justice Department whose reputation had been severely damaged by Watergate. And he helped greatly increase the representation of women and minorities on the Federal bench.

Judge Bell returned to King and Spalding in 1979, but he remained active in public affairs not only in his community, but in national and international affairs as well.

He had barely left the Justice Department when President Carter appointed him to lead the U.S. delegation to the Conference on Security and Cooperation in Europe.

Two years later, he served as co-Chair of the Attorney General's National Task Force on Violent Crime, and in 1985, he accepted the position on the Secretary of State's advisory committee on South Africa. In 1989, the first President Bush appointed him to be vice chairman on the Commission on Federal Ethics Law Reform. In 2004 at age 86, he was commissioned as a Major General in the United States Army to serve as chief judge on the appeals court for reviewing military commission trials of enemy combatants.

To fully list the many positions Judge Bell held and the many ways he served his community and his country and the world would take more time than we have here today. Last fall, his historical essays were published in a book called ''Footnotes to History.''

Griffin Bell was anything but a footnote to history. His advancement of civil rights and commitment to the rule of the law will continue to be an inspiration to the many who worked with him, who knew him, and who will read about him in years to come.

I am proud that today we celebrate his many accomplishments and honor his life.

I reserve the balance of my time.

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

Mr. Speaker, I support House Resolution 71 which acknowledges the lifelong service of Griffin Bell to the State of Georgia and, of course, to the United States.

Griffin Bell was the son of a cotton farmer, and he rose to become one of the most respected legal counselors in the whole United States. He was appointed by President Kennedy to serve as a judge on the Fifth Circuit Court of Appeals. He left the court after 14 years of service on that bench to rejoin the law firm of King and Spalding.

In 1986, President Jimmy Carter nominated him to become the Attorney General of the United States. In that role, Judge Bell operated in a remarkably open manner that has not been duplicated since.

Every day, he would publicly post his contacts with third parties, including meetings and calls from the White House, Members of Congress, and others outside the Justice Department. His efforts to strengthen transparency of his office did much to rebuild confidence in the Justice Department after the Watergate scandal.

As Attorney General, Judge Bell led the effort to pass the Foreign Intelligence Surveillance Act of 1978. At the time, he gave testimony to Congress in which he made clear that the legislation ''does not take away the power of the President under the Constitution.''

Judge Bell also led negotiations that resulted in dividing his former appellate courts into two circuits: the Fifth Circuit, based in New Orleans, and the 11th Circuit, based in Atlanta.

Judge Bell was known for his love of rooster pepper sausage and for his wide and bold-colored ties. He was a figure full of personality as he was wise, and greatly respected by Members of both sides of the political aisle.

Judge Bell passed away earlier this year on January 5, 2009. He and his sage advice and his opinions will be missed.

As a former judge and prosecutor, I urge all of my colleagues to join me in supporting this resolution to honor the life of Judge Bell, a man committed to justice because, Mr. Speaker, justice is what we do in America.

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

Mr. POE of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LINDER).

□ 1815

Mr. LINDER. I thank the gentleman for yielding.

Griffin Bell was a friend of mine for maybe 20 years and a decent human being. I'm not going to go back and reflect on his contributions to his city, his State or his Nation. Mr. JOHNSON and Mr. POE have already done that.

He served in many capacities in a decent way, but I just want to get something in the record. You never, ever will understand Griffin Bell until you understand what a wonderful sense of humor he had.

I moved to Georgia from Minnesota in 1969, almost 40 years ago, and one of the things we have in the South is respect for story telling and great good humor. And I have never heard a better one than Griffin Bell. And some of the stories he told me about he and Charlie Kirbo, who was another of President Carter's close personal advisers, as partners representing companies and individuals were just hilarious.

I want you to know that the Nation is going to miss a great man, and those of us who knew him are missing a great humorist.

Mr. JOHNSON of Georgia. Mr. Speaker, I reserve the balance of my time, and I have no more speakers.

Mr. POE of Texas. Mr. Speaker, I urge adoption of this H. Res, and I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I can think of no man who deserves these accolades who is greater than the late Judge Griffin Bell, and I look forward to this measure passing.

Mr. BISHOP of Georgia. Mr. Speaker, I want to commend my friend and colleague Representative JACK KINGSTON for introducing this resolution to commemorate the life of—one of the giants in the legal community of Georgia and the Nation—Griffin Boyette Bell. His passing is a great loss to me, his family, and the country he proudly served. We have lost a true friend and a prominent leader. Mr. Bell's distinguished service as a civil rights advocate, U.S. attorney general, World War II veteran, and Federal judge reflects his lifelong commitment to public service and the American people.

Born in Americus Georgia, Mr. Bell, the only son of a farmer, dedicated his life to helping others. Following his Army service in the Quartermaster and Transportation Corps during World War II, Griffin Bell attended the Georgia Southwestern College and went on to law school at Mercer College. Even before graduating, he passed the Georgia Bar and served as city attorney of Warner Robins, Georgia.

Following law school, he set up a successful practice in Savannah and Rome and soon was invited to become a partner at the prominent law firm of King & Spalding. Griffin Bell could not stay out of public service for long. Shortly after the election of President Kennedy, he accepted an appointment to the Fifth U.S. Circuit Court of Appeals.

As a judge on the Fifth U.S. Circuit, Griffin Bell acted as a guardian of our constitutional rights and stood in strong opposition to segregation and discrimination. Later, as President Carter's Attorney General, he was an independent advocate of justice. Watergate was still fresh in people's minds, and Griffin Bell focused on eliminating official corruption. After his work as attorney general, he returned to King & Spalding, but still continued to be active in the public sphere. He served on the State's Advisory Committee on South Africa, President George H.W. Bush's Commission on Federal Ethics Law Reform, and was appointed the Chief Judge of the United States Court of Military Commission Review.

Throughout his career in public service, people from all walks of life—rich and poor, black and white, Democrat and Republican—benefited from his insight and wise counsel. He strove to bring people together and resolve differences in a fair and pragmatic manner. Put simply, he was a model of integrity. He was a strong influence in my own life and was an inspiring mentor to countless numbers of young people over the years. Griffin Bell was looked up to and loved by everyone, and he will be greatly missed.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the resolution, H. Res. 71.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM REAUTHORIZATION OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 908) to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 908

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 ''Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2009''.

SEC. 2. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.

Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181) is amended—

(1) by amending subsection (a) to read as follows:

''(a) GRANT.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance and in consultation with the Secretary of Health and Human Services, shall award competitive grants to nonprofit organizations to assist such organizations in paying for the costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimer's disease and related dementias and other missing elderly individuals.'';

(2) in subsection (b)—

(A) by inserting ''competitive'' after ''to receive a''; and

(B) by adding at the end the following new sentence: ''The Attorney General shall periodically solicit applications for grants under this section by publishing a request for applications in the Federal Register and by posting such a request on the website of the Department of Justice.'';

(3) by amending subsection (c) to read as follows:

''(c) PREFERENCE.—In awarding grants under subsection (a), the Attorney General shall give preference to national nonprofit organizations that have a direct link to patients, and families of patients, with Alzheimer's disease and related dementias.''; and

(4) by amending subsection (d) to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each of the fiscal years 2010 through 2016.''.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

Mr. JOHNSON of Georgia. I yield myself as much time as I may consume.

Mr. Speaker, we come to the floor with three elder justice bills, each with bipartisan support, and each addressing, in different ways, serious problems faced by our ever-expanding aging population. These problems range from dementia, and elders who ''go missing,'' to neglect, financial exploitation, and physical abuse. The three bills we are considering today address these critical problems.

The bill before us now, H.R. 908, the Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2009, addresses the serious problem of seniors who go missing each year as a result of dementia. It passed the House on suspension last September, but Congress adjourned before the Senate could consider it.

The Missing Alzheimer's Disease Patient Alert Program was created in 1994, and while Congress has continued to support and fund it, its formal authorization expired in 1998.

This legislation, Mr. Speaker, sponsored by the gentlewoman from California, the Honorable MAXINE WATERS, will formally reauthorize the program.

H.R. 908 authorizes the Attorney General to award competitive grants to nonprofit organizations for planning, establishing, and operating locally-based programs to protect and locate missing persons with Alzheimer's disease, dementia, or other problems.

This is an excellent measure that responds to a critical problem, and I urge my colleagues to support it.

I reserve the balance of my time.

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

I'm pleased to support H.R. 908, the Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2009.

Roughly 5 million Americans suffer from Alzheimer's disease or dementia. Of these, 60 percent will become lost from their families or their caretakers. If they're not found within 24 hours, up to half of them become seriously ill or even die.

H.R. 908 increases the chance of locating missing persons suffering from these diseases within the critical first 24 hours. Specifically, the bill provides grants to nonprofit organizations to help create and maintain programs to assist in locating missing patients and family members with Alzheimer's.

We passed similar legislation in the last session of Congress, sent it to the Senate, and the Senate made a few changes and sent it back to us for our approval here in the House, but we did not have enough to consider the bill before Congress adjourned at the end of last year. H.R. 908 contains compromise language from the Senate version of the last session of Congress.

These programs and organizations this legislation aims to help are often significantly useful to local law enforcement when a person suffering from these mind-altering diseases goes missing. Because these patients are often disoriented and confused, tips and information from family, friends, and doctors are very critical.

H.R. 908 provides support to these organizations, indirect assistance to local law enforcement, protection to patients, and some peace of mind to the families and loved ones.

I urge all my colleagues to support this bill.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield as much time as she may consume to the gentlelady from California, the great Maxine Waters.

Ms. WATERS. I thank the gentleman for yielding time to me and for his very warm compliments. Thank you.

Approximately 5 million Americans have Alzheimer's disease, and the majority of them live at home under the care of family and friends. It is estimated that 60 percent of Alzheimer's patients are likely to wander away from their homes. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on those who are defenseless. Up to 50 percent of wandering Alzheimer's patients will become seriously injured or die if they are not found within 24 hours of their departure from home.

The Missing Alzheimer's Disease Patient Alert Program is a Department of Justice program that helps local communities and law enforcement officials quickly identify persons with Alzheimer's disease who wander or who are missing and reunite them with their families.

Since its inception more than 10 years ago, this program has funded a national registry of more than 172,000 individuals at risk of wandering and has reunited over 12,000 wanderers with their families. It is a highly successful program whereby 88 percent of registrants who wander are found within the first 4 hours of being reported missing. A total of 1,288 wandering incidents were reported to the program in 2007. The program has a 98 percent success rate in recovering enrollees who are reported missing.

There are also technology-based options to address wandering that should be considered for funding under the Missing Alzheimer's Patient Program. For example, personalized wristbands that emit a tracking signal can be used to locate wanderers. These wristbands, when combined with specially trained search-and-rescue teams, can reduce search times from hours and days to minutes.

Congress originally authorized $900,000 in appropriations for the Missing Alzheimer's Patient Program for 3 years, that is, 1996 through 1998, but never reauthorized or updated the program. Since then, the program has continued to receive funding on a year-to-year basis, but funding has remained virtually flat since its inception.

H.R. 908 reauthorizes, updates and expands the Missing Alzheimer's Patient Program.

The bill authorizes up to $5 million per year in appropriations for fiscal years 2010 through 2016, a modest increase over the $1 million appropriation in fiscal year 2008.

The bill expands the program so as to allow the Department of Justice to award multiple competitive grants to nonprofit organizations. Preference will be given to national nonprofit organizations that have a direct link to patients, and families of patients, with Alzheimer's disease and related dementias.

And finally, the bill specifies that the program will be operated under the Department of Justice's Bureau of Justice Assistance. Currently, the program is operated under the Office of Juvenile Justice, which is obviously not the most appropriate agency for a program serving the mostly elderly.

H.R. 908 has 21 bipartisan cosponsors, including the co-chairs of the Congressional Alzheimer's Task Force, Congressman EDWARD MARKEY and Congressman CHRISTOPHER SMITH. The bill has been endorsed by more than 85 national, State, and local organizations, including the Alzheimer's Association and the Alzheimer's Foundation of America.

The Missing Alzheimer's Patient Program is a critical resource for first responders. It saves local law enforcement officials valuable time and allows them to focus on other national and local security concerns. It is critical that we reauthorize and expand this small, but very effective, program.

I urge my colleagues to support H.R. 908.

Mr. POE of Texas. Mr. Speaker, I yield 4 minutes to the gentlelady from Oklahoma (Ms. FALLIN).

Ms. FALLIN. Mr. Speaker, we have an opportunity today to take a very important step in protecting some of our most vulnerable elderly citizens who suffer from Alzheimer's disease and other forms of dementia.

One American in 10 over the age of 65 suffers from Alzheimer's disease. For those over 85, it is one in two. Alzheimer's patients now number as many as 4.5 million in the United States, and as we baby boomers continue to age, those numbers will only continue to grow.

One of the great dangers for Alzheimer's patients is the tendency to become disoriented and to wander away from home. In fact, some 60 percent of those with Alzheimer's will do so at some point, and half of them will be seriously injured or even possibly die.

We've all heard stories in our local news networks, in our local communities: an elderly person goes missing, perhaps just going on a simple trip to the grocery store. Local search efforts are launched, and there are some great programs around our Nation to have those search efforts. The family will post notices somewhere and pleas for help for that missing person goes out. And the media certainly can help sound the alarm.

But sometimes these stories don't end happily and sometimes they do. The person that has wandered beyond the reach of local search efforts can be in serious trouble. If the weather is bad, or if that person should run across some dangerous individual, and they cross that Alzheimer's patient's path, it can end in tragedy.

In the fall of 2007, a member of my church, a lady named Betty Ledgerwood, left home one day and got into her car, had gas in her car, and ended up driving, not knowing where she was, who she was, and actually was missing for almost a full day. And her family even called me here, frantically trying to get some help with the media to find her. Her family did do all they could to sound the alarm.

Local officials searched for her, but she was eventually found, and she had died from exposure to the weather, just right outside her car, not in my home State of Oklahoma, but actually clear in Missouri. And she didn't know where

she was, and unfortunately, her family didn't know where she was.

It's a story that we hear all too often, that a loved one is confused with dementia or Alzheimer's can be missing.

And that's why the Missing Alzheimer's Disease Patient Alert Program today that we're talking about will help protect our moist vulnerable at-risk seniors.

□ 1830

This is a program that has potential, saving and preserving the lives of some of our most vulnerable and threatened elderly citizens. It enlists the capacities of many different agencies, private-public sector. It does not seek to create new agencies. It simply focuses attention and effort on a growing problem.

So, Mr. Speaker, today, I'd like to urge the passage of this measure so we can bring the next Betty Ledgerwood home to her family safely. Thank you so much.

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

Mr. COHEN. I want to thank the gentleman from Georgia for yielding the time, and the gentlelady, Ms. WATERS from California, for bringing this important legislation.

My father had Alzheimer's and my mother has some form of dementia now. My father passed away at age 80, and there was a day when he disappeared from the nursing home and they couldn't find him. It took a couple of hours. They did find him walking in the neighborhood. He had no idea where he was going. I was amazed that he was not hurt or hit by a car or anything. He obviously had no idea where he was going.

This type of program is so prescient because there are so many people who have been talked about who are either suffering from this illness or will be suffering from this illness, and the needs of the police departments to identify them and to have an opportunity to maintain contact and save them before something bad happens to them.

There was a lady in Memphis named Elizabeth Ferguson. She was 86 years old. In May 2008 she went missing. She suffered from dementia. She drove away from her Memphis home after heading to a doctor's appointment. Her daughter went around and posted signs and tried to find her mother. Seven months later, she was found in a car, 24 miles away from her house. She had died in the elements. Her remains were near the car. She wandered out in some vacant fields.

So this bill is very important to people's lives. I commend Congresswoman WATERS for bringing it. It's the type of activity that sometimes people don't recognize that Congress does to help people in their everyday lives. I thank you for bringing this proposal and for the time offered me.

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

Mr. JOHNSON of Georgia. I will, Mr. Speaker, say that I can't think of any legislation that is more timely than this, and more needed, to protect our elderly from all sorts of harm. These are people who have worked productively, given their lives, and now have fallen victim to a disease that we are still searching for cures for. And they need special protection, especially as our aged population increases.

And so I look forward to this measure passing, and I want to thank Congresswoman WATERS for her thoughtfulness in producing this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 908.

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

A motion to reconsider was laid on the table.

ELDER ABUSE VICTIMS ACT OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 448) to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 448

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 ''Elder Abuse Victims Act of 2009''.

TITLE I—ELDER ABUSE VICTIMS

SEC. 101. ANALYSIS, REPORT, AND RECOMMENDATIONS RELATED TO ELDER JUSTICE PROGRAMS.

(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, shall carry out the following:

(1) STUDY.—Conduct a study of laws and practices relating to elder abuse, neglect, and exploitation, which shall include—

(A) a comprehensive description of State laws and practices relating to elder abuse, neglect, and exploitation;

(B) a comprehensive analysis of the effectiveness of such State laws and practices; and

(C) an examination of State laws and practices relating to specific elder abuse, neglect, and exploitation issues, including—

(i) the definition of—

(I) ''elder'';

(II) ''abuse'';

(III) ''neglect'';

(IV) ''exploitation''; and

(V) such related terms the Attorney General determines to be appropriate;

(ii) mandatory reporting laws, with respect to—

(I) who is a mandated reporter;

(II) to whom must they report and within what time frame; and

(III) any consequences for not reporting;

(iii) evidentiary, procedural, sentencing, choice of remedies, and data retention issues relating to pursuing cases relating to elder abuse, neglect, and exploitation;

(iv) laws requiring reporting of all nursing home deaths to the county coroner or to some other individual or entity;

(v) fiduciary laws, including guardianship and power of attorney laws;

(vi) laws that permit or encourage banks and bank employees to prevent and report suspected elder abuse, neglect, and exploitation;

(vii) laws relating to fraud and related activities in connection with mail, telemarketing, or the Internet;

(viii) laws that may impede research on elder abuse, neglect, and exploitation;

(ix) practices relating to the enforcement of laws relating to elder abuse, neglect, and exploitation; and

(x) practices relating to other aspects of elder justice.

(2) DEVELOPMENT OF PLAN.—Develop objectives, priorities, policies, and a long-term plan for elder justice programs and activities relating to—

(A) prevention and detection of elder abuse, neglect, and exploitation;

(B) intervention and treatment for victims of elder abuse, neglect, and exploitation;

(C) training, evaluation, and research related to elder justice programs and activities; and

(D) improvement of the elder justice system in the United States.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, submit to the chairman and ranking member of the Special Committee on Aging of the Senate, and the Speaker and minority leader of the House of Representatives, and the Secretary of Health and Human Services, and make available to the States, a report that contains—

(A) the findings of the study conducted under paragraph (1);

(B) a description of the objectives, priorities, policies, and a long-term plan developed under paragraph (2); and

(C) a list, description, and analysis of the best practices used by States to develop, implement, maintain, and improve elder justice systems, based on such findings.

(b) GAO RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall review existing Federal programs and initiatives in the Federal criminal justice system relevant to elder justice and shall submit to Congress—

(1) a report on such programs and initiatives; and

(2) any recommendations the Comptroller General determines are appropriate to improve elder justice in the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $6,000,000 for each of the fiscal years 2009 through 2015.

SEC. 102. VICTIM ADVOCACY GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General, after consultation with the Secretary of Health and Human Services, may award grants to eligible entities to study the special needs of victims of elder abuse, neglect, and exploitation.

(b) AUTHORIZED ACTIVITIES.—Funds awarded pursuant to subsection (a) shall be used for pilot programs that—

(1) develop programs for and provide training to health care, social, and protective services providers, law enforcement, fiduciaries (including guardians), judges and court personnel, and victim advocates; and

(2) examine special approaches designed to meet the needs of victims of elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of the fiscal years 2009 through 2015.

SEC. 103. SUPPORTING LOCAL PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.

(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, policy development, multidisciplinary coordination, and other types of support to local prosecutors and courts handling elder justice-related cases, including—

(1) funding specially designated elder justice positions or units in local prosecutors' offices and local courts; and

(2) funding the creation of a Center for the Prosecution of Elder Abuse, Neglect, and Exploitation to advise and support local prosecutors and courts nationwide in the pursuit of cases involving elder abuse, neglect, and exploitation.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $6,000,000 for each of the fiscal years 2009 through 2015.

SEC. 104. SUPPORTING STATE PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to State prosecutors and courts, employees of State Attorneys General, and Medicaid Fraud Control Units handling elder justice-related matters.

(b) CREATING SPECIALIZED POSITIONS.—Grants under this section may be made for—

(1) the establishment of specially designated elder justice positions or units in State prosecutors' offices and State courts; and

(2) the creation of a position to coordinate elder justice-related cases, training, technical assistance, and policy development for State prosecutors and courts.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $6,000,000 for each of the fiscal years 2009 through 2015.

SEC. 105. SUPPORTING LAW ENFORCEMENT IN ELDER JUSTICE MATTERS.

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, the Postmaster General, and the Chief Postal Inspector for the United States Postal Inspection Service, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to police, sheriffs, detectives, public safety officers, corrections personnel, and other first responders who handle elder justice-related matters, to fund specially designated elder justice positions or units designed to support first responders in elder justice matters.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $8,000,000 for each of the fiscal years 2009 through 2015.

SEC. 106. EVALUATIONS.

(a) GRANTS UNDER THIS TITLE.—

(1) IN GENERAL.—In carrying out the grant programs under this title, the Attorney General shall—

(A) require each recipient of a grant to use a portion of the funds made available through the grant to conduct a validated evaluation of the effectiveness of the activities carried out through the grant by such recipient; or

(B) as the Attorney General considers appropriate, use a portion of the funds available under this title for a grant program under this title to provide assistance to an eligible entity to conduct a validated evaluation of the effectiveness of the activities carried out through such grant program by each of the grant recipients.

(2) APPLICATIONS.—

(A) SUBMISSION.—To be eligible to receive a grant under this title, an entity shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require, which shall include—

(i) a proposal for the evaluation required in accordance with paragraph (1)(A); and

(ii) the amount of assistance under paragraph (1)(B) the entity is requesting, if any.

(B) REVIEW AND ASSISTANCE.—

(i) IN GENERAL.—An employee of the Department of Justice, after consultation with an employee of the Department of Health and Human Services with expertise in evaluation methodology, shall review each application described in subparagraph (A) and determine whether the methodology described in the proposal under subparagraph (A)(i) is adequate to gather meaningful information.

(ii) DENIAL.—If the reviewing employee determines the methodology described in such proposal is inadequate, the reviewing employee shall recommend that the Attorney General deny the application for the grant, or make recommendations for how the application should be amended.

(iii) NOTICE TO APPLICANT.—If the Attorney General denies the application on the basis of such proposal, the Attorney General shall inform the applicant of the reasons the application was denied, and offer assistance to the applicant in modifying the proposal.

(b) OTHER GRANTS.—Subject to the availability of appropriations under this section, the Attorney General shall award grants to appropriate entities to conduct validated evaluations of grant activities that are funded by Federal funds not provided under this title, or other funds, to reduce elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $7,000,000 for each of the fiscal years 2009 through 2015.

SEC. 107. DEFINITIONS.

In this title:

(1) ELDER.—The term ''elder'' means an individual age 60 or older.

(2) ELDER JUSTICE.—The term ''elder justice'' means—

(A) from a societal perspective, efforts to—

(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

(ii) protect elders with diminished capacity while maximizing their autonomy; and

(B) from an individual perspective, the recognition of an elder's rights, including the right to be free of abuse, neglect, and exploitation.

(3) ELIGIBLE ENTITIES.—The term ''eligible entity'' means a State or local government agency, Indian tribe or tribal organization, or any other public or nonprofit private entity that is engaged in and has expertise in issues relating to elder justice or a field necessary to promote elder justice efforts.

TITLE II—ELDER SERVE VICTIM GRANT PROGRAMS

SEC. 201. ESTABLISHMENT OF ELDER SERVE VICTIM GRANT PROGRAMS.

(a) ESTABLISHMENT.—The Attorney General, acting through the Director of the Office of Victims of Crime of the Department of Justice (in this section referred to as the ''Director''), shall, subject to appropriations, carry out a three-year grant program to be known as the Elder Serve Victim grant program (in this section referred to as the ''Program'') to provide grants to eligible entities to establish programs to facilitate and coordinate programs described in subsection (e) for victims of elder abuse.

(b) ELIGIBILITY REQUIREMENTS FOR GRANTEES.—To be eligible to receive a grant under the Program, an entity must meet the following criteria:

(1) ELIGIBLE CRIME VICTIM ASSISTANCE PROGRAM.—The entity is a crime victim assistance program receiving a grant under the Victims of Crime Act of 1984 (42 U.S.C. 1401 et seq.) for the period described in subsection (c)(2) with respect to the grant sought under this section.

(2) COORDINATION WITH LOCAL COMMUNITY BASED AGENCIES AND SERVICES.—The entity shall demonstrate to the satisfaction of the Director that such entity has a record of community coordination or established contacts with other county and local services that serve elderly individuals.

(3) ABILITY TO CREATE ECRT ON TIMELY BASIS.—The entity shall demonstrate to the satisfaction of the Director the ability of the entity to create, not later than 6 months after receiving such grant, an Emergency Crisis Response Team program described in subsection (e)(1) and the programs described in subsection (e)(2).

For purposes of meeting the criteria described in paragraph (2), for each year an entity receives a grant under this section the entity shall provide a record of community coordination or established contacts described in such paragraph through memoranda of understanding, contracts, subcontracts, and other such documentation.

(c) ADMINISTRATIVE PROVISIONS.—

(1) CONSULTATION.—Each program established pursuant to this section shall be developed and carried out in consultation with the following entities, as appropriate:

(A) Relevant Federal, State, and local public and private agencies and entities, relating to elder abuse, neglect, and exploitation and other crimes against elderly individuals.

(B) Local law enforcement including police, sheriffs, detectives, public safety officers, corrections personnel, prosecutors, medical examiners, investigators, and coroners.

(C) Long-term care and nursing facilities.

(2) GRANT PERIOD.—Grants under the Program shall be issued for a three-year period.

(3) LOCATIONS.—The Program shall be carried out in six geographically and demographically diverse locations, taking into account—

(A) the number of elderly individuals residing in or near an area; and

(B) the difficulty of access to immediate short-term housing and health services for victims of elder abuse.

(d) PERSONNEL.—In providing care and services, each program established pursuant to this section may employ a staff to assist in creating an Emergency Crisis Response Teams under subsection (e)(1).

(e) USE OF GRANTS.—

(1) EMERGENCY CRISIS RESPONSE TEAM.—Each entity that receives a grant under this section shall use such grant to establish an Emergency Crisis Response Team program by not later than the date that is six months after the entity receives the grant. Under such program the following shall apply:

(A) Such program shall include immediate, short-term emergency services, including shelter, care services, food, clothing, transportation to medical or legal appointment as appropriate, and any other life services deemed necessary by the entity for victims of elder abuse.

(B) Such program shall provide services to victims of elder abuse, including those who have been referred to the program through the adult protective services agency of the local law enforcement or any other relevant law enforcement or referral agency.

(C) A victim of elder abuse may not receive short-term housing under the program for more than 30 consecutive days.

(D) The entity that established the program shall enter into arrangements with the relevant local law enforcement agencies so that the program receives quarterly reports from such agencies on elder abuse.

(2) ADDITIONAL SERVICES REQUIRED TO BE PROVIDED.—Not later than one year after the date an entity receives a grant under this section, such entity shall have established the following programs (and community collaborations to support such programs):

(A) COUNSELING.—A program that provides counseling and assistance for victims of elder abuse accessing health care, educational, pension, or other benefits for which seniors may be eligible under Federal or applicable State law.

(B) MENTAL HEALTH SCREENING.—A program that provides mental health screenings for victims of elder abuse to identify and seek assistance for potential mental health disorders such as depression or substance abuse.

(C) EMERGENCY LEGAL ADVOCACY.—A program that provides legal advocacy for victims of elder abuse and, as appropriate, their families.

(D) JOB PLACEMENT ASSISTANCE.—A program that provides job placement assistance and information on employment, training, or volunteer opportunities for victims of elder abuse.

(E) BEREAVEMENT COUNSELING.—A program that provides bereavement counseling for families of victims of elder abuse.

(F) OTHER SERVICES.—A program that provides such other care, services, and assistance as the entity considers appropriate for purposes of the program.

(f) TECHNICAL ASSISTANCE.—The Director shall enter into contracts with private entities with experience in elder abuse coordination or victim services to provide such technical assistance to grantees under this section as the entity determines appropriate.

(g) REPORTS TO CONGRESS.—Not later than 12 months after the commencement of the Program, and annually thereafter, the entity shall submit a report to the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives, and the Chairman and Ranking Member of the Special Committee on Aging of the Senate. Each report shall include the following:

(1) A description and assessment of the implementation of the Program.

(2) An assessment of the effectiveness of the Program in providing care and services to seniors, including a comparative assessment of effectiveness for each of the locations designated under subsection (c)(3) for the Program.

(3) An assessment of the effectiveness of the coordination for programs described in subsection (e) in contributing toward the effectiveness of the Program.

(4) Such recommendations as the entity considers appropriate for modifications of the Program in order to better provide care and services to seniors.

(h) DEFINITIONS.—For purposes of this section:

(1) ELDER ABUSE.—The term ''elder abuse'' means any type of violence or abuse, whether mental or physical, inflicted upon an elderly individual, and any type of criminal financial exploitation of an elderly individual.

(2) ELDERLY INDIVIDUAL.—The term ''elderly individual'' means an individual who is age 60 or older.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Justice to carry out this section $3,000,000 for each of the fiscal years 2009 through 2011.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, the second elder justice bill we are considering today is the Elder Abuse Victims Act of 2009. The House passed this bill on suspension last September by a vote of 387–28, but the Senate did not have time to consider it before adjournment.

It is estimated that each year, as many as 5 million elders are abused, neglected, or exploited. And the incidence of elder abuse is likely to only get worse in coming years, as 76 million baby boomers reach retirement age.

The legal protections against elder abuse vary significantly from State to State. The problem of elder abuse is especially problematic as many abuse cases remain secret and are never reported. The National Center on Elder Abuse has estimated that only one in six cases is reported.

H.R. 448, the Elder Abuse Victims Act of 2009, sponsored by the gentleman from Pennsylvania, Mr. SESTAK, will help provide training, technical assistance, and other support, to State and local law enforcement officials to help them catch and prosecute those who would prey on our elders.

The bill will authorize funding for specialized elder justice police officers and units, as well as for special elder justice positions and units within State and local prosecutors' offices and courts.

It will also provide other services to elders who are victimized. In addition to training for health care, social, and protective service providers, it establishes the Elder Serve Victim Grant Program with regional emergency crisis response teams. These teams will provide short-term emergency services to elder victims, including shelter, care services, food, clothing, transportation to medical or legal appointments, and other life services as warranted.

Finally, the bill requires the Attorney General and the GAO to examine State and Federal laws, practices, and initiatives, and to recommend ways to more effectively address this problem. This bill comes to the floor amended to more clearly define the role of the Comptroller General in conducting its study and reporting to Congress.

In addition to JOE SESTAK, I want to commend the gentleman from New York, PETER KING, for his leadership in making this a bipartisan initiative. I would also like to acknowledge our former colleague from Illinois, Rahm Emanuel, for his work on this issue.

I would like to insert in the RECORD at this point a letter from the American Bar Association supporting this legislation as a ''significant step in addressing the inexcusable and growing national problem of elder abuse, neglect, and exploitation.''

AMERICAN BAR ASSOCIATION,
Washington, DC, February 9, 2009.

Re the Elder Abuse Victims Act of 2009.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The American Bar Association urges you to vote ''yes'' on H.R. 448, the Elder Abuse Victims Act of 2009, legislation that we understand will be brought to the floor of the House under Suspension of the Rules tomorrow. The ABA supports enactment of the legislation as a significant step in addressing the inexcusable and growing national problem of elder abuse, neglect and exploitation—a tragedy that is estimated to cause serious harm to as many as two million people each year. That estimate does not reflect abuse of residents of long-term care facilities and thus is likely quite low. Additionally, the problem is estimated to grow as the older population burgeons.

Elder justice is central to any viable notion of the rule of law and social justice. The serious problems faced daily by victims of elder abuse cannot be remedied unless the justice system is given the resources to address those problems effectively. Elder abuse is a criminal violation, yet historically the justice system has handed the issue off to social services personnel who cannot adequately address the problem on their own. Currently there are very limited resources and expertise available to prosecutors to address elder abuse. H.R. 448 would establish vitally necessary specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse and to provide relevant training to prosecutors and others who work in law enforcement.

Thank you for your support.

Sincerely yours,

THOMAS M. SUSMAN,
Director, Governmental Affairs Office.

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

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

Mr. Speaker, I am pleased to support H.R. 448, the Elder Abuse Victims Act of 2009. As founder and co-Chair of the Congressional Victims Rights Caucus, I

believe it's important to advocate on behalf of all victims, especially our seniors. This is why I am a cosponsor of this important piece of legislation to protect our elders.

Elder abuse is a serious issue facing the country, and whether abuse is happening in homes or senior care facilities, we must do what we can as a Nation to protect these seniors. I believe that because seniors are often unable to defend themselves from mistreatment and abuse, that we must work together to prevent violence from occurring in the first place.

Currently, people over the age of 50 make up 12 percent of the Nation's murder victims and 7 percent of other serious and violent crime. Our eldest seniors, 80 years of age and over, are abused and neglected at three times the rate of all other senior citizens.

H.R. 448, the Elder Abuse Victims Act, sponsored by Representative SESTAK, helps protect our older Americans from this type of abuse. Specifically, the bill authorizes the Department of Justice to provide grants to State and local law enforcement agencies, prosecutors, and courts, to assist in the investigation and prosecution of elder victimization.

In addition to physical abuse, these grants also include identity theft, mail fraud, and telemarketing fraud as types of elder abuse. H.R. 448 authorizes the Department of Justice to also award grant funding to local law enforcement agencies and first responders that assist in locating the elderly that are missing. These grants will support programs that monitor older Americans in an effort to prevent them from facing future harm.

In addition, the bill instructs the Justice Department to carry out a study of State laws and procedures regarding elder abuse and neglect and exploitation. The study will give us a better idea of where we stand and what more we can do as a Nation to address this serious problem.

H.R. 448 also directs the Department to create a long-term plan on how to better prevent and detect elder abuse. The plan is also to focus on the treatment of victims, as well as to evaluate current elder abuse programs.

Mr. Speaker, everyone has a grandmother, and the thought of our grandmothers being neglected and abused is outrageous. Nothing made my blood boil more as a judge to see a case where some elderly person has been assaulted and their case was on trial.

Older Americans, whether they are our parents, our grandparents, or our neighbors, hold an important place in our society. They have lived long lives and given much to their communities and their families. The acts of abuse against them are intolerable, and they deserve the protection that we can give them under H.R. 448.

We passed a similar bill under suspension in the last Congress, and I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, a former admiral, the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. The previous bill was on Alzheimer's. And, in my district, I had one of those patients. A few years ago, he was beat six times with a belt buckle. One of his neighbors had dementia, and he was defrauded of $84,000 four months before he passed away. It's why I submitted the Elder Abuse Victims Act.

This incidence of elder abuse, whether it's physical, financial, moral, degrading—and I mean sexual—or these types of exploitations are only growing in numbers. In my State of Pennsylvania, the third oldest in the Nation, between 2006 and 2007, and then 2007 and 2008, the incidences increased 39 percent.

Yet, we are really not sure how many incidents there are. My colleague from Georgia cited numbers may be more than 5½ million. But we don't know. At least 84 percent of them are reported to be unreported.

The issue is that we truly need to step back and have a look, a comprehensive review of all the States and the agencies that are intent upon addressing this issue to some degree and come up with one uniform type of definition and standard by which we could begin to build up the correct reporting requirements we need in order to properly address this issue. Then we need to step over and recognize that we do well, and need to do even better, for our women.

We appropriate $540 million towards violence against women, and $6.9 billion for child abuse, but then recognize it's only a bit over $100 million for senior abuse. And while we need to do more in those areas, we need to bring this one up to a higher level for our seniors.

I speak in support of this growing population of ours. I do so because it was well laid out by both sides of the aisle here that in addition to this one uniform comprehensive set of definitions and standards, that we then need the proper grants given to the law enforcement, as well as the prosecution, as well as the victim advocacy citizens that are trying to do their best to address this.

So, in conclusion, I speak in support of this bill because I think Hubert Humphrey probably had it best: The moral test of a government is how well it does not only for those in the dawn of life—the children—and those in the shadows of life—the sick and the disabled, the handicapped—but also those in the twilight of life, our seniors.

And so I request the support of all on this bill.

□ 1845

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

As a Nation, we are not judged by the way we treat the rich, the famous, the powerful, the important folks that live among us; but we as a community in this Nation are judged by the way we treat the most vulnerable among us, the weak, the innocent, the children, and the elderly. That is how we will be judged as a Nation. It is important that we then pass this legislation to help protect those innocent among us, and in this bill it happens to be the elderly. I urge adoption of this bill.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, prior to yielding back, I would like to glance over at the other side of the aisle and recognize my good friend, Judge POE, who is probably well familiar with elder abuse and this general topic, he having been a trial court judge down in Beaumont, Texas. Mr. Speaker, I strongly emphasize my support of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 448, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

NATIONAL SILVER ALERT ACT OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 632) to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 632

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

TITLE I—SILVER ALERT COMMUNICATIONS NETWORK

SECTION 101. SHORT TITLE.

This title may be cited as the ''National Silver Alert Act 2009''.

SEC. 102. DEFINITIONS.

For purposes of this title:

(1) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(2) MISSING SENIOR.—The term ''missing senior'' refers to any individual who—

(A) is reported to, or identified by, a law enforcement agency as a missing person; and

(B) meets the requirements to be designated as a missing senior, as determined

by the State in which the individual is reported or identified as a missing person.

SEC. 103. SILVER ALERT COMMUNICATIONS NETWORK.

The Attorney General shall, subject to the availability of appropriations under section 107, establish a national Silver Alert communications network within the Department of Justice to provide assistance to regional and local search efforts for missing seniors through the initiation, facilitation, and promotion of local elements of the network (known as Silver Alert plans) in coordination with States, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to seniors.

SEC. 104. SILVER ALERT COORDINATOR.

(a) NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall designate an individual of the Department of Justice to act as the national coordinator of the Silver Alert communications network. The individual so designated shall be known as the Silver Alert Coordinator of the Department of Justice (referred to in this title as the ''Coordinator'').

(b) DUTIES OF THE COORDINATOR.—In acting as the national coordinator of the Silver Alert communications network, the Coordinator shall—

(1) work with States to encourage the development of additional Silver Alert plans in the network;

(2) establish voluntary guidelines for States to use in developing Silver Alert plans that will promote compatible and integrated Silver Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Silver Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Silver Alert, taking into consideration the need for the use of such Alerts to be limited in scope because the effectiveness of the Silver Alert communications network may be affected by overuse, including criteria to determine—

(i) whether the mental capacity of a senior who is missing, and the circumstances of his or her disappearance, warrant the issuance a Silver Alert; and

(ii) whether the individual who reports that a senior is missing is an appropriate and credible source on which to base the issuance of a Silver Alert;

(C) a description of the appropriate uses of the Silver Alert name to readily identify the nature of search efforts for missing seniors; and

(D) recommendations on how to protect the privacy, dignity, independence, and autonomy of any missing senior who may be the subject of a Silver Alert;

(3) develop proposed protocols for efforts to recover missing seniors and to reduce the number of seniors who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the senior is missing through the time of the return of the senior to family, guardian, or domicile, as appropriate, including—

(A) public safety communications protocol;

(B) case management protocol;

(C) command center operations;

(D) reunification protocol; and

(E) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the Silver Alert communications network with initiating, facilitating, and promoting Silver Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of senior citizen advocacy groups, law enforcement agencies, and public safety communications;

(ii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iii) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the Silver Alert communications network; and

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of alerts for missing seniors through the network.

(c) COORDINATION.—

(1) COORDINATION WITH OTHER AGENCIES.—The Coordinator shall coordinate and consult with the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, the head of the Missing Alzheimer's Disease Patient Alert Program, and other appropriate offices of the Department of Justice in carrying out activities under this title.

(2) STATE AND LOCAL COORDINATION.—The Coordinator shall consult with local broadcasters and State and local law enforcement agencies in establishing minimum standards under section 105 and in carrying out other activities under this title, as appropriate.

(d) ANNUAL REPORTS.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Silver Alert plans of each State that has established or is in the process of establishing such a plan. Each such report shall include—

(1) a list of States that have established Silver Alert plans;

(2) a list of States that are in the process of establishing Silver Alert plans;

(3) for each State that has established such a plan, to the extent the data is available—

(A) the number of Silver Alerts issued;

(B) the number of individuals located successfully;

(C) the average period of time between the issuance of a Silver Alert and the location of the individual for whom such Alert was issued;

(D) the State agency or authority issuing Silver Alerts, and the process by which Silver Alerts are disseminated;

(E) the cost of establishing and operating such a plan;

(F) the criteria used by the State to determine whether to issue a Silver Alert; and

(G) the extent to which missing individuals for whom Silver Alerts were issued crossed State lines;

(4) actions States have taken to protect the privacy and dignity of the individuals for whom Silver Alerts are issued;

(5) ways that States have facilitated and improved communication about missing individuals between families, caregivers, law enforcement officials, and other authorities; and

(6) any other information the Coordinator determines to be appropriate.

SEC. 105. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH SILVER ALERT COMMUNICATIONS NETWORK.

(a) ESTABLISHMENT OF MINIMUM STANDARDS.—Subject to subsection (b), the Coordinator shall establish minimum standards for—

(1) the issuance of alerts through the Silver Alert communications network; and

(2) the extent of the dissemination of alerts issued through the network.

(b) LIMITATIONS.—

(1) VOLUNTARY PARTICIPATION.—The minimum standards established under subsection (a) of this section, and any other guidelines and programs established under section 104, shall be adoptable on a voluntary basis only.

(2) DISSEMINATION OF INFORMATION.—The minimum standards shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State and local law enforcement agencies), provide that appropriate information relating to the special needs of a missing senior (including health care needs) are disseminated to the appropriate law enforcement, public health, and other public officials.

(3) GEOGRAPHIC AREAS.—The minimum standards shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State and local law enforcement agencies), provide that the dissemination of an alert through the Silver Alert communications network be limited to the geographic areas which the missing senior could reasonably reach, considering the missing senior's circumstances and physical and mental condition, the modes of transportation available to the missing senior, and the circumstances of the disappearance.

(4) AGE REQUIREMENTS.—The minimum standards shall not include any specific age requirement for an individual to be classified as a missing senior for purposes of the Silver Alert communication network. Age requirements for determinations of whether an individual is a missing senior shall be determined by each State, and may vary from State to State.

(5) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The minimum standards shall—

(A) ensure that alerts issued through the Silver Alert communications network comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties and sensitive medical information of missing seniors.

(6) STATE AND LOCAL VOLUNTARY COORDINATION.—In carrying out the activities under subsection (a), the Coordinator may not interfere with the current system of voluntary coordination between local broadcasters and State and local law enforcement agencies for purposes of the Silver Alert communications network.

SEC. 106. TRAINING AND OTHER RESOURCES.

(a) TRAINING AND EDUCATIONAL PROGRAMS.—The Coordinator shall make available to States, units of local government, law enforcement agencies, and other concerned entities that are involved in initiating, facilitating, or promoting Silver Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

(1) training and educational programs related to the Silver Alert communication network and the capabilities, limitations, and anticipated behaviors of missing seniors, which shall be updated regularly to encourage the use of new tools, technologies, and resources in Silver Alert plans; and

(2) informational materials, including brochures, videos, posters, and websites to support and supplement such training and educational programs.

(b) COORDINATION.—The Coordinator shall coordinate—

(1) with the Assistant Secretary for Aging of the Department of Health and Human

Services in developing the training and educational programs and materials under subsection (a); and

(2) with the head of the Missing Alzheimer's Disease Patient Alert Program within the Department of Justice, to determine if any existing material with respect to training programs or educational materials developed or used as part of such Patient Alert Program are appropriate and may be used for the programs under subsection (a).

SEC. 107. AUTHORIZATION OF APPROPRIATIONS FOR THE SILVER ALERT COMMUNICATIONS NETWORK.

There are authorized to be appropriated to the Department of Justice such sums as may be necessary to carry out the Silver Alert communications network as authorized under this title.

SEC. 108. GRANT PROGRAM FOR SUPPORT OF SILVER ALERT PLANS.

(a) GRANT PROGRAM.—Subject to the availability of appropriations to carry out this section, the Attorney General shall carry out a program to provide grants to States for the development and enhancement of programs and activities for the support of Silver Alert plans and the Silver Alert communications network.

(b) ACTIVITIES.—Activities funded by grants under the program under subsection (a) may include—

(1) the development and implementation of education and training programs, and associated materials, relating to Silver Alert plans;

(2) the development and implementation of law enforcement programs, and associated equipment, relating to Silver Alert plans;

(3) the development and implementation of new technologies to improve Silver Alert communications; and

(4) such other activities as the Attorney General considers appropriate for supporting the Silver Alert communications network.

(c) FEDERAL SHARE.—The Federal share of the cost of any activities funded by a grant under the program under subsection (a) may not exceed 50 percent.

(d) DISTRIBUTION OF GRANTS ON GEOGRAPHIC BASIS.—The Attorney General shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.

(e) ADMINISTRATION.—The Attorney General shall prescribe requirements, including application requirements, for grants under the program under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) There is authorized to be appropriated to the Department of Justice $5,000,000 for each of the fiscal years 2009 through 2013 to carry out this section and, in addition, $5,000,000 for each of the fiscal years 2009 through 2013 to carry out subsection (b)(3).

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

TITLE II—KRISTEN'S ACT REAUTHORIZATION

SEC. 201. SHORT TITLE.

This title may be cited as ''Kristen's Act Reauthorization of 2009''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Every year thousands of adults become missing due to advanced age, diminished mental capacity, or foul play. Often there is no information regarding the whereabouts of these adults and many of them are never reunited with their families.

(2) Missing adults are at great risk of both physical harm and sexual exploitation.

(3) In most cases, families and local law enforcement officials have neither the resources nor the expertise to undertake appropriate search efforts for a missing adult.

(4) The search for a missing adult requires cooperation and coordination among Federal, State, and local law enforcement agencies and assistance from distant communities where the adult may be located.

(5) Federal assistance is urgently needed to help with coordination among such agencies.

SEC. 203. GRANTS FOR THE ASSISTANCE OF ORGANIZATIONS TO FIND MISSING ADULTS.

(a) GRANTS.—

(1) GRANT PROGRAM.—Subject to the availability of appropriations to carry out this section, the Attorney General shall make competitive grants to public agencies or nonprofit private organizations, or combinations thereof, to—

(A) maintain a national resource center and information clearinghouse for missing and unidentified adults;

(B) maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be endangered due to age, diminished mental capacity, or the circumstances of disappearance, when foul play is suspected or circumstances are unknown;

(C) coordinate public and private programs that locate or recover missing adults or reunite missing adults with their families;

(D) provide assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, nonprofit organizations, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing adults;

(E) provide assistance to families in locating and recovering missing adults; and

(F) assist in public notification and victim advocacy related to missing adults.

(2) APPLICATIONS.—The Attorney General shall periodically solicit applications for grants under this section by publishing a request for applications in the Federal Register and by posting such a request on the website of the Department of Justice.

(b) OTHER DUTIES.—The Attorney General shall—

(1) coordinate programs relating to missing adults that are funded by the Federal Government; and

(2) encourage coordination between State and local law enforcement and public agencies and nonprofit private organizations receiving a grant pursuant to subsection (a).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $4,000,000 for each of fiscal years 2010 through 2020.

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

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this is the third elder justice bill that we present to date. Like the previous two elder justice bills, this bill also passed the House last September on suspension but was not able to be considered by the Senate before adjournment.

Thousands of vulnerable older adults go missing each year as a result of dementia, diminished capacity, foul play, and other unusual circumstances. For example, the Alzheimer's Foundation of America estimates that more than 5 million Americans suffer from Alzheimer's disease; and, according to the foundation, approximately 60 percent of these men and women are likely to wander from their homes. If they do, the disorientation and confusion that is a part of this illness keeps many from finding their way back home. Their safe return then often depends on being found quickly. If not found within 24 hours, roughly half risk serious illness, injury, or death.

When the House passed the bill last Congress, 11 States had Silver Alert programs. As we again consider this bill, there are now 13 States with the Silver Alert programs.

The need for Silver Alert programs and for appropriate assistance from Congress continue to grow. Last Congress, three Members of Congress, LLOYD DOGGETT of Texas, SUE MYRICK of North Carolina, and GUS BILIRAKIS of Florida, individually introduced legislation to address this serious problem in separate bills. H.R. 632 combines these three bills into one.

Title I, the National Silver Alert Act of 2009, establishes a national program patterned after the successful Amber Alert program for children. It creates a national Silver Alert coordinator responsible for developing voluntary guidelines, standards, and protocols for States to consider in the creation of their own local Silver Alert plans. It establishes a Department of Justice grant program to help States develop and implement local Silver Alert programs. And, finally, the program requires the coordinator to submit annual reports on the status and activities of the State Silver Alert plans.

Title II reauthorizes Kristen's Act, which expired in 2005. Kristen's Act provides for competitive grants to both public agencies and nonprofit private organizations for a national resource center, information clearinghouse, and database for tracking missing adults, training, and other related activities. I commend Congressman DOGGETT, Congresswoman MYRICK, and Congressman BILIRAKIS for their hard work and bipartisan efforts to address the critical problem of missing elders. I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, I am pleased to support H.R. 632, the National Silver Alert Act of 2009, to help protect the elderly, particularly those suffering from Alzheimer's or other forms of dementia. This legislation is the work of three bills sponsored by the gentleman from Texas (Mr. DOGGETT), the gentleman

from Florida (Mr. BILIRAKIS), and the gentlelady from North Carolina (Mrs. MYRICK). Last year, the House passed similar legislation with overwhelming bipartisan support.

By creating a structure similar to the Amber Alert system used to locate missing children, H.R. 632, the National Silver Alert Act, will help assist States in their efforts to protect our elderly. The Amber Alert system was created by the Dallas Police in 1996, after the kidnapping and murder of a 9-year-old girl from Arlington, Texas.

In 2003, Congress created the national Amber Alert program. As co-chair of the Victims Rights Caucus, I have seen firsthand the huge success of the Amber Alert program in locating missing children. Just as the Amber Alert program, which is currently now used in all 50 States, was designed to notify the public when a child was missing, the Silver Alert will also notify the public when an elderly adult is missing.

Mr. Speaker, we have all seen the big freeway signs that have Amber Alert, give the name of the child and the license number of the car that the child was taken in, and now we will see that also occur with the elderly in our community. Citizens can now offer any information they have on the missing person which will aid law enforcement officials in their search. Currently, the Silver Alert is used in 13 of our States. These States have reported nominal costs associated with operating the system, since they are able to utilize existing Amber Alert infrastructure to issue Silver Alerts.

H.R. 632 establishes a nationwide communication structure to coordinate State and local search efforts, and expand the system to those States not participating and authorizes a grant to support State Silver Alert systems and communication networks. The bill directs the Attorney General to assign an officer of the Department of Justice to act as the national director of the Silver Alert program. The director will develop voluntary guidelines that States can use in implementing the alert system and provide training and other resources to State law enforcement agencies.

The Amber Alert system has proven successful in locating missing children throughout the country; so too has the Silver Alert system in States currently using it. By establishing the Silver Alert system nationwide, H.R. 632 will help coordinate State efforts in protecting older Americans the same way the Amber Alert system has for missing children. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield to my good friend from Texas, Congressman LLOYD DOGGETT, such time as he may consume.

Mr. DOGGETT. I thank the gentleman, and I thank my colleague from Texas. It is great that the House is tonight considering a package of elder justice legislation. These bills, of which I am a sponsor of both of the earlier bills by Ms. WATERS and Mr. SESTAK, are complementary. There is really no silver bullet when it comes to trying to help our elderly citizens, but we think that Silver Alert is one component. And, as my colleague from Texas pointed out, Amber Alert became a national program because of something that happened in Texas. I am pleased that Texas also has taken a leadership with Silver Alert.

Just a couple of examples of what has happened with our State Silver Alert program. I had a constituent who began driving south of Austin about 80 miles to San Antonio, then drove another couple hundred miles up to Dallas going back through Austin, and was finally found there. If he had been here in the North, he would have gone through about seven States. And he was clearly lost. They found him in a shopping center parking lot as a result of Silver Alert, and the Austin Police Department was notified.

More recently, we had an example from the Texas hill country in Kerrville, where a fellow ended up driving to San Marcos. Our San Marcos Police Department dispatchers were helpful because of the Silver Alert program, described just as my colleague from Texas mentioned, using the existing billboards and existing resources, was really valuable in finding it.

As Mr. JOHNSON pointed out, since this bill was passed here last fall, two more States have joined the effort; I believe there are about another 10 that have it under consideration. All we are trying to do through the Silver Alert initiative here at the national level is to provide them a clearinghouse of best practices, just as we did with Amber Alert earlier, where we will coordinate federal resources from several agencies that have responsibilities, and also reward best practices of the States, try to see that these are replicated so that we can find these people.

This legislation is also related to the legislation we were just considering. As the Elder Justice Coalition pointed out in a statement that they had today endorsing the Silver Alert bill, they say, ''A missing elder person can be the next victim of elder abuse. It is critical that all appropriate resources are utilized at the local level to assist in the safe locating of missing older persons.''

This legislation has been endorsed by a large number of organizations. There is a recognition, we have talked a lot about Alzheimer's tonight and other forms of dementia, that about 60 percent of the people who are afflicted with Alzheimer's at sometime during their disease will wander off from their caregiver. If they are not found within 24 hours, up to half will suffer serious injury or death. Only 4 percent of those who leave home alone are able to find their way back. And so there is a big gap here, a serious problem, if they leave home in not being able to get back. We hope to use what the States have done, what the Amber Alert success has been to link everyone up.

There are many organizations, as I mentioned, that have joined in supporting this effort; but it came to my attention as a Texas idea because of a constituent, Bill Cummings, who is really a model citizen in his involvement and concern for the community. Bill and Carlos Higgins, who is also a devoted member of the Texas Silver-Haired Legislature, brought this to the attention of the Silver-Haired Congress, as seniors from all over the country came together here in Washington, came over to the office, told me of the success of the program, and asked that we take this initiative. We have now been joined by the American Health Care Association, the Assisted Living Federation of America, the National Citizens Coalition for Nursing Home Reform, the Child Alert Foundation, the Alzheimer's Association, and the Alzheimer's Foundation of America, all offering their support for this legislation.

Finally, as both of you have noted, this has been a bipartisan effort. I salute Mr. BILIRAKIS and Mrs. MYRICK, who I believe is not able to join us on the floor tonight. Hers is not a Silver Alert bill, but it is again a companion measure that we have incorporated into this.

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Mr. BILIRAKIS had a very similar idea based on an unfortunate experience in his district. Working together, tonight we can take a positive step forward to keep our seniors safe.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the cosponsor of this bill, Mr. BILIRAKIS from Florida.

Mr. BILIRAKIS. Mr. Speaker, I rise today in strong support of H.R. 632, the National Silver Alert Act, sponsored by my colleague from Texas, Congressman LLOYD DOGGETT.

I first became involved in this issue of finding missing seniors last year when one of my constituents, Mary Lallucci, lost her mother, who had left her care-giving facility and could not be located. She had driven her car into the Gulf of Mexico and drowned. This tragedy, unfortunately, highlighted the very real problem of older individuals who suffer from diseases which leave them easily confused and disoriented, wandering away from their homes or care-giving facilities and meeting harm because family, friends and authorities could not find them in time. The inability to find missing elderly is a problem State and Federal policymakers should address before something like this happens again. That is why I support this bill before us today, which includes provisions from silver alert legislation that I introduced last year.

The National Silver Alert Act is a bipartisan bill developed by Congressman DOGGETT, myself and Congresswoman SUE MYRICK. It combines portions of missing persons bills that each of us

previously introduced. The National Silver Alert Act includes language from legislation I introduced last Congress to create a grant program to help States establish and operate silver alert notification systems to help find missing individuals who suffer from Alzheimer's disease and other dementia-related illnesses. The measure we are considering today also establishes a national silver alert communications network to assist regional and local missing persons search efforts and requires an annual report to determine the effectiveness of State silver alert plans to help guide their establishment in other States.

I was honored to work with these two fine Members last year and am pleased that we were able to combine these complementary bills. I want to thank them for their work as well as the willingness of the majority and minority on the Judiciary Committee to allow this to come to the floor on suspension so early in this session. The House passed this bill, as you know, unanimously last September. But the Senate was unable to act on it before Congress adjourned. I hope that our timely action here today will help facilitate its passage through the Senate and enactment into law.

I believe that all States should establish systems similar to the highly successful Amber Alert program to help find those suffering from dementia-related illnesses and prevent tragedies like the one that occurred in my community. An Amber Alert system has a remarkable track record of success because necessary information is filtered so that the relevant details are transmitted to appropriate authorities as quickly as possible. The experiences of States that already have developed such silver alert systems suggest that these programs save lives. States have found that timely notification and dissemination of appropriate information about missing seniors greatly improves the chances that they will be found before they harm themselves. I believe that the Federal Government can and should help States develop notification systems to prevent these all-too-frequent tragedies.

This is especially important in Florida, which has more residents aged 65 and older than any other State in the Nation. My State implemented silver alert last year with spectacular results. Florida's statewide silver alert system has led to the successful location of all 37 people, I repeat, all 37 people for whom the State has issued bulletins. More than 4.3 million Floridians are aged 60 and older, and there are about 501,000 probable Alzheimer's cases in the State.

The silver alert program in my State will help prevent tragedy among one of Florida's largest potentially vulnerable groups. Passage of this bill today will help bring other States without these lifesaving systems one step closer to improving their ability to find missing seniors and the crucial few hours after they go missing. It also will provide critical resources, guidance and coordination, which is very important for States like mine, that already have such systems. We have many people to thank for that, including Mary Lallucci, one of my constituents whose determined advocacy for the silver alert has inspired me and serves as a loving tribute to her mother's memory.

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

Mr. POE of Texas. I yield the gentleman 1 additional minute.

Mr. BILIRAKIS. Mr. Speaker, Mrs. Lallucci was asked whether she thought a silver alert system in Florida could have saved her mother. ''Who knows?'' She said. ''Unfortunately, I will never know.''

I urge my colleagues to support the National Silver Alert Act to prevent another family from being forced to struggle with the same uncertainty.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members to not traffic the well while another Member is speaking.

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

Mr. POE of Texas. I yield 3 minutes to the cosponsor of this bill, the gentlelady from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. I thank the gentleman for yielding.

Today is an important day for anyone who has ever lived through the nightmare of an adult loved one who has gone missing. The National Silver Alert Act will reauthorize Kristen's Act as part of that and give these people hope. Kristen Modafferi disappeared shortly after her 18th birthday. And after visiting her family and hearing the detailed account of their nightmare, I introduced Kristen's Act in 1999, and it was successfully signed into law in 2000. It reauthorizes funding to maintain a national clearinghouse for missing adults whose disappearance is determined by law enforcement to be foul play. It expired in 2005 and then was reintroduced in the 110th and the 109th Congress. But the efforts weren't successful. Today with the help of my friends on both sides of the aisle, we honor the efforts of so many and pay tribute to mournful families by ratifying this bill.

Kristen Modafferi disappeared in 1997. She was a bright, hardworking young college student, and she attended North Carolina State. She had just finished her freshman year. And like so many young people, she decided she wanted to go to another city to spend the summer, work and have a new experience. So she moved to San Francisco and had just enrolled in classes at Berkeley and got a job at a local coffee shop. She began settling in and making friends. On Monday, June 23, when she was just a mere 3 weeks short of her 18th birthday, she left her job at the coffee shop, headed to the beach for the afternoon, and has not been seen since. When her panicked parents called the National Center for Missing and Exploited Children, they heard these unbelievable words, ''I'm sorry, we can't help.'' They were shocked to discover that because Kristen was 18, the center could not place her picture or story into its national database or offer any assistance whatsoever. In fact, there is no national agency to help locate missing adults.

Unfortunately, the Modaferris are not alone. The families of thousands of missing adults, almost 51,000 as of last year, have found that law enforcement and other agencies respond very differently when the person who has disappeared is not a child. It's a very traumatic experience which I know personally in dealing with the Modaferris. But having to do a search on your own without any skills or resources is very unjust. Kristen's Act sends a message to these families. They deserve help in locating endangered and involuntarily missing loved ones.

Endangered adults, no matter what their age, should receive not only the benefit of a search effort by local law enforcement, but also an experienced national organization. With this bill, families will never again have to hear they cannot be assisted because a loved one is too old.

I urge my colleagues to support the act.

Mr. YOUNG of Florida. Mr. Speaker, I rise in strong support of H.R. 632, the National Silver Alert Act, which I cosponsored in the 110th Congress.

At the outset, let me congratulate my neighboring colleague from Florida GUS BILIRAKIS for his leadership on this legislation to create a nationwide communications network to help locate missing senior citizens. GUS was the original author of this legislation last year in response to the tragic death of 86-year-old Mary Zelter, who drove away from her assisted living facility in Pinellas County, Florida, which GUS and I both represent, and drowned when her car crashed into a local waterway.

With GUS leading the way, our community responded by calling attention to the lack of an alert system for missing senior citizens. Mary Zelter's daughter Mary Lallucci become a vocal advocate for the need for such a system and Largo Police Chief Lester Aradi personally undertook a system to establish a local Silver Alert system for our area. GUS and I attended the kick-off for this network when Chief Aradi activated our county-wide system September 30th. He was also the chairman of the committee that coordinated the establishment of a Florida-wide Silver Alert system, which was activated by Governor Charlie Crist and the Florida Department of Law Enforcement last October.

The local model we developed under the leadership of GUS BILIRAKIS, Chief Aradi, State Representative Tom Anderson, Mary Lallucci, Gloria Smith, the president our local chapter of the Alzheimer's Association, and Sallie Parks, the past president and board member of our local Area Agency on Aging, can be taken nationwide to save the lives of senior citizens who wander off in their vehicles. As with the Amber Alert system for children and youth, it

makes those critical first minutes and hours when someone is found to be missing count and increases the chances of a happy ending. In the four months since the enactment of our state-wide program, there have been 41 Florida Silver Alerts including nine last month.

The legislation we consider today will take the Florida model nationwide so that all States can have the benefit of a Silver Alert system and so that we can track missing senior citizens who drive off in their cars should they cross state boundaries. It will establish a national coordinator to bring together State efforts and authorize the appropriation of $10 million a year for State activities in support of the Silver Alert program. Finally, it will provide an annual report to Congress and the States on the program so that we can share lessons learned to improve the effectiveness of statewide and nationwide Silver Alert networks.

Mr. Speaker, this is good legislation and I again want to commend my colleague from Florida GUS BILIRAKIS for his tireless work to keep the issue alive. Senior citizens and their families all across our nation will directly benefit from that action we take today.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 632, the National Silver Alert Act of 2009. I thank Mr. DOGGETT for his leadership on this issue. This bill allows for the creation and enhancement of alert plans for missing adults across the nation and is an important step toward ensuring the safe return of missing adults nationwide.

According to the Connecticut Chapter of the Alzheimer's Association, nearly 70,000 Connecticut residents have Alzheimer's disease or a related dementia. Six out of every ten people diagnosed with Alzheimer's will wander from their homes or care giving facilities at some stage of their disease. Of those who wander, 50 percent risk serious injury or death if not found within the first 24 hours. For this reason, it is necessary that systems for timely, local search responses are put into place.

The National Silver Alert Act of 2009 provides for the coordination of resources needed by families and law enforcement officials to undertake appropriate search efforts for a missing adult. The bill acknowledges the need to protect the privacy, dignity, independence and autonomy of any missing adult who may be the subject of a Silver Alert, making this bill a truly comprehensive approach.

I urge my colleagues to join me in support of the National Silver Alert Act of 2009 and to continue to push for legislation that seeks to protect missing adults.

Mr. JOHNSON of Georgia. Mr. Speaker, if the other side decides to relinquish its remaining time, I will do the same. We have no other speakers.

Mr. POE of Texas. Mr. Speaker, I yield back the balance of my time. I urge adoption of this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 632.

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

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CARTER. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution as noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 143

Whereas, the gentleman from New York, Charles B. Rangel, the fourth most senior Member of the House of Representatives, serves as chairman of the House Ways and Means Committee, a position of considerable power and influence within the House of Representatives; and,

Whereas, clause one of rule 23 of the Rules of the House of Representatives provides, ''A Member, Delegate, Resident Commission, officer, or employee of the House shall conduct himself at all times in a manner that shall reflect creditably on the House;''

Whereas, The New York Times reported on September 5, 2008, that, ''Representative Charles B. Rangel has earned more than $75,000 in rental income from a villa he has owned in the Dominican Republic since 1988, but never reported it on his federal or state tax returns, according to a lawyer for the congressman and documents from the resort''; and,

Whereas, in an article in the September 5, 2008 edition of The New York Times, his attorney confirmed that Representative Rangel's annual congressional Financial Disclosure statements failed to disclose the rental income from his resort villa; and,

Whereas, The New York Times reported on September 6, 2008 that, ''Representative Charles B. Rangel paid no interest for more than a decade on a mortgage extended to him to buy a villa at a beachfront resort in the Dominican Republic, according to Mr. Rangel's lawyer and records from the resort. The loan, which was extended to Mr. Rangel in 1988, was originally to be paid back over seven years at a rate of 10.5 percent. But within two years, interest on the loan was waived for Mr. Rangel,''; and,

Whereas, clause 5(a)(2)(A) of House Rule 25 defines a gift as, ''. . . a gratuity, favor, discount entertainment, hospitality, loan, forbearance, or other item having monetary value'' and prohibits the acceptance of such gifts except in limited circumstances; and,

Whereas, Representative Rangel's acceptance of thousands of dollars in interest forgiveness is a violation of the House gift ban; and,

Whereas, Representative Rangel's failure to disclose the aforementioned gifts and income on his Personal Financial Disclosure Statements violates House rules and federal law; and,

Whereas, Representative Rangel's failure to report the aforementioned gifts and income on federal, state and local tax returns is a violation of the tax laws of those jurisdictions; and,

Whereas, the Committee on Ways and Means, which Representative Rangel chairs, has jurisdiction over the United States Tax Code; and,

Whereas, the House Committee on Standards of Official Conduct first announced on July 31, 2008 that it was reviewing allegations of misconduct by Representative Rangel; and,

Whereas, The House Committee on Standards of Official Conduct announced on September 24, 2008 that it had established an investigative subcommittee in the matter of Representative Rangel; and,

Whereas, The New York Times reported on November 24, 2008 that, ''Congressional records and interviews show that Mr. Rangel was instrumental in preserving a lucrative tax loophole that benefited [Nabors Industries] an oil drilling company last year, while at the same time its chief executive was pledging $1 million to the Charles B. Rangel School of Public Service at C.C.N.Y.''; and,

Whereas, the House Committee on Standards of Official Conduct announced on December 9, 2008 that it had expanded the jurisdiction of the aforementioned investigative subcommittee to examine the allegations related to Representative Rangel's involvement with Nabors Industries; and,

Whereas, Roll Call newspaper reported on September 15, 2008 that, ''The inconsistent reports are among myriad errors, discrepancies and unexplained entries on Rangel's personal disclosure forms over the past eight years that make it almost impossible to get a clear picture of the Ways and Means chairman's financial dealings,''; and,

Whereas, Roll Call newspaper reported on September 16, 2008 that, ''Rangel said he would hire a 'forensic accountant' to review all of his disclosure forms going back 20 years, and to provide a report to the House Committee on Standards of Official Conduct, which Rangel said will then make public.''; and,

Whereas, nearly five months after Representative Rangel pledged to provide a public forensic accounting of his tax and federal financial disclosure records, he has failed to do so; and,

Whereas, an editorial in The New York Times on September 15, 2008 stated, ''Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated,''; and,

Whereas, on May 24, 2006, then Minority Leader Nancy Pelosi cited ''high ethical standards'' in a letter to Representative William Jefferson asking that he resign his seat on the Committee on Ways and Means in light of ongoing investigations into alleged financial impropriety by Representative Jefferson,

Whereas, by the conduct giving rise to this resolution, Representative Charles B. Rangel has dishonored himself and brought discredit to the House; and,

Therefore, be it *Resolved*, Upon adoption of this resolution and pending completion of the investigation into his affairs by the Committee on Standards of Official Conduct, Representative Rangel is hereby removed as chairman of the Committee on Ways and Means.

□ 1915

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Mr. CROWLEY. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to lay on the table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to lay on the table will be followed by 5-minute votes on motions to suspend the rules with regard to House Resolution 128, by the yeas and nays, and House Resolution 134, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 242, nays 157, answered ''present'' 16, not voting 17, as follows:

[Roll No. 57]

YEAS—242

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Griffith
Gutierrez
Hall (NY)
Halvorson
Hare
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rohrabacher
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—157

Aderholt
Akin
Alexander
Austria
Bachus
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Buyer
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Graves
Guthrie
Hall (TX)
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Kirk
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Posey
Price (GA)
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

ANSWERED ''PRESENT''—16

Barrett (SC)
Bartlett
Bonner
Burton (IN)
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Green, Gene
Hastings (WA)
Kline (MN)
Lofgren, Zoe
Poe (TX)
Scott (VA)
Welch

NOT VOTING—17

Bachmann
Berkley
Blunt
Campbell
Frank (MA)
Granger
Grijalva
Harman
Hinojosa
Johnson (IL)
Putnam
Schakowsky
Solis (CA)
Stark
Sutton
Tiberi
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1938

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

Mr. GENE GREEN of Texas changed his vote from ''yea'' to ''present.''

Messrs. CONAWAY, BURTON of Indiana and POE of Texas changed their vote from ''nay'' to ''present.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING MIAMI UNIVERSITY FOR ITS 200 YEARS OF COMMITMENT TO EXTRAORDINARY HIGHER EDUCATION

The SPEAKER pro tempore (Mr. MCINTYRE). The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 128, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. FUDGE) that the House suspend the rules and agree to the resolution, H. Res. 128, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 19, as follows:

[Roll No. 58]

YEAS—413

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack

Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Baird
Berkley
Blunt
Campbell
Frank (MA)
Garrett (NJ)
Granger
Grijalva
Harman
Hinojosa
Johnson (IL)
McGovern
Pence
Putnam
Ryan (OH)
Solis (CA)
Stark
Tiberi
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes to vote.

□ 1947

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING THE 50TH ANNIVERSARY OF DR. MARTIN LUTHER KING, JR.'S VISIT TO INDIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 134, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and agree to the resolution, H. Res. 134.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 26, as follows:

[Roll No. 59]

YEAS—406

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

NOT VOTING—26

Baird
Bean
Berkley
Blunt
Campbell
Carter
Davis (KY)
Forbes
Frank (MA)
Frelinghuysen
Garrett (NJ)
Granger
Grijalva
Harman
Hill
Hinojosa
Johnson (IL)
McGovern
Olson
Pence
Putnam
Ryan (OH)
Solis (CA)
Stark
Tiberi
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are left in this vote.

□ 1954

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 123

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 123.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PUBLICATION OF THE RULES OF THE COMMITTEE ON FINANCIAL SERVICES, 111TH CONGRESS

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

Mr. FRANK of Massachusetts. Madam Speaker, pursuant to clause 2 of rule XI of the Rules of the House of Representatives, the Committee on Financial Services in open session on January 27, 2009, adopted the following rules by voice vote, a quorum being present:

RULES OF THE COMMITTEE ON FINANCIAL SERVICES

U.S. House of Representatives

111th Congress

First Session

RULE 1

GENERAL PROVISIONS

(a) The rules of the House are the rules of the Committee on Financial Services (hereinafter in these rules referred to as the ''Committee'') and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged motions in the Committee and shall be considered without debate. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2

MEETINGS

Calling of Meetings

(a)(1) The Committee shall regularly meet on the first Tuesday of each month when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereinafter in these rules referred to as the ''Chair''), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair, in accordance with clause 2(g)(3) of rule XI of the rules of the House.

(4) Special meetings shall be called and convened by the Chair as provided in clause 2(c)(2) of rule XI of the Rules of the House.

Notice for Meetings

(b)(1) The Chair shall notify each member of the Committee of the agenda of each regular meeting of the Committee at least two calendar days before the time of the meeting.

(2) The Chair shall provide to each member of the Committee, at least two calendar days before the time of each regular meeting for each measure or matter on the agenda a copy of—

(A) the measure or materials relating to the matter in question; and

(B) an explanation of the measure or matter to be considered, which, in the case of an explanation of a bill, resolution, or similar measure, shall include a summary of the major provisions of the legislation, an explanation of the relationship of the measure to present law, and a summary of the need for the legislation.

(3) The agenda and materials required under this subsection shall be provided to each member of the Committee at least three calendar days before the time of the meeting where the measure or matter to be considered was not approved for full Committee consideration by a subcommittee of jurisdiction.

(4) The provisions of this subsection may be waived by a two-thirds vote of the Committee, or by the Chair with the concurrence of the ranking minority member.

RULE 3

MEETING AND HEARING PROCEDURES

In General

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television broadcast, radio broadcast, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules). Operation and use of any Committee operated broadcast system shall be fair and nonpartisan and in accordance with clause 4(b) of rule XI and all other applicable rules of the Committee and the House.

(4) Opening statements by members at the beginning of any hearing or meeting of the Committee shall be limited to 5 minutes each for the Chair or ranking minority member, or their respective designee, and 3 minutes each for all other members.

(5) No person, other than a Member of Congress, Committee staff, or an employee of a Member when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee rooms unless the Chair determines otherwise.

Quorum

(b)(1) For the purpose of taking testimony and receiving evidence, two members of the Committee shall constitute a quorum.

(2) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the rules of the House (except as provided in clause 2(g)(2)(A) and (B)) or of releasing executive session material pursuant to clause 2(k)(7) of rule XI of the rules of the House.

(3) For the purpose of taking any action other than those specified in paragraph (2) one-third of the members of the Committee shall constitute a quorum.

Voting

(c)(1) No vote may be conducted on any measure or matter pending before the Committee unless the requisite number of members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of one-fifth of the members present.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) In addition to any other requirement of these rules or the Rules of the House, the Chair shall make the record of the votes on any question on which a record vote is demanded available on the Committee's Web site not later than 2 business days after such vote is taken. Such record shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(5) In accordance with clause 2(e)(1)(B) of rule XI, a record of the vote of each member of the Committee on each record vote on any measure or matter before the Committee shall be available for public inspection at the offices of the Committee, and, with respect to any record vote on any motion to report or on any amendment, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

(6) POSTPONED RECORD VOTES.—(A) Subject to subparagraph (B), the Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time, but no later than the next meeting day.

(B) In exercising postponement authority under subparagraph (A), the Chairman shall take all reasonable steps necessary to notify members on the resumption of proceedings on any postponed record vote.

(C) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

Hearing Procedures

(d)(1)(A) The Chair shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing, unless the Chair, with the concurrence of the ranking minority member, or the Committee by majority vote with a quorum present for the transaction of business, determines there is good cause to begin the hearing sooner, in which case the Chair shall make the announcement at the earliest possible date.

(B) Not less than three days before the commencement of a hearing announced under this paragraph, the Chair shall provide to the members of the Committee a concise summary of the subject of the hearing, or, in the case of a hearing on a measure or matter, a copy of the measure or materials relating to the matter in question and a concise explanation of the measure or matter to be considered. At the same time the Chair provides the information required by the preceding sentence, the Chair shall also provide to the members of the Committee a final list consisting of the names of each witness who is to appear before the Committee at that hearing. The witness list may not be modified within 24 hours of a hearing, unless the Chair, with the concurrence of the ranking minority member, determines there is good cause for such modification.

(2) To the greatest extent practicable—

(A) each witness who is to appear before the Committee shall file with the Committee two business days in advance of the appearance sufficient copies (including a copy in electronic form), as determined by the Chair, of a written statement of proposed testimony and shall limit the oral presentation to the Committee to brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the written statement of proposed testimony a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(3) The requirements of paragraph (2)(A) may be modified or waived by the Chair when the Chair determines it to be in the best interest of the Committee.

(4) The five-minute rule shall be observed in the interrogation of witnesses before the Committee until each member of the Committee has had an opportunity to question the witnesses. No member shall be recognized for a second period of 5 minutes to interrogate witnesses until each member of the Committee present has been recognized once for that purpose.

(5) Whenever any hearing is conducted by the Committee on any measure or matter, the minority party members of the Committee shall be entitled, upon the request of a majority of them before the completion of the hearing, to call witnesses with respect to that measure or matter during at least one day of hearing thereon.

Subpoenas and Oaths

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present, or pursuant to paragraph (2).

(2) The Chair, with the concurrence of the ranking minority member, may authorize and issue subpoenas under such clause during any period for which the House has adjourned for a period in excess of 3 days when, in the opinion of the Chair, authorization and issuance of the subpoena is necessary to obtain the material or testimony set forth in the subpoena. The Chair shall report to the members of the Committee on the authorization and issuance of a subpoena during the recess period as soon as practicable, but in no event later than one week after service of such subpoena.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

Special Procedures

(f)(1)(A) COMMEMORATIVE MEDALS AND COINS.—It shall not be in order for the Subcommittee on Domestic Monetary Policy and Technology to hold a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least two-thirds of the members of the House.

(B) It shall not be in order for the subcommittee to approve a bill or measure authorizing commemorative coins for consideration by the full Committee which does not conform with the mintage restrictions established by section 5112 of title 31, United States Code.

(C) In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards—

(i) the recipient shall be a natural person;

(ii) the recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(iii) the recipient shall not have received a medal previously for the same or substantially the same achievement;

(iv) the recipient shall be living or, if deceased, shall have been deceased for not less than 5 years and not more than 25 years;

(v) the achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same field, as evidenced by the recipient having received the highest honors in the field.

(2) TESTIMONY OF CERTAIN OFFICIALS.—

(A) Notwithstanding subsection (a)(4), when the Chair announces a hearing of the Committee for the purpose of receiving—

(i) testimony from the Chairman of the Federal Reserve Board pursuant to section 2B of the Federal Reserve Act (12 U.S.C. 221 et seq.), or

(ii) testimony from the Chairman of the Federal Reserve Board or a member of the President's cabinet at the invitation of the Chair, the Chair may, in consultation with the ranking minority member, limit the number and duration of opening statements to be delivered at such hearing. The limitation shall be included in the announcement made pursuant to subsection (d)(1)(A), and shall provide that the opening statements of all members of the Committee shall be made a part of the hearing record.

(B) Notwithstanding subsection (a)(4), at any hearing of the Committee for the purpose of receiving testimony (other than testimony described in clause (i) or (ii) of subparagraph (A)), the Chair may, after consultation with the ranking minority member, limit the duration of opening statements to ten minutes, to be divided between the Chair and Chair of the pertinent subcommittee, or the Chair's designees, and ten minutes, to be controlled by the ranking minority member, or the ranking minority member's designees. Following such time, the duration for opening statements may be extended by agreement between the Chairman and ranking minority member, to be divided at the discretion of the Chair or ranking minority member. The Chair shall provide that the opening statements for all members of the Committee shall be made a part of the hearing record.

(C) At any hearing of a subcommittee, the Chair of the subcommittee may, in consultation with the ranking minority member of the subcommittee, limit the duration of opening statements to ten minutes, to be divided between the majority and minority. Following such time, the duration for opening statements may be extended by either the Chair of the subcommittee or ranking minority member of the subcommittee for an additional ten minutes each, to be divided at the discretion of the Chair of the subcommittee or ranking minority member of the subcommittee. The Chair of the subcommittee shall ensure that opening statements for all members be made part of the hearing record.

(D) If the Chair and ranking minority member acting jointly determine that extraordinary circumstances exist necessitating allowing members to make opening statements, subparagraphs (B) or (C), as the case may be, shall not apply to such hearing.

RULE 4

PROCEDURES FOR REPORTING MEASURES OR MATTERS

(a) No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present.

(b) The Chair of the Committee shall report or cause to be reported promptly to the House any measure approved by the Committee and take necessary steps to bring a matter to a vote.

(c) The report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure pursuant to the provisions of clause 2(b)(2) of rule XIII of the Rules of the House.

(d) All reports printed by the Committee pursuant to a legislative study or investigation and not approved by a majority vote of the Committee shall contain the following disclaimer on the cover of such report: ''This report has not been officially adopted by the Committee on Financial Services and may not necessarily reflect the views of its Members.''

(e) The Chair is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chair considers it appropriate.

RULE 5

SUBCOMMITTEES

Establishment and Responsibilities of Subcommittees

(a)(1) There shall be 6 subcommittees of the Committee as follows:

(A) SUBCOMMITTEE ON CAPITAL MARKETS, INSURANCE, AND GOVERNMENT SPONSORED ENTERPRISES.—The jurisdiction of the Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises includes—

(i) securities, exchanges, and finance;

(ii) capital markets activities, including business capital formation and venture capital;

(iii) activities involving futures, forwards, options, and other types of derivative instruments;

(iv) the Securities and Exchange Commission;

(v) secondary market organizations for home mortgages, including the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation;

(vi) the Office of Federal Housing Enterprise Oversight;

(vii) the Federal Home Loan Banks;

(viii) the Federal Housing Finance Board;

(ix) terrorism risk insurance; and

(x) insurance generally.

(B) SUBCOMMITTEE ON DOMESTIC MONETARY POLICY AND TECHNOLOGY.—The jurisdiction of the Subcommittee on Domestic Monetary Policy and Technology includes—

(i) financial aid to all sectors and elements within the economy;

(ii) economic growth and stabilization;

(iii) defense production matters as contained in the Defense Production Act of 1950, as amended;

(iv) domestic monetary policy, and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic financial institutions;

(v) coins, coinage, currency, and medals, including commemorative coins and medals,

proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including the coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations of the Bureau of the Mint and the Bureau of Engraving and Printing; and

(vi) development of new or alternative forms of currency.

(C) SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER CREDIT.—The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit includes—

(i) all agencies, including the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System and the Federal Reserve System, the Office of Thrift Supervision, and the National Credit Union Administration, which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit insurance for, financial institutions, and the establishment of interest rate ceilings on deposits;

(ii) the chartering, branching, merger, acquisition, consolidation, or conversion of financial institutions;

(iii) consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers;

(iv) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards, and the preemption of State usury laws;

(v) consumer access to financial services, including the Home Mortgage Disclosure Act and the Community Reinvestment Act;

(vi) the terms and rules of disclosure of financial services, including the advertisement, promotion and pricing of financial services, and availability of government check cashing services;

(vii) deposit insurance; and

(viii) consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts.

(D) SUBCOMMITTEE ON HOUSING AND COMMUNITY OPPORTUNITY.—The jurisdiction of the Subcommittee on Housing and Community Opportunity includes—

(i) housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; private mortgage insurance; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); and real estate lending including regulation of settlement procedures;

(ii) community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales;

(iii) government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards, but not including terrorism risk insurance; and

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

(E) SUBCOMMITTEE ON INTERNATIONAL MONETARY POLICY AND TRADE.—The jurisdiction of the Subcommittee on International Monetary Policy and Trade includes—

(i) multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto, and monetary and financial developments as they relate to the activities and objectives of such institutions;

(ii) international trade, including but not limited to the activities of the Export-Import Bank;

(iii) the International Monetary Fund, its permanent and temporary agencies, and all matters related thereto; and

(iv) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States.

(F) SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS.—The jurisdiction of the Subcommittee on Oversight and Investigations includes—

(i) the oversight of all agencies, departments, programs, and matters within the jurisdiction of the Committee, including the development of recommendations with regard to the necessity or desirability of enacting, changing, or repealing any legislation within the jurisdiction of the Committee, and for conducting investigations within such jurisdiction; and

(ii) research and analysis regarding matters within the jurisdiction of the Committee, including the impact or probable impact of tax policies affecting matters within the jurisdiction of the Committee.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

Referral of Measures and Matters to Subcommittees

(b)(1) The Chair shall regularly refer to one or more subcommittees such measures and matters as the Chair deems appropriate given its jurisdiction and responsibilities. In making such a referral, the Chair may designate a subcommittee of primary jurisdiction and subcommittees of additional or sequential jurisdiction.

(2) All other measures or matters shall be subject to consideration by the full Committee.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

Composition of Subcommittees

(c)(1) Members shall be elected to each subcommittee and to the positions of chair and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the Committee shall designate a member of the majority party on each subcommittee as its vice chair.

(2) The Chair and ranking minority member of the Committee shall be ex officio members with voting privileges of each subcommittee of which they are not assigned as members and may be counted for purposes of establishing a quorum in such subcommittees.

(3) The subcommittees shall be comprised as follows:

(A) The Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises shall be comprised of 50 members, 30 elected by the majority caucus and 20 elected by the minority caucus.

(B) The Subcommittee on Domestic Monetary Policy and Technology shall be comprised of 17 members, 10 elected by the majority caucus and 7 elected by the minority caucus.

(C) The Subcommittee on Financial Institutions and Consumer Credit shall be comprised of 45 members, 27 elected by the majority caucus and 18 elected by the minority caucus.

(D) The Subcommittee on Housing and Community Opportunity shall be comprised of 25 members, 15 elected by the majority caucus and 10 elected by the minority caucus.

(E) The Subcommittee on International Monetary Policy and Trade shall be comprised of 15 members, 9 elected by the majority caucus and 6 elected by the minority caucus.

(F) The Subcommittee on Oversight and Investigations shall be comprised of 15 members, 9 elected by the majority caucus and 6 elected by the minority caucus.

Subcommittee Meetings and Hearings

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and re- port to the full Committee on any measure or matter referred to it, consistent with subsection (a).

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the Committee.

(3) The chair of each subcommittee shall set hearing and meeting dates only with the approval of the Chair with a view toward assuring the availability of meeting rooms and avoiding simultaneous scheduling of Committee and subcommittee meetings or hearings.

Effect of a Vacancy

(e) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee as long as the required quorum is present.

Records

(f) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 6

STAFF

In General

(a)(1) Except as provided in paragraph (2), the professional and other staff of the Committee shall be appointed, and may be removed by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional and other staff provided to the minority party members of the Committee shall be appointed, and may be removed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) It is intended that the skills and experience of all members of the Committee staff

be available to all members of the Committee.

Subcommittee Staff

(b) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available so that each subcommittee can carry out its responsibilities under the rules of the Committee and that the minority party is treated fairly in the appointment of such staff.

Compensation of Staff

(c)(1) Except as provided in paragraph (2), the Chair shall fix the compensation of all professional and other staff of the Committee.

(2) The ranking minority member shall fix the compensation of all professional and other staff provided to the minority party members of the Committee.

RULE 7

BUDGET AND TRAVEL

Budget

(a)(1) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

(2) From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives, the Chair, after consultation with the ranking minority member, shall designate an amount to be under the direction of the ranking minority member for the compensation of the minority staff, travel expenses of minority members and staff, and minority office expenses. All expenses of minority members and staff shall be paid for out of the amount so set aside.

Travel

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 8

COMMITTEE ADMINISTRATION

Records

(a)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with rule VII of the Rules of the House of Representatives. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

Committee Publications on the Internet

(b) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

THE SPENDULOUS BILL

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

Mr. POE of Texas. Thank you, Mr. Speaker.

I want to talk about the spendulous bill that is coming before the House once again.

If you add up all of the money it's going to cost us in this spendulous bill, it's going to total $9.7 trillion. Now, I had to put it on two poster boards here, Mr. Speaker, so we could see how long a number that is. That includes, of course, the big bailout bills that were passed, and, of course, the debt on the spendulous bill and future debt that we're going to require because of agreements to provide aid in this new bill.

Now, just to give you—I mean, nobody understands what $9.7 trillion means. So let me try to explain it in terms maybe we can understand.

□ 2000

If you take all the home mortgages in the United States, every one of them, this will pay off 90 percent of them by this bill that we're getting ready to pass. It's also enough to give every person on the face of the earth $1,500, every one of them, no matter where they are. That's how much $9.7 trillion is. That means everybody could get some money from the United States on this bill.

Putting it another way, if you add up the cost of the wars in Afghanistan and the war in Iraq, this is 13 times that amount. And it's been figured that if you add up in current 2009 dollars the cost of all the wars that the United States has fought in, the Revolutionary War, the War Between the States, World War I, World War II, Korea, Vietnam, the Iraqi wars and the Afghanistan wars, it still is less than $9.7 trillion. If you add up the wars and if you then figure out how much it cost us in 2009 dollars for the Louisiana Purchase, the Gadsden Purchase, and the whole State of Alaska, that's still less than $9.7 trillion.

So we're talking about real money here, Mr. Speaker, on this so-called ''spendulous'' bill that the House will get to vote on again at the end of this week.

This House stimulus bill, as it is properly called, is bigger than 168 of 180 national economies that are measured by the World Bank. Let me say that again. If you take 180 countries and their national economy, this bill is bigger than 168 of them.

So we're talking about money that, first of all, probably will not even work to stimulate the economy. We've been told that spending equals stimulus. That is just not true. Government spending on government programs doesn't mean that the economy is going to be better. All it means is the government, our government, is going to get bigger.

Many economists argue that there's no historical precedent for a stimulus spending driven economy, and they base that on history. You see, we've done this stimulus package before. Since 1948, there have been eight stimulus packages that have come to the House of Representatives, that have passed, and history has shown none of those really stimulated the economy at all. They had no effect on the economy, but we don't pay any attention to history. We just think we can make it happen by spending a lot of government money.

And of course, we're not convinced, those of us who don't want to spend this kind of money, that it will stimulate the economy, and besides all that, we don't have the money, Mr. Speaker. We're just flat broke. We've got to borrow the money. We've got to borrow it from somebody else in the world like China and pay interest to China, of all countries, so that we can take this money from Americans yet to be born and give it to different interest groups in the United States, all under the pretext of we're going to stimulate the economy. It doesn't make much sense to me to be spending this kind of money, which is real money, on this so-called fake stimulus package.

Maybe we should not spend any money at all. Maybe we should think about letting Americans, who pay taxes, and do report their taxes to the IRS, let them keep more of their money, an across-the-board tax cut for everybody that pays taxes. They would have more of their own money to begin with. Government wouldn't be taking it from them and deciding what to do with it. Let them keep their own money, and they can spend it how they

see fit. And maybe they will stimulate the economy by the way they choose to spend it rather than wasteful spending by the Federal Government, the government growing bigger, the government getting more involved in everything from the banking industry to the how-to-make-a-Federal car, and all of these other programs where we're getting the nationalization of this.

It's not the answer, Mr. Speaker, and that's just the way it is.

WE CAN'T HAVE GUNS AND BUTTER

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

Ms. WOOLSEY. Mr. Speaker, last night I attended the 10th anniversary celebration of Safe House in San Francisco. Safe House is a unique service. It provides services and support to homeless women and to women who are leaving prostitution. Safe House empowers these women to turn their lives around, and, Mr. Speaker, they do.

The Reverend Glenda Hope, one of the founders of Safe House, also helped establish San Francisco Network Ministries which helps the poorest of the poor on the streets of San Francisco. She has been a beacon of hope for decades, helping many people who have been forgotten and discarded by society so that they could find their way back.

I have been proud to call Glenda Hope my close friend, my inspiration, and my hero for over 40 years. Her commitment to human dignity and to social justice is an example for all of us.

Reverend Hope has also been a tireless champion of peace. She refused to remain silent about the previous administration's disastrous policies in Iraq and demanded that Congress cut off funding for the occupation. To Glenda, Iraq isn't something you see on television because Glenda sees the tragic results of the fighting with her own eyes on the streets of San Francisco. She sees veterans suffering from post-traumatic stress syndrome, homelessness, and mental illness caused by combat. When the so-called ''surge'' began in 2007, Glenda warned that there will be a ''surge of additional vets onto our streets with similar afflictions, and the longer we stay in Iraq the more there will be.''

Mr. Speaker, we now know that over 300,000 veterans of the Iraq War are suffering from PTSD. Many veterans across the country are homeless, jobless, and suffering from depression and other mental problems. Many are dealing with family problems caused by their long and frequent deployments away from home. In addition, Mr. Speaker, many others have been caught up in the foreclosure crisis, and just the other day, we received the tragic news that the suicide rate among soldiers in 2008 was the highest in nearly 30 years.

The human cost of war is the greatest cost of all, and our country has a moral obligation to provide the very best care to our veterans. But the financial costs should also concern us, especially in these hard times.

We continue to spend over $12 billion a month to keep our troops in Iraq and Afghanistan. We'll also be spending countless billions of dollars to provide help for our veterans, many of whom will require extensive health care for decades to come.

Mr. Speaker, our Nation cannot afford to fight two wars at a time when our economy is on the brink of collapse. We tried to have guns and butter back in the Vietnam War. It didn't work and it won't work now.

It is obvious that we're overextended. That's why I've called for the redeployment of our troops out of Iraq and Afghanistan and for a bold, aggressive recovery plan to save our economy here at home.

On January 20, Mr. Speaker, I sent a letter to our brand new President Obama calling for a worldwide ceasefire, or a timeout, from war. This would allow us to work with the world community to use diplomacy, reconciliation, and humanitarian assistance to resolve disputes and to fight terrorism.

This approach would be especially effective in Afghanistan where war has never worked. As a matter of fact, war hasn't worked for any invader of Afghanistan down through history. Building schools, building hospitals, building roads is the best way to fight the Taliban.

Mr. Speaker, it's time to rebuild our country and rethink our foreign policy. The old ways have failed, and we must take bold, new action. It means an economic recovery package big enough to do the job and a new commitment to peace around the world. It means we should follow the example of Reverend Glenda Hope because she would invest in the neediest among us, and that would be the way to get started in this world of ours.

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

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

ENERGY

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

Mr. INGLIS. Mr. Speaker, I understand that the word ''crisis'' in Chinese is written with two characters. The first means danger and the second means opportunity.

It occurs to me that that's really where we are in our country today when it comes to energy. We've got both a danger and an opportunity. Of course, this may sound a little bit dated because, you know, 6 months, 8 months ago on this House floor we were talking about prices of gasoline at $4 a gallon or something. Now, gas at $1.60 a gallon is a sleeper cell waiting to detonate, and it will eventually detonate. So we get this enormous danger.

We saw the danger this summer. It became real and present, and we saw what happened when gas hit $4 a gallon. Now, it's going to get a little bit of a sleeper cell action going on here where it's $1.50, $1.60, $1.70. But what we've got there is a huge danger looming for us in the future.

We've also got, though, this incredible opportunity. In this midst of this economic downturn, we're looking for jobs. We're looking for a way to create productivity for the future and to get beyond just stimulus and into long-term growth.

So, in that regard, I had an opportunity to visit with the wind unit of General Electric Company in Greenville, South Carolina, recently, and they told me that 1 percent of the world's electricity is made from the wind. If it goes to 2 percent, just from 1 percent to 2 percent of the world's electricity coming from wind, it's $100 billion in sales, $100 billion. That's an opportunity.

So we've got this danger in our precarious position with energy, dependent on foreign Nations, some of them that really don't like us very much. But we have also got this tremendous opportunity, which is the job creation opportunity by these fuels of the future.

So the question is why don't we move quickly to those fuels of the future, and here's where I think folks from my side of the aisle can really add to this discussion because, you know, one of the strengths of Republicans is understanding free enterprise, how to make a profit, how to make things work, how to create things, build things, grow things, make things work. That's our strength.

And so when you're thinking about wind, for example, why isn't wind used more? Why isn't nuclear used more? Well, the answer is the price signals aren't there. It isn't cost-effective in a lot of cases to pursue those new technologies. What's cheaper? Well, the things we know: burn coal, burn natural gas, burn oil, gasoline. Those things are the incumbent technologies that have a market distortion going on. And the market distortion, which is something again that we Republicans understand very well, we understand about markets, the market distortion we've got going on is a free good in the air. That means I can belch and burn on my property 24/7 without any accountability for what it does on somebody else's property when it comes to greenhouse gas emissions.

And so if you start attaching that accountability and saying to me, INGLIS, listen, you're going to have to keep

your stuff on your property—this is a biblical concept. It's an English common law concept. It's American common law, and it's part of our EPA regulatory regime. The idea is to be accountable for what you do on your property and hold those incidents on your property and not have the opportunity to belch and burn and dump on somebody else's because that creates a market distortion.

Over the weeks to come, Mr. Speaker, I look forward to talking more about that market distortion and how it is we might change that and how we might use the power of free enterprise to create these jobs, to solve the environmental challenge and to address this national security risk. In my view, it's the triple play opportunity of this American century. It's something we should be very excited about, and it's a terrific bipartisan opportunity. I look forward to talking more about that.

□ 2015

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

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

TRIBUTE TO LAKE ERIE RESCUERS

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

Ms. KAPTUR. Mr. Speaker, I rise to commend the exemplary efforts of the United States Coast Guard, along with many State and local agencies, for their rapid response and flawless execution in rescuing 134 ice fishermen from an ice floe off the coast of Lake Erie on Saturday.

The call for help came in to the Coast Guard at approximately 10:45 a.m. By early afternoon, everyone was rescued. One man, sadly, who had fallen into the water, later suffered a fatal heart attack, and our sympathy goes out to his family.

Saturday's heroic rescue is a testament to the cooperation of various units: The Coast Guard stations in Toledo and Marblehead, Ohio; Detroit, Traverse City, Belle Isle, and St. Clair Shores, Michigan; and even Elizabeth City, North Carolina.

The Coast Guard cutter Mackinaw; the Ottawa, Ohio Sheriff's Department; the Ohio State Highway Patrol; Monroe County, Michigan Sheriff's Department; Jervis, Carol, and Washington townships; Toledo Life Flight; the Canadian Coast Guard; and, yes, countless local citizens.

I wanted to take this opportunity to call attention to their heroism and outstanding deeds. Hundreds of families, thousands of people, are grateful to them for their actions that prevented a real catastrophe.

My constituents rely on the tireless efforts of the Coast Guard and law enforcement to protect America's fourth sea coast along our Great Lakes. The partnership between all levels of law enforcement and seamless communication between these agencies are critical for my constituents who know that, in difficult times like this, there's a team of agencies that they can rely upon.

Each year, hundreds of thousands of Americans and Canadians venture into Lake Erie to participate in the region's rich sports fishing industry. Estimates show each year, the sports fishing industry on Lake Erie alone contributes up to $700 million toward our local economy. This backbone to the local economy would not exist without the capable support of first responders.

I would like to commend in particular Ottawa County Sheriff Robert Bratton, Lucas County Sheriff James Telb, the Coast Guard, and other local law enforcement officials, for their vigilance in protecting our fishermen from this danger.

In addition, I would like to commend local officials on efforts to develop a system in quantifying the dangers related to ice floes and educate fishermen on the dangers of ice fishing.

As our country faces the challenges of updating law enforcement to confront the challenges of the 21st century, we should look inward at the expertise of these local officials. For generations, it has been the Coast Guard and local law enforcement that has protected sailors, fishermen, and boaters from our region from these dangers.

I will submit for the RECORD the activities of a number of Coast Guard employees for their work in coordinating rescue operations. Their expertise and heroism must be properly commended.

And it is a tribute at the highest order to read into the RECORD the names of those who participated in this rescue effort: Petty Officer Jason Rice, Sector Detroit; Petty Officer Chad Pietszak, Station Marblehead, coxswain; Petty Officer Jason Venema, Station Marblehead, crewman; Petty Officer Aaron Pitney, Station Toledo, rescue swimmer; Coleman Selm, Air Station Detroit; and Public Affairs Chief Robert Lanier.

It is a tribute of the highest order to recognize these exceptional servicemembers whose devotion to duty exemplifies America's real homeland security.

Thank you.

1. OS1 Jason Rice, Sector Detroit, Command Center: As the lead Operational Controller, Petty Officer Rice initiated a Safety Broadcast prior to the event to warn fishermen. He received notification of the event, dispatched initial resources, and provided accurate and quick notifications up the chain of command including detailed log entries throughout the event. His recommendations, calm demeanor and professional knowledge ensured the CG dispatched the correct resources and relayed critical information to other first responder agencies. Petty Officer Rice ensured the CG helo was immediately tasked to assist with Person In Water (PIW) & coordinated information flow on medical evacuation to the Fireland Hospital.

2. BM2 Chad Pietszak, Station Marblehead: coxswain on airboat that provided organization, communication and safe transportation during ferry operations. Petty Officer Pietszak's skilled operation of the airboat ensured 94 fishermen were safely transferred from the ice floe to the staging area with no injuries during the evolution.

3. BM2 Jason Venema, Station Marblehead: crewman on airboat that provided organization, communication and safe transportation during ferry operations. Petty Officer Venema ensured 94 passengers were safely embarked, comfortable and delivered from the ice floe to the staging area.

4. BM1 Aaron Pitney, Station Toledo: Station Executive Petty Officer and ice rescue team leader from STA Toledo. Petty Officer Pitney dispatched to scene and liaison with other first responders and law enforcement agencies. He assisted with dragging fire department's 21 feet boat hundreds of yards offshore, assisted with directing and receiving fishermen being ferried off the ice. Assisted MSU Toledo with tracking down details of sunken four-wheeler and air boat.

5. AST3 Coleman Selm, Air Station Detroit: rescue swimmer onboard Coast Guard helicopter CG6553 that participated in the medical evacuation. He performed a direct deployment double lift recovery of the PIW, and then performed CPR with the flight mechanic assisting until PIW was delivered to awaiting medical personnel at Firelands Hospital helipad. He also participated in the extensive aerial search effort, locating several stranded fishermen.

6. PAC Robert Lanier, D9 Public Affairs Chief. Within minutes of the initial report, Chief Lanier recognized the gravity of the situation and mobilized the entire external affairs division. He sent a team to the Incident Cmd Post at the scene, and personally supervised a team at the D9 office. His group aggressively released info and imagery to the media in a timely manner, and conducted numerous national media interviews, garnering extensive coverage.

It is a tribute of the highest order to recognize these exceptional service members whose devotion to duty exemplifies America's real homeland security.

RUIN YOUR HEALTH WITH THE OBAMA STIMULUS PLAN: BETSY MCCAUGHEY

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

Mr. BURTON of Indiana. Mr. Speaker, the so-called economic stimulus bill involves itself in health care. And, Mr. Speaker, if the seniors in this country and the AARP take a real close look at this bill, I believe seniors would not only be calling the Capitol, raising cane about what's in it, but they'll be marching on the Capitol.

What it's going to do is it's going to require that there will be rationing, and it will be based upon some formulas that will say if you only have an

expectation of another 8 or 9 years of life left, or 4 or 5 years, that they will ration the care that you get based upon the life expectancy. It's unbelievable.

Let me just read to you some things that Mr. Daschle had put in the bill before he was removed as the potential head of HHS. Daschle proposed an appointed body with vast powers to make the tough decisions elected politicians won't make.

The stimulus bill does that, and calls it the Federal Coordinating Council for Comparative Effective Research. Pages 190–192 in the bill. The goal, Daschle's book explained, is to slow the development and use of new medications and technologies because they're driving up costs. He praises Europeans for being more willing to accept ''hopeless diagnoses'' and ''forego experimental treatments,'' and he chastises Americans for expecting too much from our health care system. The elderly are hit the hardest.

Daschle says health care reform ''will not be pain-free.'' Seniors should be more accepting of the conditions that come with age, instead of treating them. That means the elderly will bear the brunt of what is in this bill.

Medicare now pays for treatments deemed safe and effective. The stimulus bill would change that and apply a cost effectiveness standard set by the Federal Council. The Federal Council is modeled after a United Kingdom board discussed in Daschle's book. This board approves or rejects treatments using a formula that divides the cost of the treatment by the number of years the patient is likely to benefit.

So they are going to figure out how many years you're supposed to live and then they're going to divide the treatment based upon the years. Treatments for younger patients are more often approved than treatments for diseases that affect the elderly, such as osteoporosis.

In 2006, a UK health board decreed that elderly patients with macular degeneration had to wait until they went blind in one eye before you could get a costly new drug to save the other eye. It took almost 3 years of public protests before the board reversed its decision.

There are hidden provisions in this bill. If the Obama administration's economic stimulus bill passes in its current form, seniors in the U.S. will face similar rationing of health care. Defenders of the system say that individuals benefit in younger years and sacrifice later. Let me say that gain. Seniors in the U.S. will face similar rationing of health care as they have in the UK.

The stimulus bill will affect every part of health care, from the medical and nursing education, to how patients are treated and how much hospitals get paid. The bill allocates more funding for this bureaucracy than for the Army, Navy, Marines, and Air Force combined.

Hiding health legislation in a stimulus bill is intentional. Daschle supported the Clinton administration's health care overhaul in 1994, and attributed its failure to debate and delay. A year ago, Daschle wrote that the next President should act quickly before critics mount opposition. ''If that means attaching a health care plan,'' and this is a quote now, ''If that means attaching a health care plan to the Federal budget, so be it,'' he said. ''The issue is too important to be stalled by Senate protocol.''

If I were talking to the seniors of this country, I'd say you really ought to read this bill. You ought to look at pages 445, 454, 479, 442, 446, 511, 518, 540, 541, 190, 192, and 464. I know I went through those fast, but I am going to put this in the CONGRESSIONAL RECORD and it will be on my Web site.

But every senior American and the AARP ought to be very concerned about this, Mr. Speaker, because it will result in rationing health care for seniors, and it will minimize health care for a lot of other people as well, even because they are younger.

And the doctors in this country and the nurses and health care officials ought to be very concerned because it's going to impose penalties on them if they don't follow the government's requirements. It's in the bill. This isn't baloney. And I hope my colleagues and everybody will take a hard look at it.

Mr. Speaker, if the seniors across this country are paying attention, I hope they will read the bill as well.

RUIN YOUR HEALTH WITH THE OBAMA STIMULUS PLAN

(Commentary by Betsy McCaughey)

Feb. 9 (Bloomberg)—Republican Senators are questioning whether President Barack Obama's stimulus bill contains the right mix of tax breaks and cash infusions to jump-start the economy.

Tragically, no one from either party is objecting to the health provisions slipped in without discussion. These provisions reflect the handiwork of Tom Daschle, until recently the nominee to head the Health and Human Services Department.

Senators should read these provisions and vote against them because they are dangerous to your health. (Page numbers refer to H.R. 1 EH, pdf version).

The bill's health rules will affect ''every individual in the United States'' (445, 454, 479). Your medical treatments will be tracked electronically by a federal system. Having electronic medical records at your fingertips, easily transferred to a hospital, is beneficial. It will help avoid duplicate tests and errors.

But the bill goes further. One new bureaucracy, the National Coordinator of Health Information Technology, will monitor treatments to make sure your doctor is doing what the federal government deems appropriate and cost effective. The goal is to reduce costs and ''guide'' your doctor's decisions (442, 446). These provisions in the stimulus bill are virtually identical to what Daschle prescribed in his 2008 book, ''Critical: What We Can Do About the Health-Care Crisis.'' According to Daschle, doctors have to give up autonomy and ''learn to operate less like solo practitioners.''

Keeping doctors informed of the newest medical findings is important, but enforcing uniformity goes too far.

NEW PENALTIES

Hospitals and doctors that are not ''meaningful users'' of the new system will face penalties. ''Meaningful user'' isn't defined in the bill. That will be left to the HHS secretary, who will be empowered to impose ''more stringent measures of meaningful use over time'' (511, 518, 540–541)

What penalties will deter your doctor from going beyond the electronically delivered protocols when your condition is atypical or you need an experimental treatment? The vagueness is intentional. In his book, Daschle proposed an appointed body with vast powers to make the ''tough'' decisions elected politicians won't make.

The stimulus bill does that, and calls it the Federal Coordinating Council for Comparative Effectiveness Research (190–192). The goal, Daschle's book explained, is to slow the development and use of new medications and technologies because they are driving up costs. He praises Europeans for being more willing to accept ''hopeless diagnoses'' and ''forgo experimental treatments,'' and he chastises Americans for expecting too much from the healthcare system.

ELDERLY HARDEST HIT

Daschle says health-care reform ''will not be pain free.'' Seniors should be more accepting of the conditions that come with age instead of treating them. That means the elderly will bear the brunt.

Medicare now pays for treatments deemed safe and effective. The stimulus bill would change that and apply a cost-effectiveness standard set by the Federal Council (464).

The Federal Council is modeled after a U.K. board discussed in Daschle's book. This board approves or rejects treatments using a formula that divides the cost of the treatment by the number of years the patient is likely to benefit. Treatments for younger patients are more often approved than treatments for diseases that affect the elderly, such as osteoporosis.

In 2006, a U.K. health board decreed that elderly patients with macular degeneration had to wait until they went blind in one eye before they could get a costly new drug to save the other eye. It took almost three years of public protests before the board reversed its decision.

HIDDEN PROVISIONS

If the Obama administration's economic stimulus bill passes the Senate in its current form, seniors in the U.S. will face similar rationing. Defenders of the system say that individuals benefit in younger years and sacrifice later.

The stimulus bill will affect every part of health care, from medical and nursing education, to how patients are treated and how much hospitals get paid. The bill allocates more funding for this bureaucracy than for the Army, Navy, Marines, and Air Force combined (90–92, 174–177, 181).

Hiding health legislation in a stimulus bill is intentional. Daschle supported the Clinton administration's health-care overhaul in 1994, and attributed its failure to debate and delay. A year ago, Daschle wrote that the next president should act quickly before critics mount an opposition. ''If that means attaching a health-care plan to the federal budget, so be it,'' he said. ''The issue is too important to be stalled by Senate protocol.''

MORE SCRUTINY NEEDED

On Friday, President Obama called it ''inexcusable and irresponsible'' for senators to delay passing the stimulus bill. In truth, this bill needs more scrutiny.

The health-care industry is the largest employer in the U.S. It produces almost 17 percent of the nation's gross domestic product. Yet the bill treats health care the way European governments do: as a cost problem instead of a growth industry. Imagine limiting growth and innovation in the electronics or

auto industry during this downturn. This stimulus is dangerous to your health and the economy.

ECONOMIC RECOVERY BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Mr. Speaker, the January job numbers told Americans something they already knew. Things are bad. They are bad all over in almost every sector of the economy and almost every section of the country.

In a hearing before the Joint Economic Committee, I asked the commissioner of the Bureau of Labor Statistics if there was any bright spots in the labor report. And he said, and I quote, ''No. No good news comes to mind.''

These latest job losses add to the overwhelming evidence that we must get a recovery package to the President's desk fast. People are hurting and crying out all across the country for help from the people in this Chamber.

More than 3.6 million jobs have been lost since the recession began in 2007, including the nearly 600,000 jobs shed in January alone. Six hundred thousand jobs is equivalent to all the workers in the State of Maine.

My home State of New York has been especially hard hit. Almost 48,000 jobs were slashed. Familiar and storied names, such as Macy's, Estee Lauder, Time Warner, Bloomberg News, and many others, have laid off employees.

We are now hearing that seven States have already exhausted their unemployment insurance, and another 11 States may see their funds exhausted by the end of 2009.

More than 2 million homes have gone into foreclosure, and millions of other homeowners find themselves owing more to the bank than their homes are worth. Because of lost jobs, millions also lost their health insurance. Many have lost their savings. An estimated $6 trillion in personal wealth has simply evaporated.

A solution to this crisis requires a bold action and addresses the magnitude of our economic woes, and the American Recovery and Reinvestment Plan will do just that. The recovery package will create or save an estimated 4 million jobs across a variety of sectors. It will soften the downturn and foster a solid economic recovery that benefits all Americans.

The U.S. Chamber of Commerce has called for the passage of the Recovery Act. The National Governors Association says that they support the bill. The bill even has the support of most GOP Governors.

The latest Gallup poll shows that 80 percent of Americans believe that passing a new stimulus plan is either ''important,'' or ''critically important.'' Even 66 percent of Republicans told the Gallup pollsters that it is either important or critically important to pass the bill. Perhaps because they know that America's schools, roads, bridges, and water systems are in disrepair, and this creates a drag on economic growth.

We have an historic opportunity to make the investments necessary to modernize our public infrastructure. We can begin to transition to a clean energy economy that will make us more competitive in the future.

Yes, there are conflicting visions of the perfect bill. Some Nobel Laureates in economics say the stimulus is not big enough. Some would have us do less. But now is the time to put aside whatever differences we might have in our economic theories and put the needs of our country first.

The building where the Joint Economic Committee holds its hearings is dedicated to the memory of Senator Everett Dirksen. On the plaque we pass every day, it reads, and I quote, ''His unerring sense of the possible enabled him to know when to compromise, by such men are our freedoms retained. His greatness will forever be an inspiration.''

President Obama and the Democrats are ready to embark on a bold, commonsense plan to turn this economy around, to address the fierce urgency of now, and to get this country back on its feet. We urge you to stand with us shoulder to shoulder as we act to put America back to work.

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 5 minutes.

(Mr. DANIEL E. LUNGREN of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2030

OSCAR ELIAS BISCET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. This last December 6, 2 months ago, was the ninth anniversary of the imprisonment—the cruel and unjust imprisonment in a cold and damp cell in the most inhuman of conditions—of the great Cuban leader in the fight for democracy and human rights in that enslaved island, Dr. Oscar Elias Biscet. Dr. Biscet is prohibited from even walking in the prison's yard, and he is incarcerated along with common criminals.

Dr. Biscet was released from prison in 2003, for a few weeks, before being rearrested and subsequently sentenced to 25 years in the gulag due to his peaceful pro-democracy activities.

Biscet personifies the opposition to the brutal totalitarian regime Fidel Castro and his brother, who the dictator has now given some additional titles to because of the ailing tyrant's failing health.

Dr. Biscet is an admirer of Gandhi and Martin Luther King.

A physician by training, he began his opposition to the totalitarian regime by speaking out against the regime's forced abortion when there is any indication whatsoever that a pregnancy may have an abnormality policy. Biscet described that policy as inhuman. He was immediately fired from his job at the hospital, prohibited from practicing his profession as a physician, and his wife Elsa Morejon was also fired from her job as a practicing nurse. Within hours, the couple and their son were summarily evicted from their apartment and their physical possessions thrown into the street.

Fortunately, an elderly patient of Elsa allowed the family to move into her house. Dr. Biscet continued peacefully denouncing the totalitarian regime's absolute denial of human rights to the Cuban people; and, because of that, he has been unjustly and cruelly imprisoned for 9 years and counting.

Hundreds of other brave human rights activists are also suffering in the political prisons of the Cuban totalitarian dictatorship for the crime of supporting democracy and liberty and opposing tyranny, including 23 known journalists thrown into dungeons because of articles they wrote that bothered the dictator. No regime in the world has more journalists in prison, with the possible exception of another totalitarian dictatorship in an obviously much larger nation, communist China.

A few weeks ago, the respected international organization, Reporters Without Borders, gave one of those Cuban journalists in the gulag, Ricardo Gonzalez Alfonso, sentenced by the Cuban tyrant to 20 years in prison in 2003, and currently in very poor health, the Reporters Without Borders Journalist of the Year Award. Reporters Without Border is to be commended, Mr. Speaker.

Three other Cuban prisoners of conscience, Aldolfo Fernandez Sainz, Pedro Arguelles Moran, and Antonio Diaz Sanchez, are known to have begun a hunger strike due to brutal conditions they are subjected to. Where is the outrage, Mr. Speaker? Where is the international solidarity? Where is there one word of coverage of this in the world's press?

The reality is that for too many in the world today Cubans are supposed to be content with their lot, to be quiet; to, in the words of one of our colleagues in this Congress recently, to move on. The regime that enslaves a Nation and imprisons hundreds of heroes simply for their beliefs deserves unilateral rewards and concessions, many argue, such as more travel or dollars. But Dr. Biscet and the many other heroes imprisoned in the Castro brothers' gulag will not be able to be ignored forever. They must be freed. And political parties must be legalized, as well as independent press agencies, and labor unions. And free and fair elections must take place in Cuba.

Many of those imprisoned today, Mr. Speaker, will be democratically elected leaders tomorrow. That is what is going to happen in Cuba tomorrow. Today, as they suffer the most unjust of cruel imprisonment, we here remember and honor them and, once again, demand the immediate release of all prisoners of conscience in the Castro brothers' infernal gulag.

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

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

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

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

CARTER PRIVILEGED RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Mr. Speaker, today, in fact less than 1 hour to 1½ hours ago, I rose on the floor of this House to bring forward a privileged resolution asking for the chairman of the Ways and Means Committee to step down or be removed until such time as the ethical problems that have been raised about Mr. RANGEL could be addressed by the Ethics Committee and resolved. I did this out of no malice for Mr. RANGEL; but, rather, I did this and have stated publicly that it is important that we raise the level of the ethics standards of this House to a level that was inspired to us by our Speaker. And, if we raise our level of ethics and each individual in this House takes on themselves to stand up for an ethical Congress, we will have an ethical Congress, and maybe the people of the United States will have a greater respect for the individual Members of Congress.

It should be embarrassing and disheartening to every hard-working man and woman in this House, and the House is full of hard-working men and women on both sides of the aisle, that the American public view us as unethical and maybe worse.

Our approval rating at one time during the last Congress was at 8 percent. They say if your approval rating is below 20 percent, the only people that still like you are your friends and your relatives. Well, at 8 percent, you have got to worry about your relatives. You may not even have them liking you anymore. To me, I looked at that, and I have been in this Congress now for 6 years, starting my 7th year, I know that there are a lot of really fine people in this Congress on both sides of the aisle and I don't think that they deserve that kind of rating. But, quite frankly, the atmosphere that has been created over the last several years has created an atmosphere where people think that we are evil people. And I don't believe that we are evil people, but I do believe that sometimes somebody has to stand up and say, if it isn't right, it isn't right. And I have decided that I am going to do that. And I think I am going to be joined by others who are going to do it, and I hope eventually we are all going to stand up and say: If it isn't right, it isn't right, and I don't care who did it.

But I want to start off by telling you that what happened in this privileged resolution that I brought forward today, which, if it had gone forward in the privileged resolution, we would have had 1 hour of debate on each side to discuss this issue and come to a resolution, just like maybe a jury would come to a resolution in a courtroom back home, where we would hear what is out there, what has been said on this House floor by Mr. RANGEL, what the evidence seems to be; that we would learn about what is going on, and what would be best for the House under these circumstances. But, unfortunately, a procedural occurrence interfered or intervened.

The majority made a motion to table that resolution. The majority prevailed, as they would be expected to with the sizeable majority count that they have in this House, and so that resolution was laid upon the table; which basically means to the average guy that they stuck it aside and we won't take it up. And that is where it is going to stay, I suppose, just as previous resolutions have been tabled and they don't get taken up.

So I have this hour, and hopefully some of my friends will be by as we go through this hour, and we are going to talk about ethics. And I want to first point out this poster right here, which I would hope can be seen.

The Speaker of this House, NANCY PELOSI, on November 8, 2006, made this statement, which was quoted by the Washington Post: ''The American people voted to restore integrity and honesty in Washington, D.C., and the Democrats intend to lead the most honest, most open, and most ethical Congress in history.'' That is a 200-plus year history of this United States, and the goal of the 110th Congress, the standards set by our Speaker was to be the most open, most ethical Congress, and the most honest Congress in the history of the United States. That is a big package to carry, there is no doubt about that, but it is a goal that we ought to have. I would argue that, since this speech was made, we have made very little progress down that line.

But something else much more recent to what we are doing right now is what the President of the United States said basically just last week: ''I campaigned on changing Washington and bottom-up politics. I don't want to send the message to the American people that there are two sets of standards, one for the powerful people, and one for the ordinary folks who are working every day and paying their taxes.'' That is a quote to CNN by President Barack Obama, February 3, 2009, just last week. I honor our President for that kind of standard that he sets for his administration and for this government.

There are people who would say: Mr. CARTER, you raised these issues about the chairman of the Ways and Means Committee, about CHARLIE RANGEL, for political purposes. You did this because you wanted to attack a powerful leader in the House of Representatives, and this is all about politics.

I will point out that I stated when this all started that I first wrote a letter to Chairman RANGEL and asked Chairman RANGEL if he would address the issue of having paid his taxes, if he would address paying his penalties and interest so this would all go away, so he wouldn't be treated by two standards, one standard for the powerful and one standard for the ordinary person. But I got no response from that letter. A copy of that letter was sent to the Speaker of the House, and I got no response there.

And then you ask, why would I stand up and start talking about this stuff? The New York Times on September 14, 2008 pointed out: ''Mounting embarrassment for taxpayers and Congress makes it imperative that Representative Charles Rangel step aside as chairman of the Ways and Means Committee while his ethical problems are investigated.''

Now, this is one of the most liberal, Democrat leaning newspapers in the country who is saying there are issues in Mr. RANGEL's past that, in their opinion, the editorial page's opinion, would require that he step down while he is being investigated. And that is all I have ever really asked that he do. It might be for just 2 days, 3 days. Who knows how quickly the Ethics Committee will come out with a resolution. It might be a few weeks. But it would look a standard to the American people that would say: You are right, this is not behind closed doors. This is heads up. They are talking about stuff that is

important. And that is why we raise this. So I am going to put those two things out here to start this conversation.

Our President and our Speaker, Democrats both, have made the point that they want to make sure that there is no one standard for the powerful and one standard for the ordinary, but each will be treated fairly. They have set a standard that they will be the most honest, open, ethical Congress in history. They have set a standard, and it has been pointed out by the New York Times that that standard is not being met when it comes to the chairman of the Ways and Means Committee.

Now, all I am trying to do here tonight, and I am asking others to help me with, is just say to Mr. RANGEL: Mr. RANGEL, I highly respect you. I hope that you would realize what the American people perceive of us as a body because of issues that are being raised by allegedly the most important newspaper in the land. And we think that, for the good of this House, you would step aside, however briefly, until these issues are resolved.

And, quite frankly, that is what this resolution was about today. And I certainly didn't do it in any spirit of meanness. I thought it was the right and the proper thing to do. And so I basically am pleading my case to the American people and to this House in saying that it is important that you understand, I have no ill will against Mr. RANGEL, but I do have ill will about bringing down the ethical responsibility of this House.

□ 2045

I have my friend, Mr. KING from Iowa, who has joined me here. He may have some things to say about the subject of ethics. And we are going to just ride along here. I recognize you for the amount of time you wish to consume.

Mr. KING of Iowa. I thank the gentleman for yielding. I very much thank Judge CARTER for bringing up the issue of ethics in this Congress, Mr. Speaker. And it is not an easy thing to raise these issues on the floor of this House. There are pressures in this place that push a person who serves here to conform, to not make waves and to not expose themselves to legislative retaliation. So, there are many Members of this Congress who would think about those things instead of thinking about the standards that we need to uphold in this great deliberative body.

And we are going into the 220th year since the ratification of our Constitution. And it has been a long history in this Chamber with high standards. Of course, there have been disagreements and squabbles along the way. And there have been times back in those days of old when Members came to blows.

We have a different way of approaching things today. And if we look back upon previous Congresses, there have been standards that have been brought forth. I remember a Speaker of the House who saw 74 sets of ethical charges brought against him, and all in an effort to bring down the Speaker. Finally, to get away from that all, he accepted one of them that could have crossed the line, which melded the whole thing down.

And here we sit today with a dysfunctional Ethics Committee, an Ethics Committee that doesn't take up the issues that come before them. They are there deadlocked. And so, since we have a dysfunctional Ethics Committee, we have a place, Mr. Speaker, to appeal to. And that becomes you, Mr. Speaker, and the echo that comes from here to the American people.

And Judge CARTER has brought this privileged resolution today. It has laid out a whole line of facts as we know them with regard to the activities of the chairman of the Ways and Means Committee, the gentleman from New York (Mr. RANGEL). And he has spoken, I think well, to the standards that have been put up by the New York Times, which I previously haven't looked to for a standard, but by the President of the United States, who has said there will be only one set of standards, whether you're powerful or whether you're unpowerful, you have to live to the same ethical standard. And when you see the quote that comes from Speaker PELOSI, November 8, 2006, where she says ''the American people voted to restore integrity and honesty in Washington, D.C., and the Democrats intend to lead the most honest, most open and most ethical Congress in history,'' it's not bearing up very well considering that the Ethics Committee is not taking up issues, and the chairman of the Ways and Means Committee still presides in a time of economic crisis, we all agree, when important bills like the stimulus bill have to be written, and they have to be written in cooperation, and they should be written in a bipartisan fashion, which we missed that train entirely over here, Mr. Speaker. There was no bipartisanship that applied to the bill that came to the floor. And we shall see if there is a conference committee that shows that bipartisanship. But if there is a question, if there is a question of whether it sheds light in an ill way upon this Congress, then it is incumbent upon those who wield some of the most power in this Chamber to step down and allow their name to be cleared or allow the charges to stick, whichever the case may be.

This privileged resolution raises this issue. One might note that there was no debate on the floor of this privileged resolution. There was a motion to table the privileged resolution, and so the only voice to it was the Clerk reading the resolution and the motion to table, which is an undebatable motion. And it was voted down on party lines, Mr. Speaker. I think the public will recognize that when you see ethical questions that are decided upon party lines, especially ethical questions that are difficult to raise because of the relationships, the collegial relationships that we have between Members here across the aisle, I think they will understand that politics is part of this. And the Ethics Committee is supposed to be above it.

And when it comes time to pay your taxes and report your income, no one should be above that. I agree with Tom Daschle on that point, and I agree with President Obama on that point. I would like to think that the chairman of the Ways and Means Committee agrees as well. But when the chairman of the Ways and Means Committee doesn't understand the convoluted taxes that he has helped to contrive over the years and so therefore can presumably take a pass for failure to pay those taxes, if there is an excuse for the chairman of the Ways and Means Committee, then, Mr. Speaker, I would submit who in America is it not an excuse for? If the Ways and Means Chair doesn't understand the taxes and responsibilities well enough, if it was inadvertent, then say so. Bring this out. If it is not inadvertent, I think that also needs to be brought out. I suspect it was inadvertent. But it is still a responsibility.

It is a responsibility of the chairman of the Ways and Means Committee, a responsibility of the Secretary of the Treasury, the boss of the IRS, to use TurboTax. And he couldn't get his taxes right, even though he cashed the checks that were reimbursement for the taxes he was to pay. And we are to overlook this because there is only one man in America big enough or smart enough to get us out of this economic crisis that we are in. That would be the Secretary of the Treasury. Apparently there is only one person in America that can wield the gavel over the Ways and Means Committee while we muddle through this economic crisis without having the confidence that all the best interests of the American people are in mind.

These are some of the things that flow into my mind as I watch this, Mr. Speaker. And I yield back to the gentleman from Texas. I thank you for the bringing this to the floor, and I thank you for the privileged resolution.

Mr. CARTER. I thank the gentleman for yielding back. This all started when I raised an issue about Mr. RANGEL's failure to pay his taxes and then his announcing that he had paid his taxes and he will pay penalties and interest if penalties and interest were assessed. That jumped off the page at me, because I'm from one of the best towns in America, Round Rock, Texas. I grew up with Round Rock. It started off with 2,500 people. And now it's a little over 100,000, I guess. I practiced law in Round Rock and was a judge in the community that oversaw Round Rock as part of that Williamson County community. And for more times than I can count, I have been involved in situations where people have had to deal with issues that deal with the IRS.

When I was a judge, we had lots of family cases where we had to resolve

IRS liens and other things that were a part of the division of the property between parties. I used to represent clients. I had one in particular who was constantly having issues with the IRS. And they were putting padlocks on his doors and seizing his bank accounts. And he was calling his CPA, who was a good friend of mine who used to office with me. And we would try to keep him out of trouble.

Now, one of the things that was onerous that came up on every one of these people were the penalties that are assessed by the IRS. And when you fail to pay your taxes for long periods of times, you will have penalties. But let me point out to you, if you don't pay your taxes on April 15, and you choose to pay your taxes on August 15 or October 15, you're going to immediately receive a bill from the IRS for the interest difference between April 15 and October 15 and a penalty for failure to pay on time. That is what happens. That is just as regular as clockwork. And I think all Americans know that that is the way they get treated when they're dealing with the mighty IRS.

So the first question that came to my mind was that he claimed to have paid his taxes way back in I believe August or July, and yet no penalties and interest had been assessed. That I didn't understand. So that is why I wrote him a letter and said, why don't you contact them so we can get this out of the way and ask them to assess penalties and interest? And I received no reply.

And then what I was trying to point out in that by saying that this was not right, as I said, okay, if it's good enough for the chairman of the Ways and Means Committee, then it's good enough for every American citizen. And I introduced a bill called the Rangel Rule, which said that if you have missed your taxes and you pay them and you don't want to be assessed penalties and interest for failing to pay on time, write on your form, ''Rangel Rule,'' and you will be excused those penalties and interest. You will have the ability to claim the same kind of treatment that the chairman of the Ways and Means Committee, CHARLES RANGEL, seems to be getting from the IRS.

And why would I want to do this? Because look what our President of the United States says. ''I don't want to send a message to the American people that there are two sets of standards, one for powerful people, and one for ordinary folks who are working every day and paying their taxes.'' That is exactly what I have been trying to say with the Rangel Rule. There shouldn't be two standards, one for someone who has been elected and sent up here by the people, and he gets a bigger break than the guy back in his district who runs a garage and doesn't pay his taxes on time, and somebody padlocks his garage and seizes his bank account.

So this is a fairness issue. And it is an ethical issue. But when we had the statement by NANCY PELOSI about the most honest, open and ethical Congress in history, then we all of a sudden had a lot of things that occurred. I want to go through some of those with you. And the first one I suppose is now almost old news.

''Federal investigators are targeting the Democratic Congressman, 58, for allegedly demanding cash and other favors for himself and relatives, in exchange for using his congressional clout for arranging African business deals.'' It goes on to talk about Congressman Jefferson of New Orleans and the $90,000 in cash that was found in his freezer. This was in the Washington Post way back on February 16, 2006.

That popped up just shortly after the Speaker had talked to us about honest, open and ethical. That issue was already up in the previous election. Ultimately, that has never been resolved, although it is in the courts right now. And it certainly will be resolved by the courts, but the people of New Orleans resolved it this year in the election process. Mr. Jefferson was defeated. But he still has the right to be heard in court. And as far as this judge is concerned, he is innocent until proven guilty beyond a reasonable doubt, and the State has the burden of proof of making that proof. I stand behind the standards that the Constitution set for all innocent people. And I stand behind it for Mr. Jefferson. That is the first piece of news we have got.

Here is one from January 4, 2009, last month. A grand jury is investigating how a company that contributed to Richardson's campaign won a lucrative New Mexico State contract. Richardson says he and his administration acted properly, but that the investigation would force a delay in the confirmation process. He was being nominated for Secretary of Commerce. He says he could not, in good conscience, ask the President-elect to delay important Commerce Department work in the face of the economic situation the Nation is facing. And so he withdrew his name for the Commerce Secretary, which was the right thing to do.

But I point out that as we set a standard, reinforced by our new President, bless his heart, I appreciate him for that, and yet these issues pop up today. And we could go on and on. But let's just stop right there. That is two. We got 20 down here, or close to it. Mr. KING, those issues are issues that we've seen and we've known about, and one of them is old and one of them is new. I will yield to you if you would like to make a comment.

Mr. KING of Iowa. Well, yes, I thank the gentleman from Texas for yielding. And I point out that according to the law, we're innocent until proven guilty. That is according to the law. We have a different set of standards here in the House. It's an ethical standard here in the House. And the House makes its own rules, and the House determines those standards that we must all be upheld to as Members. And I would point out that even though there was $90,000 discovered in the gentleman from Louisiana's freezer, the Ethics Committee couldn't quite get to that issue. Apparently it was a little vague for the Ethics Committee. That is a committee that should be able to act quickly, and they should see to it that these kind of things are headed off at the pass, so to speak, and dealt with in an early fashion. But we went through two elections before the voters of Louisiana came around and sent a new individual here to this Congress to represent them. They finally had enough. And I applaud them for that, for making that decision. Sometimes you will find constituents that will conclude that maybe they don't have that much confidence in their Member of Congress, but it's their district, and they see that there are resources coming back to the district, and sometimes they don't want to vote someone out of office. This must have been just enough down there, because it took two elections to end the issue. The Ethics Committee still hadn't acted. The Ethics Committee hasn't acted on Mr. RANGEL. The Ethics Committee is immobilized at this point, Mr. Speaker.

And as the weight of these issues come up, one after another after another, I will submit that it sounds to me as I listen to the echoes through the national media and through the media in this town that we haven't heard the end of this. There are more posters there I know. And I'm of the understanding that there are a number of other individuals who have their own concerns that might have to do with warrants and perhaps subpoenas.

□ 2100

And, again, we've got to clean up this House. If we're going to have the confidence of the American people, then we have to stand on high ethical standards. And justice has to be swift and sure. It doesn't need to be played out until the end, till it becomes such a political liability that your own colleagues on your own side of the aisle will finally say, I'm tired of being associated. It's making me vulnerable. Why don't you please give up the gavel and sit down. That is one way that it does happen. But it becomes a political question instead of an ethical question. It becomes a political question instead of a legal question.

Again, we are held to the highest standards here. And I'll agree with the statement made by the Speaker, and I ask her to hold to this standard, that this be and becomes as honest, as open and as ethical as any Congress in history. That's the standard that we should have. It's not working out quite that way. It was good language when it was used for political purposes in order to win elections. But it's not such good language today when you have this many Members on one side of the aisle with this many national questions hanging out there and so many issues that are challenging us to hold a high

standard here in this House of Representatives.

I appreciate the Rangel rule. I'm a cosponsor of Judge CARTER's bill, the Rangel rule, where if you don't get around to paying your taxes and you decide that your conscience kicks in or you find some money and you want to sign on the return, then the penalty or the interest can be waived, according to the same standards that were there and made available to the Chairman of the Ways and Means Committee.

I looked at the Tim Geithner case, spoke to a few moments earlier, about how he was reimbursed for taxes that he was advised that he owed, and that advice came four times a year. I don't know how often the check came. But he cashed the checks but didn't pay the taxes. And now we have him heading up the Internal Revenue Service.

Now I would think that most of us, Mr. Speaker, have a constituent or two or three that might find themselves in a Federal penitentiary because of failure to pay Federal taxes. That would probably be willful failure to pay Federal taxes. And of those constituents, American people that are in prison, I'm wondering if there's a pass for the Secretary of the Treasury, and if there's a pass for the Chairman of the Ways and Means Committee, then why wouldn't President Obama pardon everybody that's in the Federal penitentiaries for tax violations?

It seems to me that would be an open, honest, ethical thing to do. If there's going to be only one standard, and if the standard is that if you cheat on your taxes you can hold a government job, why would it not be that same kind of standard that would require, out of the sense of conformity, only one standard, a pardon for all those folks who have violated the same laws that some of the top officials of the administration have essentially admitted to in the public arena?

So let's have one standard. I think the standard should be, enforce the law, as Tom Daschle said about 15 years ago from the floor of the United States Senate. He didn't comply so well with it, but he did say enforce it. So let's follow that. Let's enforce the law. Let's enforce the ethical standards here in the Congress. And if we do that, however painful, however bitter the pills might be, we put it behind us and we can move on and we can do the right thing for the American people.

But this anchor is clattering as it is drug across the floor of this House of Representatives, it's an anchor being drug by the Speaker of the House. It's an anchor that's being drug by the majority leader in the House of Representatives, and it certainly is an albatross around the neck. We need to get to the bottom of this.

The American people need sunlight on all that we do. And let me further submit, Mr. Speaker, that we don't have sunlight on our own finances, not in the fashion that the public can track it. We need to have sunlight on what we do. We report our income and we report our assets and our liabilities. But there's a gap there. We report in a range. And the ranges, Mr. Speaker, are narrow if it's a little bit of money, but if it's a lot of money then the ranges are wide. Now, I'm going from memory a little bit, but it seems to me there's zero to $150,000. That might be one category of real estate assets. And then it goes on up, maybe $150,000 to 350 or $400,000. Those I am not so clear on. But I am clear on this; once you get over the $5 million category, then you report your assets or liabilities within a range of between 5 and $25 million, so there's a $20 million range. And then you have several categories, so you can stack those categories together. If you're on the low side you might be $5,000,001 and you might have five different categories of assets like that. So you'd have maybe a minimum of $25 million in assets in five different categories, or it could be $25 million in five different categories, $125 million.

We have seen a Member's net worth go, in a matter of 3 years, from the low six figures to about $6.5 million dollars. But no one can really track that because we are not required to report the direct dollar amount, and that gives a place for everybody to hide that wants to hide. And I think out of this needs to come a real requirement that we report real assets and real liabilities to the best dollar as we know it and to the best dates that we can produce, and then post it, as we did on the motion to instruct conferees today for the stimulus bill. All of our records, if they're going to be public records, need to be posted in a searchable, sortable, downloadable database so that the public can look in and have sunlight on these kind of finances that raise these kind of questions and maybe, just maybe there would be some good advice coming from somebody across America that would say, hey, Mr. Geithner, pay your taxes, Mr. RANGEL, pay your taxes. That's the message that I think the public would deliver here if we gave them an opportunity to look over our shoulder. We can't even look over our own shoulder because there's protection built into the financial reporting requirements; and it was wrong from the beginning; it's wrong today.

And I'd just say, one standard for all people. I agree with the President, whether you're powerful or whether you aren't powerful, everybody should live by the same standard, and that is enforce the law to the letter, as Tom Daschle said from the floor of the United States Senate.

I yield back to the gentleman from Texas.

Mr. CARTER. I thank the gentleman for yielding. The best of all worlds would be, in my opinion, if we who are Members of this House, would step up and say, if there's issues raised that cast impropriety upon the House or the individual Member, that they say I'm going to step back until this issue is resolved.

And then I think the conscience of this House should be the Ethics Committee. And I think the conscience of this House, even though that Ethics Committee is exactly equally divided between Republicans and Democrats, I think the world that we would hope this honest, ethical House would live in would be a world where, when you get that heavy responsibility on being on the Ethics Committee, you're willing to say, I'm going to do what we ask juries to do. I'm going to look at and listen to the evidence, and I'm going to make a decision. I'm going to try my dead level best not to deadlock and put off issues, but to resolve issues as they come before me.

It's a heavy burden. I'm not saying it's not. I would admit that. But, you know, when you choose to police yourself, then each individual Member has a duty, to some extent, to police their own personal self.

I will point out that we had two Members, Republicans in the last Congress, John Doolittle and Rick Renzi, both of whom have allegations against them that had not been resolved and, to my knowledge have not been resolved. Both of them chose to step down from their respective committees until the allegations were resolved for the good of the House of Representatives. Now, I'm not saying they're noble and wonderful. I personally think the world of both of them. But the bottom line is, they did what was good for this body. And we've got issues that are getting raised.

It's not my goal in life to tear down this House. I'm telling you, and I tell the American people that might be watching tonight, the people that serve in the House of Representatives are hardworking folks. Right now, here, it's 10 minutes after 8, 10 minutes after 9, excuse me, and there's plenty of people that are working right now, and they started this morning, probably at 6.

So don't think that these aren't hardworking, honest, trying-to-do-the-very-best-they-can people that serve in this House.

And we owe a responsibility to each other not to bring down this House. We have been doing that, by my knowledge, the last 4 years. We have run campaigns, the purpose being to paint the whole House, or at least the whole party in the House, as criminals, as corrupt people, when you're only talking about individuals. Each of these instances we talk about are individual issues, with that individual Member or that individual cabinet appointee or cabinet member. They are not issues of the government as a whole. But the responsibility lies upon those who lead.

Mr. KING was pointing out just a few minutes ago about Timothy Geithner. I have here a copy of the International Monetary Fund receipt that Mr. Geithner signed when he received the money from the International Monetary Fund that he was supposed to pay in taxes. At the bottom it has an admonition and roughly an oath which says,

in accordance with the General Administrative Order Number 5, Revision 7, section 703, I wish to apply for tax allowance of U.S. Federal and State income taxes, and the difference between the self-employed and employed obligations of the U.S. Social Security tax which I will pay on my fund income. I authorize the fund or any of its staff members designated by it for the purpose to ascertain to the appropriate tax authorities whether tax returns were received. I certify that information contained herein is true to the best of my knowledge and belief, and that I will pay the taxes for which I have received tax allowance payments from the fund. I certify that if any data provided on this application changes, I will immediately report such changes to the fund; and it's signed by the gentleman, Mr. Geithner.

I bring that up because he signed a pledge to this fund that, give me the money and I'll pay my taxes. They gave him the money. It's been reported that one payment was $32,000. That was reported in the newspapers, and you can take them as a valid source or not take them as a valid source. But back where I come from, $32,000 is a real pocketful of money and you don't forget $32,000.

So the issue that was raised is a serious one when the man who is taking us, hopefully, safely down the path to resolve our economic crisis for I believe it's four consecutive years, received the tax money he was supposed to submit to the various taxing entities and he did not do so, and only did so when he was about to be confirmed before the Senate as Secretary of the Treasury.

You know what? That just don't smell right. And I think that's what the folks back home are saying. And I think the President needs to, he has to think about his statement; no difference between the powerful and the ordinary working folks, because it certainly looks like there's a difference in that case.

I don't know the man. I haven't got any reason to be mad at him or to even want him to—I want him to succeed. Why wouldn't we? He's practically got our whole Nation sitting here in the palm of his hands, and we want him to succeed.

But if we're going to talk about what's right, what's ethical and honest and open, we've got to raise these issues. We've got to put sunlight on these issues. And that's what we are doing and what we're going to be doing now and forever, until we get this back to being a Congress that is recognized by the American people as honest and ethical.

□ 2115

I see that my friend Mr. BURGESS is here. He's a good friend from Texas, one of my classmates. We came into this body together. He is a man whom I highly respect. He has a great amount of knowledge about our health care issues and about health care problems, and I believe that MIKE BURGESS and others will be the people who come up with the solutions.

I will yield whatever time the gentleman wishes to consume.

Mr. BURGESS. I thank the gentleman for yielding, and I certainly thank him for his diligence and for his passion on this, and I do understand that he respects and honors the institution of the House of Representatives, and it is that respect and honor that lead him on this journey that sometimes could be difficult and where sometimes people might try to dissuade him, but I am so encouraged by the fact that he has taken up this cause. It is extremely important.

I have constituents who come into my office all the time. Constituent service is a big part of what we do as Members of Congress. Yes, we can help with a lot of things with regard to Federal agencies, but I always tell constituents who come in with tax difficulties that there is nothing that I as a Member of Congress can do to discharge an obligation to the IRS. It is just not within my power to do so.

Well, how does it make me feel when it turns out that that, in fact, is not right?

We have the chairman of the Ways and Means Committee and now the Secretary of the Treasury who have told us otherwise, that we can discharge those debts if we just choose to ignore them or, when we're caught, that we can just pay what we owe, and we don't have to pay a fine. We don't have to go back and deal with what other citizens have to deal with when they're caught in this type of difficulty.

I really applaud the judge for bringing forward the Rangel Rule. I know it has achieved a great deal of popularity out in the middle part of the country. It certainly has in my district. People understand that there do seem to be two sets of standards—one for those in charge and one for the rest of us. It has gotten to the point where people are not wanting to put up with that type of mentality any longer, and they look to us in this House to restore the credibility of the institution. That's why I think it is so important what you are doing.

Mr. Speaker, I know that we are to speak to the Chair and that we are not to address our comments to the country as a whole, but I would encourage people, Mr. Speaker, if they are so moved, to call the Democratic leadership of this House and ask if the judge's simple request—the continuing chairmanship of the Ways and Means—might not be addressed by House leadership. Then perhaps we could have more than just a tabling of the motion. When the gentleman from Texas has gone to a great deal of difficulty to bring this privileged motion to the floor, then all we do is table a motion with no debate and with no actual discussion as to the merits of that motion.

I think the gentleman made a great point last week, and he made a great point again today when the motion was read on the floor. It is institutionally important that we establish credibility here on the floor of this House. We don't have it in the country, and we've got a number of big problems to get past, and it only makes that work that much harder.

So we have the chairman of the Ways and Means—the largest tax-writing body in the free world—who cannot do his own taxes because they're too complicated. I'll tell you what. There was a day back in Texas in the mid-'90s when my predecessor in my congressional seat introduced a bill called a flat tax, and I thought that was a great idea. Why do taxes have to be so hard? It turns out they're too hard for the chairman of the Ways and Means, and they're too hard for the Secretary of the Treasury. Well, yes. Then it's no great news that they're too hard for the rest of us as well.

I think we should do fundamental tax reform. I, frankly, don't understand why that has been so difficult to get through this House under both Republican and now Democratic leadership. We should do that. We should take on that fundamental work because the American people want us to do so.

Again, I commend the gentleman from Texas for bringing this issue to the floor of the House. I know it wasn't easy for him to do so, and he does attract a certain amount of attention that might be unwanted by doing this, but it was so important, and it is so important to the credibility of the institution. Therefore, it is so important to every one of us who serves in this body during this 111th session of Congress.

I think that the words of the President that are up on the poster just could not be clearer, which is that there is one standard for the powerful and one standard for the ordinary folks who are working every day and who are paying their taxes. That is wrong. It has to change. The place to change would be that of the chairman of the Ways and Means, and the time to change would be first thing tomorrow morning.

I yield back.

Mr. CARTER. Mr. Speaker, may I ask how much time we have left?

The SPEAKER pro tempore (Mr. ADLER of New Jersey). The gentleman from Texas has 11 minutes remaining.

Mr. CARTER. Thank you very much, and I thank my friend for coming in and for joining me in this hour as we discuss this matter.

In my lifetime, I have had to make a lot of tough decisions and have had to do a lot of tough things. I was telling one of my colleagues on the floor of the House today that I can remember the first time that I had to look a person in the eye and sentence him to death under Texas law. My heart was beating 100 beats a minute, and my blood pressure was probably through the roof. It

was a very difficult situation to face. It's just as difficult a situation for me when I respect the Members of this House to raise these issues, but I've spent all of my adult life in the business of trying to just bring fairness and truth to the forefront in whatever I've done, both as a judge and now as a Congressman.

I am no saint. Anybody who thinks I'm standing up here saying I've not made mistakes in my life doesn't know me or doesn't know Texas or doesn't know the life we live. We've all made mistakes in our lives, and mistakes can be honest mistakes, but this is an institution.

It pains me to think that little boys and little girls who might be in elementary school are hearing on television and at their breakfast tables comments from their parents: ''Everybody in Washington is a crook. Everybody in Washington is lazy and gets special treatment. They're all a bunch of 'no goods.' We ought to throw every one of them out.'' They hear those things about Members of Congress, and maybe it applies to some, but it doesn't apply to the vast majority on both sides of the aisle. I can say that. So we're being painted with a brush, and that brush is full of paint because the media continually keeps it full of paint, and it's out there, painting us, until we're the black-hearted people of this world.

Yet, when I was a little boy many, many, many years ago, you know, we revered Members of Congress. When I went to school, all I heard was what a wonderful, great, democratic institution it was, the most revered institution on Earth—the United States Congress—and what wonderful, great men and women served. Do you know what? They were the same kind of men and women who serve today. They weren't any different. They weren't any more dedicated than the people who serve here today. They were the same kind of people.

I, that little boy in the first grade, was hearing Congress discussed at my mama and daddy's breakfast table. Even when my mother and father disagreed with something that Congress was doing, they still acknowledged them as special people—giving to the democracy that we hold dear, giving of their time and their talent and, quite frankly, giving of their lives, some of them, their very lives.

I know that, today, we celebrated 50 years of Chairman DINGELL's service to this House—the longest serving Member in the history of the Congress. So you can clearly say that JOHN DINGELL gave his entire adult life to this institution. That should be revered in the eyes of everybody, and that should not be tainted with somebody's saying, ''dirty deeds are done by every Member of Congress; they're all evil and no good,'' because my colleagues and friends everywhere, that is not true, and that is why we have to raise issues on ourselves.

We are a body that has chosen as part of its governing unit a committee whose sole purpose is to judge ourselves. There are other institutions that do this. The bar associations in most cities of most States have bar committees that judge members of the bar, who are the lawyers. I may be mistaken, but I believe that the medical community judges itself and raises ethical issues on the medical community. I believe, in the accounting community, the accountants judge the ethics of the accounting community. So we're not unusual by setting up a group of our Members to judge our Members, but we have more of a standard to live with than that.

Our standard should be that we judge ourselves, that we try not to even appear to have committed some kind of impropriety. Avoid the appearance of impropriety. That is where we need to go. That is where we need to be. When things arise, we need to raise these issues, and we need to talk about them and talk about them not out of hate or out of politics. We need to talk about them out of love for the institution and say to ourselves, ''What is my part of this, and what should I do?''

When I wrote the letter to Chairman RANGEL, I think that's kind of what I was saying. Mr. Chairman, this is the way ordinary folks get treated. You're not getting treated that way. Why don't you ask them to treat you that way? That's all I asked. I didn't say, ''Resign.'' I didn't say, ''Support the Rangel Rule.'' I said that. Then I said, ''If you can't, then will you support my Rangel Rule?'' That was the purpose. That was to remind him that we have an issue here, an issue of unfairness.

I think I'm going to be willing to give back some time tonight because I don't want to go off on another position that we can't complete, but we'll be back, and we'll be talking some more about ethics.

I would remind this body as a group that we all have a duty and a responsibility to try to live up to the standards that have been pronounced by the Speaker and now by the President of the United States that we be the most open, honest and ethical Congress in history and that we not have one standard for the powerful and another standard for the ordinary folks. Those are good goals to accomplish. I am going to step forward during this period of time in my life and try to get this body to accomplish those goals. If I can do that, I will go home and smile to my folks back home and say, ''I did the best I could.''

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

THE PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Mr. Speaker, my name is KEITH ELLISON, and I am here once again to help represent the progressive message of the Progressive Caucus.

We are really, really pleased to be joined tonight by an absolutely stellar leader in our great country, none other than the chairwoman of the Progressive Caucus, the co-chairperson, LYNN WOOLSEY of California. Let me yield a little bit of time to the honorable chairwoman because, when she is on the floor, representing our great caucus in this great body in this great country, it is always fun to listen to what she shares with us. Actually, she is going to share a little bit about a letter that the Progressive Caucus wrote, among other things. I am just going to yield the floor to Congresswoman LYNN WOOLSEY for a moment so she can get us started off right.

Congresswoman LYNN WOOLSEY, how are you today?

Ms. WOOLSEY. I'm fine, KEITH. Thank you again for pulling together a Progressive Caucus Special Order and for making it something that we want to come down here and talk from our perspectives about as to what's going on in our Congress and in our country and overall in our world.

Right now, this country of ours, this Congress of ours and certainly every single person I saw in my district—Marin and Sonoma Counties—over the weekend are all talking about one thing, and that is the stimulus package, the recovery package, that we are debating between the House and the Senate. Now, after 1 week and 1 day of electing a new President, the House passed the President's recovery package, and we are proud of it. The Senate has changed it slightly—considerably. Really and truly, 90 percent is overlap in one way or another, but there are some misses that our leadership will have to deal with in conference.

I don't know how many people understand what happens when the House passes a piece of legislation on an issue and then when the Senate passes a different piece of legislation on the same issue. In order to have a law, we have to have conferencing between the House and the Senate. It's bipartisan with Republicans and Democrats. The conferees go into a room, and they start working out the differences. The only thing they talk about is where the two pieces of legislation differ and where they can come together and agree.

So now, what does this have to do with the Progressive Caucus?

□ 2130

Well, your Chairs of the Progressive Caucus, myself and RAÚL GRIJALVA, wrote a letter to the conferees asking for four important issues to be strengthened in conference between the House and the Senate.

And maybe what you would like to do, KEITH—I will talk about the first section and then hand it over to you to comment on, and then we'll go to the

second, and third, and fourth; and then by then, we will be pretty much out of here.

Mr. ELLISON. You bet.

Ms. WOOLSEY. So I'm not going to go through all of the introduction that we said in the letter except we said, ''As the co-Chairs of the Progressive Caucus, we write to you today to express our great concern about H.R. 1, the American Recovery and Reinvestment Bill of 2009. And we would like our leadership in conference to pay attention to four major issues.''

The first one, investing in America's future. Our children. And then we went on to say that in the Senate bill, almost half of the funding cuts come from education. We consider this irresponsible, we consider it shortsighted. Eliminating funding for school construction not only hurts our Nation's children, but it also impedes job growth. What perfect growth for jobs is building schools for our kids that they need, and at the same time, providing jobs that pay a liveable wage.

Additionally, the Senate cut funding for Head Start, Head Start and early Head Start, from 2.1 billion to 1.05 billion. And in our letter we said that this chips away at our Nation's future and places an overwhelming burden on families already feeling the strain of a bleak economy and that we requested that our leadership return the funding to the House-passed levels.

Mr. ELLISON. Well, Chairwoman, thank you for yielding back.

I want to say—and just to agree with you—that investing in our young people, young people going to Head Start is one of the very best investments that any society can make. And you can get conservative economists, you can get liberal economists, any kind of economists you want; they can tell you that the biggest bang for the buck is investing in early childhood education, programs like Head Start.

You're right to point out as well, Madam Chair, that we have about 90 percent of the House and Senate bill is overlapping, but there's that 10 percent that we're here to advocate about. And I think it's important that the American people know that the Progressive Caucus is going to be in there fighting for an inclusive version that embraces all Americans.

And I want to thank you and Chairman RAÚL GRIJALVA for writing that letter. That's the kind of leadership that the American people expect from you.

And I just want to also add that education is a critical point. The House bill allocated 2.1 billion for funding for programs to prepare children. And that was cut to about 1 billion in the Senate side.

But let me also talk about higher education.

The House voted to provide about 6 billion for higher education while the Senate compromised, ultimately eliminated 3.5 billion for higher education facility modernization and purchase of instructional equipment.

Right now, as you know, Madam Chair, when a recession like the kind we're in right now, what do people do as they try to figure out what to do as they've been unemployed? They often go to school to try to upgrade their skills. And the opportunity to do this, the investment in that, has been not as fully there as it could be as it is in the House version.

So we want folks to know that they can do something about this. The conferees are confereeing, and, you know, this is something that Americans don't have to sit back. It's not over yet. It's not done yet. This cake is still baking. So it's a time to try to be back involved.

I yield back.

Ms. WOOLSEY. Well, and now, KEITH, the second issue we addressed is investing in America's States and local communities. Recognizing the squeeze being put on State and local governments, the House, rightfully, set aside assistance—assistance to ease the financial crisis right here at home. That was slashed in the Senate's bill. It was slashed to $39 billion, which was a $49 billion reduction. States are seeing crises within education, within health care, job training, welfare programs; and it's really unclear, right now, how many States and localities will be able to function without the above-mentioned funding streams.

And we requested that our conferees returned funding to the House-passed levels.

Mr. ELLISON. Well, you know, I'm glad you mentioned that because Mark Zandy, who, again, was an adviser to JOHN MCCAIN, a Republican, said that the way to really stimulate the economy is to put it in certain areas and not so much in others.

And if you look on this chart right here, Zandy's Estimates For a Multiplier Effect For Various Policy Proposals, what you find is that spending money for States has a pretty good stimulative effect. Right down here, ''revenue transfers to State governments.'' For every dollar we put into that, that will generate $1.36. That's an important expenditure right there that we could use to really stimulate the economy.

This will bring back good benefits to the economy. So for the Senate to shortchange us by $40 billion is a mistake.

Let me also say, too, that these are good jobs, these are—we're talking about cops, fire fighters, we're talking about people who are really out there filling potholes, doing important jobs, making sure that people are getting workforce training and development. These are critical functions.

And you know what? I read, Madam Chair, that if you were to add up all of the State budget deficits that are current right now, it would amount to about $350 billion. I know my own State of Minnesota has about a $5 billion deficit. I know California, your State, is in need.

So the thing is that what we're trying to do is make sure that we don't have layoffs at the State, that we don't have service cuts at the State, and that we're continuing to bolster and pump our economy up.

So I'm glad you brought the aid to States out because it's very critical, very important.

And I might add that temporary increase in food stamps has a very stimulative effect. For every $1, $1.73 is going to come back; increasing infrastructure, for every $1, $1.59 comes back.

Now, I might add, Madam Chair, that certain things do not have a very stimulative effect. Things that don't really do much good in the situation we're in right now would be making income taxes that are expiring in 2010 permanent. That would not help. That has a very minimal stimulative effect. These kinds of things won't help. Making expiring capital gains tax cuts permanent has less—we put $1 in, we get less than $1 out. These kinds of things are important to keep in mind as we look at the stimulus proposal.

Thank you. Let me yield back to you.

Ms. WOOLSEY. The other thing we have to remember, Congressman ELLISON, every single economist has told us you have to spend the right amount enough, otherwise it doesn't matter what you spend because it won't do the job.

Mr. ELLISON. That's right.

Ms. WOOLSEY. And we have lobbied for a really bold stimulus package. I personally would have had a package that had the tax cuts on top of the spending, and it probably would have totaled over $1.2 billion.

Mr. ELLISON. Trillion.

Ms. WOOLSEY. Trillion dollars. Thank you. I still have a hard time saying ''trillion'' when I'm talking numbers.

And that, I believe, would have been what we needed. Because, you see, we're only going to have one bite at this apple. I don't believe we're going to get a second chance. So I think it should be as bold as it can possibly be.

And the third ''ask'' in our letter to the conferees was regarding investing in America's future, home ownership. We see this as one of the key elements in the Bush recession, the housing crisis that can be felt from Wall Street to Main Street. And that's why we think that the Senate action was actually wrongheaded.

The Senate bill zeroes out $2.25 billion in funding for the Neighborhood Stabilization Program, which would have provided funds to States and localities to purchase and rehabilitate abandoned and foreclosed homes.

The House allocated $4.19 billion for that program. We requested that our leadership return the funding to the House-passed levels so that we would then make a statement about how important housing and neighborhoods are and that we shore up the neighborhoods that are suffering the most.

Mr. ELLISON. You know, Madam Chair, no one has to tell you. You've been a parent. You've raised a family. You know how it is.

Ms. WOOLSEY. If you will yield a minute.

Mr. ELLISON. Well, let me yield.

Ms. WOOLSEY. I've been on welfare. I've moved—man, I can really relate to what's happening with people right now.

My children, they were one, three, and five years old. Their father was emotionally ill, and he left us; and I went to work, of course. I mean, they were my babies. I wanted to take care of them and did. But I couldn't make ends meet. So I kept my work and kept my job. This was 40 years ago, remember that.

But we had to go on Aid For Dependent Children to round off childcare and health care. And we got so much more in aid and help then, 40 years ago, than poor people do now, poor moms. And I just don't know how they're making ends meet.

We moved from a really nice home. We had two cars. I was 29 years old. We were the ideal family. And it just turned inside out.

And my kids and I moved to a little two-bedroom cottage. I bought a little beat up Volkswagen, drove it to work every day. It had a flower on the side—this was in the 1960s, of course. But it was so hard. And we got so much help, more help than families get today.

And that's why we want families in the stimulus recovery package to recover along with others that are going to get helped.

Mr. ELLISON. You know, Madam Chairwoman, it's so important that you share that personal experience because there might be people watching this broadcast right now thinking, ''Man, you know, am I just like a bad luck accident? Am I just like somebody who can't make it? Is it my fault that I am unemployed? Is it my fault that something happened? We had mental illness in the family,'' through no fault of their own. They're feeling like, ''Wow, you know, it's not working for me.''

So when you stand up here on this House floor as a Member of Congress saying, ''I have been there myself,'' it gives them great courage, and it makes them feel like there is a tomorrow; and it makes them feel like there are some people in this body who care and who understand what they're going through. Because, you know, I got charts and graphs up here with numbers; and, you know, you're choking on the world ''trillion,'' and of course it's all ridiculous.

But the point is that it is people who we're here fighting for. That's why the Progressive Caucus was formed. That's why we exist. Because the story that you just told, there are, unfortunately, too many stories like that being told. And there has got to be somebody in this body who will stand up for folks who are fighting, who are trying to make it, who are trying to take care of those three kids.

I am so proud of our Nation that there was, at one time in our history, when we understood that welfare wasn't anything to be ashamed of. It was what we did for our neighbors because we, ourselves, could be in a tough situation. It was saying we're going to step up for our neighbors; we're not going to let them go without because we all know that we're one accident, one medical problem, one job loss away from being in that situation ourselves.

So this is what a caring Nation does. It says that yeah, you may be living that middle class dream, but you don't know what's going to happen to you next year. And we are here for you because we're all Americans and we care about each other. This is the kind of thing the Progressive Caucus stands for, and it's why I'm so proud that you are our chairperson.

Ms. WOOLSEY. Thank you, KEITH.

And, you know, I'm going to go into our fourth ''ask'' of the conferees, but I think it's important to say because this is probably why we're fighting so hard. When I was on welfare, I used to say to my friends—I was on welfare for 3 years, working the whole time. I would say to my friends, ''Well, I don't know how other women do this.'' They think, ''Are you crazy? What do you care about other women? You're working. You're going to be off of it pretty soon.''

But, you know, I always knew that I was educated. I had college—hadn't graduated but I had several years of college. I had great job skills, I was as healthy as a horse, my kids were really healthy. And, you know, I was assertive so I could make things happen. And I always worried that other women with children didn't have those same privileges that I had, actually, in growing up.

□ 2145

And it's never left me. It has never entered my mind that I made it; so why can't you? I know how important that help was.

Mr. ELLISON. That's right.

Ms. WOOLSEY. The Federal Government was there for me and my family, and you have to believe I've paid back.

Mr. ELLISON. Reclaiming my time, you know, the Federal Government has been there for so many of us, even those of us who are under the mad delusion that we did it all ourselves. You know, you may be a big successful businessperson, but you get out of the bed in the morning knowing that if somehow you had a medical problem, 911, you could call them, and the EMS truck—that's the government—would come take care of you and take you to the hospital.

If you do manage to get all banged up and clean, the water coming out of the shower, somebody's inspected it to make sure that it wasn't going to poison you.

You get in your car and you get out on the road, that's the government, too, buddy, making sure that you have a decent road to go on.

And then because people aren't driving a gazillion miles an hour driving crazy, there's a cop out there making sure that people obey traffic rules. That's the government as well.

And there is a light that's properly regulating the traffic flow, the government. And then you drive to work and you see your employees, and you know what, they were educated in public school, the government again.

And after all of that help you turn around and said I did it all myself, and I don't want to pay these taxes because they're reaching in my back pocket, wait a minute; we've been helping you every single step of the way. Maybe the invention that you sell was on a government research grant.

So many opportunities are afforded us because we come together, because we are a society that operates for the common good, and yet, we have some people who only want to say that it's all me, I did everything, it's just me, I don't want to pay any taxes, I don't want to help anybody out, I don't care about any poor people. I don't care if a husband had a mental health issue, couldn't maintain his livelihood; she ends up having to turn to a welfare system which really is a caring society. I don't care about them. I don't care about those three kids. I don't care about those homeless people.

That kind of psychology is why we exist to try to tell people that we're better off together than we are apart. We're not trying to stop you from being able to do your own thing, but don't forget about the rest of us as you do your own thing.

The taxes are what we pay to live in a civilized society. The taxes are what we pay if we want good roads, good water, clean meat, if you want to be able to eat a peanut and not fall out from salmonella poisoning. This is what it's all about.

If you want to make sure that some of those women who were not as lucky as you, maybe who didn't have those job skills, maybe just weren't as fortunate as you, but we do have a system in place to do workforce training so they can get these skills and take care of themselves because we all want to be able to take care of ourselves. This is why the Progressive Caucus exists.

So let me yield back to you again.

Ms. WOOLSEY. Well, just to finish this thought, every person we help who gets back on his or her feet pays back to the community and to the greater good.

Mr. ELLISON. That's right.

Ms. WOOLSEY. And that's what happens to most people who get help; some, not, but most do.

So, knowing that, the fourth issue we have of asking of our conferees in our Progressive Caucus letter that our two co-chairs signed is investing in America's health care.

Mr. ELLISON. Very important.

Ms. WOOLSEY. Fewer Americans have access to insurance and health

care. The House appropriately invested in immediate and preventive care. The Senate bill cuts $5.8 billion that was directed towards grants and contracts to prevent illness through health screenings, through education; malnutrition, immunization, nutrition counseling; media campaigns and other activities related to health.

The House actually had set aside $3 billion for prevention and wellness, and furthermore, the Senate version cut $5 billion that is intended to help unemployed workers pay for health insurance, reducing the Federal subsidy under COBRA coverage to 50 percent from 66 percent. That's something I have no idea how somebody can be out of work, living on unemployment, and afford COBRA. I mean that would eat up one whole person's unemployment or both family members that are working.

So, practically speaking, the Senate bill ignores the fact that many States who have unemployment insurance benefits that are covering or need to cover the newly unemployed workers will receive less money for the unemployed workers and for pay for food or housing, and that's going to really wipe out our States. And then individuals who have to pay COBRA health coverage, that wipes them out, and we're not going to help them if you don't change that in the conference.

So that's health care that's not going to be supported like it should.

Mr. ELLISON. So let's look over the four things. Number one, the Progressive Caucus is in there pitching hard for education; two, for aid to the States; three, for homeownership; four, health care. The Progressive Caucus is fighting for America's people. I'm so proud of the leadership that you and Congressman GRIJALVA offer to us.

Let me also add on this health care front, the pandemic food preparedness. That's a serious health care issue, and the House version included $900 million for food and the original Senate proposal only had $870 million. That could be a big difference for people who really need the help.

I also want to just add on a few other items if I may. You mentioned the neighborhood stabilization program, very important program, and I want to mention that which I believe was the third item that we asked for in the Progressive Caucus letter.

The neighborhood stabilization program helps local communities say that, look, if you have a bunch of foreclosures on a block, we're going to try to go in there and do something with that abandoned house because you know that if you have never missed a payment on your mortgage, you upkeep your property, you do a great job with your house, the second you get a foreclosed property next to you, your property value has just dropped. If somebody doesn't move into that house, and oftentimes they don't, the lawn may not get cut, the pipes may burst, people might steal the copper out of them, and it just creates a real nuisance to the whole neighborhood and drags the whole neighborhood down.

Again, back to this idea of some people believe, well, I don't want to help anybody out of foreclosure because I paid all my bills. Well, look, if you can have the value of your home protected by making sure that people don't get foreclosed upon or that if they do, the foreclosed property doesn't just go down, that is helping you. That is helping you. But it's helping you in a way that recognizes you're a member of the community and not out there all by yourself.

I also wanted to mention, as you mentioned, as we talked, there are other things like infrastructure development we've got to keep fighting for. Rural broadband access. In the Senate compromise, funding to increase broadband access in rural areas and other underserved parts of the country was reduced from $9 billion to $7 billion. That's more than twice as much as the House has offered.

Also Byrne Justice Assistance Grants, let me tell you these help fund a lot of the police departments around the country. The fact is that we cannot stop protecting the public just because we have a recession. A lot of police departments, local governments as we talked about before, are under a lot of pressure, and the Senate proposal trims additions to the Byrne Justice Assistance Grant Program which provides formula funding to State and local police. And the compromise would cut $450 million from Byrne grants, reducing funding from $1.5 billion to just about $1 billion, and that's not a good thing. We need to be able to stick out there.

And I also can't neglect home weatherization services, where the House bill allows for a Federal program that provides funding to increase energy efficiency for low-income families. The Senate allocates only $2.9 billion for the program, while the House had 6.2. And of course, LIHEAP, I know that's a favorite program of everybody. Low-Income Home Energy Assistance Program, unlike the House bill, the Senate version does not include additional funds for LIHEAP, which help low-income families pay utility bills.

So, again, the House bill is much better, and we hope that the conferees fight for the House version of the bill because that is what would help America much better.

Ms. WOOLSEY. And if the gentleman will yield, nine-tenths of the list that you read off creates jobs. I mean, it doesn't just upgrade the home and keep and make it energy efficient, which is so important, but the people doing the work are employed, and they're employed in jobs that pay a livable wage, and that is so important.

And one of the things we asked, not as one of the four key areas of the conferees, but that we let them know that we're concerned about the Senate's package in their investment in jobs because we wanted them to focus on green technology, and we wanted them to focus on veterans, and we absolutely are insisting that they maintain the prevailing wage. I mean, if we're going to have Federal funds, if we're going to be creating jobs, we do not want to create jobs for slave labor, and we want jobs that can make the worker independent and able to take care of his or her family.

Mr. ELLISON. A good, livable wage, green jobs.

Let me say that the American Recovery and Reinvestment Act, which is moving its way through Congress at this time, different House and Senate version, 90 percent of it overlaps but there are some important differences we just talked about.

The bill, the Democrat bill quite frankly, H.R. 1, which passed through the House, would create about 3.7 million jobs. That's a lot of jobs. The House Republican plan would only create 1.3 million jobs.

Ms. WOOLSEY. Still a lot of jobs but we can do better.

Mr. ELLISON. We can do more than twice as better. So we can't just do as the little we can do. We've got to do as much as we can do because unemployment is a serious issue.

It's important to understand that jobs lost in the last 13 months is we've lost 3.6 million jobs. So, if we want to recover what we've lost in the last 13 months, we've got to have a bill like the House plan, and if we don't, we're going to be in a real situation.

And folks need to understand—and I know you understand this very well—you know, if I lose my job, then I'm not going to get that haircut because I really cannot afford it. That's a 20 bucks I'm not going to spend. So now the barber didn't get that 20 bucks. Maybe there's a few other people who can't get their hair cut. So now maybe the barber's not making enough money to make his rent. So now he has got to say maybe I can't do barbering, maybe I've got to close down my little shop now because I don't have the volume of traffic coming in. So now this is a person out of work. So now maybe the barber would go to the diner across the street and eat lunch every day. They're not buying meals.

So this thing has a ripple effect. So that's why it's important for us to pass a jobs and stimulus bill but a smart bill that invests in long-term recovery.

You know what, I want to show you another jobs chart up here, and again, you very clearly pointed out the individual human toll. But just to do a little numbers for a moment, Job Losses in Recent Recessions. Now, if you look at that blue line, this is the recession of 1990. This is the 1990 recession. We were coming out of George Bush, the First, and that was the 1990 recession with the first George Bush. And so we had a recession then, and that was a Republican time and we had a recession, and those things seem to go together for some reason. But anyway,

we had another recession in 2001 when Bush came into office. You know, Bill Clinton left America with a budget surplus.

Ms. WOOLSEY. Right.

Mr. ELLISON. And you know, the other party got in and they took care of that surplus real quick. But the 2001 recession dipped us down. We lost the volume job loss relative to the peak month. This is way down.

□ 2200

Now, the current recession is off the chart. That is the green line. Pow. We are not even measuring how far down. We don't know how far down we are going to go.

Ms. WOOLSEY. This is not finished.

Mr. ELLISON. This is not finished. And the fact is that the job losses that we are looking at—3.6 since when the recession started in December, 2007. Something must be done. We have to act now. Anybody who knows anything about economics knows that.

And I will say this: while I really want the Senate version to improve, and I really am going to fight for that and encourage people to get on those conferees and have a better bill come out, I know that we have to do something. No action is no option.

Ms. WOOLSEY. Right. We need to pass the stimulus. The other thing the economists tell us, and they are absolutely right, we know that, besides—the first thing they tell us is, It's got to be big enough to make a difference. The second thing they tell us is, It's got to be done quickly.

So we really have to come to agreement this week and get on with taking care of the recovery that people need in this country. We need to be making people first, we need to have people in need—we need to help them. We need to create jobs, we need to spur innovation, and this economy can and must get back on track.

Mr. ELLISON. Now, I want to say, if the gentlelady yields back, that the American people are behind us here. Sixty-seven percent approved of President Obama's efforts to pass the stimulus. Only 25 percent disapproved. The Democrats in Congress scored a 48 percent approval rating. That is way up from before.

And we had 42 percent of those disapprove of actions in Congress' majority. Unfortunately, the party on the other side of the aisle, the Republicans in Congress, have an approval rating of only 31 percent. But I think they could do better if they support the bill. I would love to see them improve their popularity by supporting the bill.

It will be great to have a bipartisan bill. The first time it went through, we couldn't get one Republican vote, even though President Obama came to talk with them, even though he reached his hand out, even though he extended himself to try to get to this post-partisan world that we all really, really want. But he put his hand out and they left him hanging.

Maybe it's going to come back around, and we can get a few Republican votes next time. But I just want to make clear that the American people are on the side of a stimulus package that will help them get back to work, and they believe that the President's doing the right thing by pushing this bill.

Ms. WOOLSEY. Also, Congressman, they knew who dug this hole. I mean, this is a deep, deep hole that our new President, Barack Obama, inherited. And expectations are that he dig us out of it and go forward at the same time. Now that is going to be very hard. But we are going to do our part in working with him to make sure this can happen. But it cannot happen overnight. We have to know that that hole is so deep that we don't know where the bottom is yet.

So it seems so odd to me that the same people who dug the hole are the ones who are saying, We want to keep doing it the way we did it all along. The only way to solve this problem is to cut taxes some more.

Mr. ELLISON. If the gentlelady would yield back, you know the definition of insanity, right?

Ms. WOOLSEY. Doing the same thing over and over.

Mr. ELLISON. And expecting a different result. Deregulation and tax cuts got us into this mess. But fair regulation and shared prosperity is going to get us out. And that's why the Progressive Caucus is here tonight, talking about the progressive message.

Here's the Web site right down here. Congressional Progressive Caucus. Here's the Web site.

If the gentlelady from California feels that we made our point tonight, what we are going to do is hand it over. But I think before we do, any parting comments you would like to make?

Ms. WOOLSEY. I would just like to thank you, Congressman ELLISON, for what you're doing here to help the country see what the progressive ''ask'' is. We have a progressive promise that will go over with them one of these days soon. But right now the most important thing we can do is stabilize the economy for those in this country. And it's going to affect everybody.

I believe you're totally right. People are with us because they get it. If they are not hurting themselves yet, they certainly know many people who are.

Mr. ELLISON. That's right. So this is the progressive message, this 1-hour Special Order that the Progressive Caucus comes to the American people to talk about what is really happening, Mr. Speaker. We have been fortunate to have the chairperson of the Progressive Caucus, who's been offering tremendous leadership, not only on economics, not only on an inclusive economics system, but also on war and peace. That's another thing that you have done such a great job on.

How many 5-minute speeches have you given on the issue of peace?

Ms. WOOLSEY. Over 290.

Mr. ELLISON. I don't think there's anyone who's done nearly as many. I think you probably have, like, broken a record somewhere along the line.

Ms. WOOLSEY. People say to me, Why do you do that? You're just talking to an empty room. First of all, it's not an empty room because people are watching us. But that 5 minutes is the only 5 minutes I have every day that I can control my subject without it having to be part of what everybody else's agenda is. And, I am telling you, I said I was going to keep talking until our troops were home from Iraq. And, guess what? They aren't home yet.

Mr. ELLISON. So you're going to keep talking.

Ms. WOOLSEY. I am.

Mr. ELLISON. Let me say, just like you have been there day in and day out, talking about peace, bringing our veterans home, we are going to be here week after week doing a Special Order with the progressive message. We are going to be encouraging people to get involved. It's not just about an outcome, it's also about a process.

We want to encourage people to get involved. What can you do? You can write, you can call. You can raise your voice and let your voice be heard.

With that, Mr. Speaker, I want to thank the chairwoman of the Progressive Caucus, and we will yield back our time.

HOW TO DEAL WITH THE ECONOMIC CRISIS

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

Mr. KING of Iowa. It's an honor and a privilege to be recognized to address you here on the floor of the United States House of Representatives. It's interesting and intriguing for me to listen to the dialog that flows forth from earlier this evening, the gentleman from Texas, and now the voices of the Congressional Progressive Caucus as they put their poster up on the floor that directs people to their Web site and make their argument as to the things that are in this stimulus package that they believe should stay and the things that are not in and may have been taken out that they believe should have stayed in or be put back in.

I think, Mr. Speaker, that this debate that we have is much deeper and much more profound than the components that have been discussed here in the previous hour. I think it goes to our vision of America itself. And the question that is before this country is, in some sense, What will we do in the middle of this economic crisis, this one that came tumbling down upon us on September 19, the date that Secretary of the Treasury Paulson came to the Capitol and very intensely insisted that we provide $700 billion for him to spend at his discretion, without a lot of oversight, perhaps with no oversight,

and provided that bailout money in two different increments, $350 billion in the first increment, and then congressional disapproval would have been required in order to block the second $350 billion.

So the entire $700 billion of the bailout money has been advanced into the hands of the Secretary of the Treasury who has some problems of his own. Those would be of his own intent to pay his taxes, et cetera, Mr. Speaker.

This discussion that we are in, this discussion that is being led by the President of the United States and his position that we must do something, we must do it fast, we can't do it halfway, we must do it all the way, and his insistence that we not flag and that we not fail, and that we come forward and support this stimulus plan has galvanized its support in the House of Representatives and in the Senate behind a single simple philosophy that seems to justify the capitulation of the responsibility to each of us Members to draw a reason and informed judgment and do the right thing for our country, for our State, for our district.

And this decision is this. Pulling back in behind this logic, which is, President Obama has called for a stimulus plan. It shall spend $800 billion, or more, plus the interest, which will be about $350 billion in addition to that, and it will have a mix that has some small business stimulation in it, some infrastructure in it, and a lot of other things, which are the bells and whistles and wish list to the left, Mr. Speaker. It's all packed in there.

And the Members, especially the Members on the Democrat side of the aisle here, and the U.S. Senators of the same political party, they will argue and defend component by component. But the rationale that's going on in the minds of the Members and the caucus is this: Well, we must do something. We know we have an economic crisis. This is the only thing that we can choose from because that is what has been served up to this Congress by the Speaker of the House, by the majority leader in the United States Senate, and by the President of the United States, who happened to be, not coincidentally, the three people in the United States that could come together in one room and set the direction for this entire country and not have to go outside that room and ask anybody for their input, for their knowledge, their wisdom base, that of their constituents.

A lesson from history, a look through the looking glass into the future? Sometimes it feels like we have gone through the looking glass here, Mr. Speaker.

But here's the question that is before us. In an economic crisis, with a crisis of confidence in our financial institutions, a crisis of capital that arises more out of that lack of confidence than it does out of a slowdown of production or slowdown in the markets—it's the other way around. It's the crisis in the capital that is backing up and causing these slowdowns.

But to look through the history of the economy of the United States, or the free world, for that matter, and for an economist to ask themselves, and all of us should be at least amateur economists here. We're making decisions for the people of the United States of America.

But they ask themselves, What has happened historically and economically that we have addressed from this Congress that has been improved, and how did we do so? So, we take ourselves back through this history, and I can think of the economic crisis we had in the eighties. I saw the charts, Mr. Speaker, that were put up here on the floor that show—well, what shall I call them? Bush 41's recession and then Bush 43's recession. That seems that's how it was presented by the Congressional Progressive Caucus.

No. We have had some real economic crises in our past. One of them was what we called in the Midwest the farm crisis, which was not limited to the farm crisis but it also was a real estate and an energy crisis. And during those years of the eighties, when things were very tough economically and statistically worse than they are today, although I won't argue that things today will not get that bad, Mr. Speaker.

But in the eighties we lost 3,000 banks. Many, many farms went under. We lost a lot of oil rigs out there that they were producing and tapping into our energy. The crisis in the real estate was a big piece of it too. Three thousand banks. The FDIC came in and closed a lot of them. In fact, they shut my bank down on April 26, Friday afternoon, three o'clock, 1985. I remember the red tag on the door. Closed by order of the banking commissioner. Highway patrol guarding the door, Mr. Speaker.

Those were some tough times. And what did we do then? Well, we didn't do a lot of the things that are being proposed today. There was some plans that came out. One of the things we did was we provided net worth certificates to shore up some of the banks that needed some collateral. They accepted a look over their shoulder from the FDIC and asked them to shore up their operations. Those banks that received that kind of collateralization, all came out of it. Every one of them was part of that. All succeeded.

We found a way through this, and we sold some real estate down to the value of the real estate. New buyers came in that could borrow the money or had the cash to make the purchases because there were some bargains out there. When those bargains got picked up, the markets came up. Real estate prices stabilized. Banks became stable again. The confidence was back in our economy again.

That was a long decades of the eighties. A lot was wrong. A lot was more wrong going into the eighties than we are seeing today. We had high unemployment then. We had high inflation then—inflation that ran up towards 20 percent. And I personally paid 22 percent interest for operating capital to keep my business running through a tough, tough decade of economic times.

□ 2215

We are not seeing 22 percent interest today, Mr. Speaker. And our employment rates, yes, they are going up, and we have over 10 million people in America that are at least statistically looking for jobs. It is not as bad as it was then, yet. And the eighties were not as bad as they were in the thirties. And when we look at the thirties, there should be some lessons there for us. And I sat in classroom after classroom getting my classical education; and one historian, government teacher, economist after another would fill our little brains full of the knowledge base that has been learned from history, that we had an economic calamity in 1929 and the stock market crashed and people jumped out of the windows to their death because they couldn't sustain the grief of watching their net worth go down. Well, if you look historically, it is pretty hard to find anybody that jumped out of the window. It wasn't as bad as they said, from that standpoint of Wall Street suicides, at least.

Then, through those times Herbert Hoover was President, and he had great confidence in his ability to manage. And so he came forward with the Smoot-Hawley Act, which was trade protectionism, and there was global retaliation. And then our industry and our manufacturing and our exports lost a lot of their markets because of the trade protectionism. Each country around the world did a lot of the same thing; they pulled back within themselves, and the economies began to shut down in that fashion. They opened up the legislation so that unions had a little more powerful leverage when it came to striking. They passed the Davis-Bacon Wage Act; that followed.

But as this economy went down, Herbert Hoover believed that he could manage his way through that. He didn't trust the marketplaces like Calvin Coolidge did, but he trusted his ability to manage, and he lost his reelect. My only Iowa President lost his reelect in 1932 to Franklin Delano Roosevelt.

Franklin Delano Roosevelt came in, and he had been influenced by the famous economist Keynes, who advocated that if government just spends enough money, it will create an economy that will have apparently its own inertia, and it will bring us out of this great depression.

So FDR's programs came in one after another, the WTPA, the PWA, the CCC, on and on and on, the TVA. And each time that the Federal Government stepped in and started another program, they competed with the private sector; they competed with the private sector for capital and they competed with the private sector for labor.

Now, if you go back and look at wealthy nations and see what Adam

Smith has to say about the value of any product, he will say and he has written there very extensively that the value of any product is the sum total of the capital and the labor that it takes to produce it, deliver it, market it, and get it into the hands of the consumer. So if you buy a gallon of milk, you add up so many ounces of milk is for the capital that it took, and the balance of it is for the labor that it took for it to deliver. And that is how Adam Smith analyzed it.

But the capital and the labor in the United States was being swallowed up in government. And capital, when it comes in significant quantities in the private sector, the productive sector of the economy, smart money goes to the sidelines rather than compete with government. And that is what happened in the thirties during the great depression: The smart money went to the sidelines, our economy stagnated, and we had soup lines and we had make-work projects and we had hand labor, stoop labor building dams and roads and parks. We commissioned and paid people to go out into the cemeteries and write down everything that they could read off of the stones in the cemeteries so there would be a record. We paid writers to write; we paid painters to paint, because we wanted to pay people to do something, or nothing, so that the borrowed money and those tax dollars could flow out into the economy, into the hands of the people that would spend it.

Sounding pretty familiar right now, Mr. Speaker, this idea of taking dollars and putting it into the hands of people so that they spend it to stimulate the economy. In fact, Keynes himself had I think some fairly radical ideas: Spending money would stimulate the economy. In fact, his approach was that the worse utility that a project had, the more useful it was from a government perspective, from the standpoint that if the government spent money on something that was completely ridiculous, at least they weren't competing with the private sector. So Keynes understood some of the argument that I have just made. He went so far to make the argument that he could solve the unemployment problem during the thirties if we would just take those good old Treasury notes or Federal bills, greenbacks, U.S. cash, put them in jars and take them out to a big old abandoned coal mine and bury those jars around there in that old abandoned coal mine—this is Keynes talking—and then fill the old coal mine up with garbage and turn the laissez fair loose, the free enterprise loose. Let the entrepreneurs go out and dig through the garbage to dig up the money, and that would solve, through the competition of digging up this money that had been buried by the Federal Government, that would solve unemployment.

Now, he may have been a little facetious in that description, I don't know his personality, so I can only speculate that. I hope he was a little facetious. But I think his point that he wanted to make, that it didn't need to be useful work, it didn't need to be productive work.

President Obama said, ''Well, we are not just going to pay people to dig a hole and fill it back up.'' I thought that was my vernacular; I am the person who spent my life in that business of moving dirt, and on one occasion actually did dig a hole and fill it back up with nothing in it, only one occasion. The man changed his mind in the middle of that operation. But for the President to say we are not just going to dig a hole and fill it back up, but he is modeling his economic model, the President's ''new'' new deal off of Franklin Delano Roosevelt's ''old'' new deal, which really was dig a hole and fill it back up sometimes.

And here is the point that I intend to make, Mr. Speaker; and that is, however one would analyze the ''old'' new deal in the thirties, it is not possible to look at the numbers and come to the conclusion that the new deal solved the depression, the great depression for America. In fact, the best conclusion that one can come to, the most charitable conclusion is that it may have, may have, Mr. Speaker, diminished the depths to which we might have fallen without the new deal in place. Maybe the economy would have gone into a complete straightjacket and tanked and gone forever downward and waited another decade or two to get its confidence back. Maybe. Maybe. I don't believe it would have, but that is the best that one can say. And the trade-off is, if a new deal, a huge massive spending gets poured into the economy for make-work projects, if that diminishes the depths to which we might otherwise fall, the trade-off is certainly it delays the recovery as well. It delays the recovery, because smart money sits on the sidelines. Entrepreneurs have been hired by the government to dig a hole and fill it back up, and smart money always goes where there is some profit, and right now smart money is pulled back to the sidelines. That is why we had some bonds that actually went into the red for just a little bit, for a little while.

There are two sectors of this economy, Mr. Speaker, that we don't talk about very often. The one that is being stimulated and is attempted to be stimulated by the President's proposal, by the components of it that are the Speaker's proposal, or the Senate's proposal, in its aggregate, that one seeks to spend money for the sake of getting it in the hands of consumers. We did that with the rebate program not quite a year ago; and you can look back on the charts for that, Mr. Speaker, and you will not see a blip that that money was spent and injected as stimulus into the economy. $150 billion in the hands of the American people, and about 30 percent of it actually got spent on new goods and about 70 percent of it went to pay off credit card bills or went into savings. So only 30 percent of the overall proposal, less than $50 billion, actually went into the economy. It doesn't even show up as a little tick on the line.

Now, $150 billion I understand, Mr. Speaker, is chump change compared to this massive piece that the Senate has now passed that we expect will be before us very soon. And this piece, when you add it all together, is over $1 trillion, but it is not much of it money spent that is going into the productive sector of the economy.

The productive sector of the economy is the private sector of the economy; it is the sector that actually produces goods and services that have value. And I have said from this microphone many times, Mr. Speaker, all new wealth comes from the land. You either raise it out of the soil, or you mine it out of the earth. You can seine some fish out of the ocean. That is about the end of it. Otherwise, it comes out of the land. And it has to start there. And out of it comes food and fiber, and from the food and fiber comes the thing we need to live. And as we add on to that, the services that come from the food and the fiber, then you get your insurance man and your doctors and your lawyers and your teachers, and all of the facets of our economy flow from the new wealth that comes from the land. But the things that we need in order to live, the housing, the clothing, the food, the necessities of life and then the niceties of life, they come from the productive sector of the economy.

Then, we have this nonproductive sector of the economy that I sometimes call the parasitic of the economy; and that is the sector that looks over the shoulder of the productive sector and decides: Well, I am going to regulate you and I am going to tax you, and I am going to justify my existence by making it harder for the productive sector to produce. That is what government often does. Government overdoes the overseeing, the overregulating, the taxation, and inhibits production.

So, on the one hand we have the productive sector of the economy that has to carry the entire burden of government, the entire burden of, let me say, the nonproductive sector of the economy in my charitable moments, and we are loading up on the nonproductive sector of the economy and we are not giving enough relief to the productive sector of the economy.

That is what this argument is about: Are you going to have an economy that is stimulated by producing more things that have value, and building the kind of infrastructure that supports commerce and trade, and reducing the kind of taxes that allow smart money to make investments with the confidence that they won't be punished for their success by a Congress or a President that has the idea that a windfall profits tax, for example, is a good way to punish someone who turns a resource

into value and puts it into our economy and pays their share of taxes as it is.

We are heading down this wrong road, this road that the President has identified as: We have to construct the leg of a stool. He didn't say how many legs, but generally, if it is a three-legged stool, they will say so. If it is a two-legged stool, they will say so. It is not a milking stool, I wish it were, Mr. Speaker. But this single leg of this multi-legged stool that the President announces we have to construct and we are going to do it one leg at a time without an idea of what the stool looks like or what the other legs look like or what they are made out of except money. We have one leg that may be back to the floor of this Congress tomorrow and likely this week that cost $150 billion for a rebate plan not quite a year ago, $700 billion-plus for the bailout last fall, and 830 or so billion dollars plus $350 billion in interest on that that is sitting here now waiting to land on the floor of this House. Just add it up in round terms, Mr. Speaker, let's just call it $2 trillion: $2 trillion to construct a single leg, and I am tracking the President's words, of a stool that is supposedly going to get us out of this mess that we are in; $2 trillion. And no one will stand up and say: Here is the effect of this money? Here is what you can expect with the economic indicators? Here is how you will see jobs in the productive sector of the economy grow or investment increase or capital be freed up for entrepreneurs? None of that is there, except to say that we are going to create or save, well, 2.5 million, 3 million, then 4 million jobs. And sometimes they get a little lazy and forget to say create or save, and they just say create 4 million jobs, but in their lucid moments they revert back to the create or save.

Now, I would like to be the one who would announce that I am here, Mr. Speaker, and I am going to create or save 10 million jobs. And 10 years from now you can go back and look, and even if I didn't point to a single job that I created, I can easily point to 10 million jobs that have been saved.

□ 2230

A saved job is not a measurable, quantifiable means of determining any level of success. But it's a word that lets you slip away from being held accountable for a policy that is utterly destined to fail. The New Deal failed. It was a mistake. Historians looking back on it and economists looking back on it can only point to high employment numbers, low economic activity and a stock market that crashed in October of 1929. And in spite of all of the billions of dollars in new Federal spending in the New Deal program, the stock market still didn't reach the peak that it was at in 1929 until 1954.

Now, Mr. Speaker, the President says that World War II was the best, the largest economic stimulus plan ever. Now I don't exactly quibble with those words on their face. I would just add to that, that it makes it clear that the New Deal didn't solve the Great Depression. He understands that. He argues that FDR should have spent more money, not less, that he lost his nerve, he shouldn't have worried about a balanced budget, and if he had just done enough, if he had just doubled down two or three more times, he would have come out of there as a winner. But World War II came along as the largest economic stimulus plan ever. I won't disagree with that statement.

But I will say this: It didn't quite solve our economic problems. But I believe it did start us on the path to recovery. And by the end of World War II, we hadn't yet recovered. The stock market was still 9 years away from reaching its former apex that it was at in 1929. But I believe that the post-World War II industrial might of the United States, because we were the only industrialized nation in the world that hadn't seen our industry devastated in World War II, gave us a comparative advantage. The greenback was good currency all over the world. We built products for everybody because we could. And many of them had to put back their entire infrastructure in order to be up and running again.

So, yes, World War II was a stimulus plan. But the aftermath of World War II gave a marketplace for America's industrial might to continue, to switch from making tanks to making cars and making other products and exporting them around the world. So a quarter of a century later, after the stock market crashed in 1929, we reached the previous apex and Dow Jones Industrial Average, if that is our measure of recovery, in 25 years.

So here we are today, Mr. Speaker, with an economy that has had its ups and downs. And I could take you back through the short-term history of this. We have created a lot of capital, trillions of dollars worth of capital. Some of it was false. Some of it didn't represent the actual, real value of the assets underneath it. Some of it was because Wall Street had run amok, and they were betting on a long run of a bull market. And the checks and balances weren't in place. And AIG was not calculating the risk and didn't have the capital underneath them in order to back up the insurance that they were providing.

So this has tumbled. But in the end, we need to come back to what is the real estate worth that is underneath this? What are the businesses worth that are part of the shares that are there in our stock market? Let's get down to some real values. And the $2 trillion leg on a multi-legged stool and not knowing what the stool looks like or how many legs there are, but we just know the idea is spend money, spend money, spend money, and spend it over here, and spending brings us back out of this economic situation that we are in. Production will do that.

Mr. Speaker, I submit that we need to suspend capital gains taxes and do so for 2 years. Let that smart money find a place to go without being penalized for coming back into this economy. The smart money that is on the sidelines, the $13 trillion or so that are overseas that are invested in the economy in other parts of the world that are faced with a capital gains tax, if it is corporate, if it comes back into the United States, we can free that up, Mr. Speaker. And that $13 trillion is a number as of last September. So chances are that today it's not quite $13 trillion any more. And we won't get it all back. But we will get back 1 or 2 or $3 trillion. We will get back more money that is stranded outside the U.S. economy because of the impediment of facing capital gains tax that we're going to be able to put into this economy with this so-called stimulus plan that is before us, this Congress, as we speak. We will get more money into the economy.

And then the groan goes up on this side of the aisle because if we suspended capital gains tax, we will be giving up an opportunity to tax one of these greedy capitalists. How could you live with yourself if you passed up a chance to tax somebody and you let their money come in and get invested in our economy? Well, I can live with myself to do that. If you have a good argument, I will be happy to yield and hear that argument. But I don't think you have one. We need to bring this capital back into the United States and get it into this economy. But the lost revenue for an immediate suspension of capital gains if we did so for the year 2009 would be, Mr. Speaker, $68 billion. Now I'm going to say this: Only $68 billion as compared to a couple of trillion dollars in bailout money, $68 billion in lost revenue for suspending capital gains taxes to bring in $1 or $2 or $3 trillion from overseas, maybe more, into this economy to find its way to where it would do the most good, because smart investors will do that. If we suspend capital gains tax on picking up the toxic debt that is there, those were Secretary Paulson's words, suspend capital gains tax on the income off of those investments, smart money would go pick up these mortgage-backed securities. They would take them off the marketplace. Smart money would then go out into the communities and work with the people that have been evicted, or I should say about to be evicted, from their homes, find a way to renegotiate some of those terms or sell the home, turn around and remarket it to somebody that can make some reasonable payments.

But we've got to go through this. We've got to bite the bullet. We've got to take the pain. We've got to make the adjustments. And it is not going to work for us to borrow from our children, our grandchildren and our grandchildren's children trillions of dollars with no idea of how to pay them back and no way to even move towards a balanced budget, but to put all that demand out there in the world market for capital, borrowed money from the United States Government.

And where will we borrow that money from, Mr. Speaker? Do we borrow that money, then, from China with their economy going south? Because when we catch a cold, the Chinese get sick, as well. They're tied to our economy. Are the Saudis going to have that kind of cash that they will loan to us? Perhaps. But the interest rates are going to go up. To borrow that kind of money and put it into the economy in that fashion is irresponsible. It denies the very values of the economic lessons that we know. It denies that we need to produce something that has value.

Now, if Keynes is right and we can go out, borrow the money and then bury it in the coal mine, cover it up with garbage and turn people loose to dig it up and that would solve the unemployment problem, then I think he is way off, Mr. Speaker. I'm of the other side, of the supply side of this economy.

Let me take this to another step. Immediately, I would suspend capital gains tax for 2 years. I would lock it in in stone so smart money would know they had 2 years to find a place to settle it. And maybe I would back it up even and look at the numbers, perhaps even 1 year. But if it's 2 years, we will be giving up $68 billion worth of revenue for not collecting any capital gains tax for 2009, $61 billion for 2010, that's it, $129 billion, that would be the total cost of putting 3 to 5 or more trillion dollars into this U.S. economy in the right place where smart money would go.

Now that is one of the things we could do. We can go down through the list. We ought to be talking about reform. We ought to be talking about repealing the Community Reinvestment Act and about privatizing Fannie and Freddie and requiring them to be capitalized and regulated like the other banks are. And we need to be talking about amending the mark-to-market accounting rules, the credit-default-swap rules, putting these trades up on the Internet so that there is sunlight on all of them so they can be tracked and they can have oversight.

All of those things need to happen, Mr. Speaker, and all of those things are things that should be done immediately, along with having a commission to examine the situation of the finances in this country and the economy in this country to come to a conclusion as to where we went wrong and to make some more of those changes. I have listed some. What we need to do is build a structure so it doesn't happen again. It's unlikely to happen, Mr. Speaker, when we have the chairs of the committees that have been part of the problem in the first place. Albert Einstein once said that you never solve a problem with the same mindset that created it. And we're dealing with people that have gavels that have the same mindset that created this problem.

All of these things I have talked about need to be done in the short term and in the temporary. There is a broader solution that needs to come, Mr. Speaker, and that is to set up our taxes so that we can be free of these kind of burdens for all time. I have many times come to this floor and spoken about the need to eliminate the IRS, to move to a national sales tax and to understand a principle which is this, that what you tax you get less of. The Federal Government and the United States has the first lien on all productivity in America. If you're going to earn, Mr. Speaker, Uncle Sam is there with his hand out to tax. If you're going to save, he taxes the earnings off the savings. He taxes your proceeds off your investment. Uncle Sam is there with his hand out to tax it, earnings, savings and investment. If you're a producer, you're punished by being taxed. If you're a consumer, that's fine. Some of the States, many of the States have a sales tax. Beyond that, consumers consume without being taxed except for an additional excise tax that exists in some places as well.

What you tax you get less of. But we tax all of the productivity in America. And taxing all the productivity in America virtually ensures that there won't be as much productivity in this country as there would be if we passed a national sales tax. The Fair Tax, Mr. Speaker, took the tax off of our production and put it over on consumption. If we do that, we will allow the American producers an unlimited amount that they can produce, they can earn, save and invest all they want to earn, save and invest.

When I think about people that are working a job and they're working the angles on that job and they're thinking, well, let me see, I have got my 40 hours in this week, now when I start working overtime, I go into a different bracket, my withholding is a little different, I don't know, my payroll per hour isn't as good as I would like to have it, I'm going to limit the overtime hours I'm going to work. Or it might be somebody in sales that gets paid on commission. And they do a calculation on the taxes that they would pay the IRS. And they reach a certain point, and they realize how big a chunk Uncle Sam is taking out of them, and they decide, I'm just not going to produce any more than that. I can live comfortably enough down here without having to work twice as hard to get half again more out of that labor because the tax rate swallows up that much.

Now that is just an individual working sometimes on commission or on overtime. But think about the calculus when it's an investment for a small business, maybe a small business that employs six or eight or ten people, and a business that gets to the point where it's kind of comfortable. They can see some new market opportunities. But the owner of the business understands that the tax burden is such that it's not worth the risk. And so they don't invest the capital. They don't create that extra three or four or five or 10 new jobs. And the business sits there and stagnates. And the real estate that is there that perhaps is paid for gets tied up because there is a capital tax gains tax that will be paid if he sells his real estate and he hands that over so that maybe a new entrepreneur can take that location and take it up to the next level.

We have all kinds of property in America that is tied up because of tax reasons, not business reasons. Every single business calculation that you make in the United States of America is impacted by Federal taxes. And every calculation has to take into account the tax ramifications. When that happens, then our smart people are using their brains to figure out how to minimize or avoid their income taxes rather than figure out how to maximize their productions and their profits to create more wealth in this country.

Mr. Speaker, believe me, if we had more wealth in this country and that wealth doesn't fear the government, that wealth will create more jobs and there will be more wealthy people. You cannot help the poor by punishing the rich. Moving to a national sales tax just totally revolutionizes this economy. It opens up our production and makes unlimited production. Unlimited wealth can be created, and then the taxes are paid voluntarily by the people when they decide that they're going to consume. So we have voluntary taxpayers. We have voluntary producers. We have an economy that is virtually unleashed.

And here is one of the ways to draw a comparison. We have to rebuild U.S. manufacturing in the United States. We have watched a lot of our manufacturing go overseas because the price of labor has gotten low enough in comparison to U.S. labor that those factories would shut down and relocate overseas. The difference is also the taxes that are embedded. Now we tax corporations. We tax payroll taxes. When you add up the embedded taxes in a retail product in the United States, say on this ink pen, on average it is 22 percent. Let's say it's a $1 ink pen. Twenty-two percent of that would be built into the price, embedded taxes, so that the company that is producing them can pay their business income tax, likely their corporate income tax and their payroll tax. That puts us at a competitive disadvantage, Mr. Speaker.

And so here is an example. If we pass the Fair Tax, then the embedded Federal income tax comes right out of that price. Competition will drive it out of the price. So here would be an example. If there is a Mazda that is made 100 percent in Japan, and there are at least $800 million dollars worth of those Mazdas coming into the United States every year, and it's sitting on the dealers' lot at $30 thousand sticker price, that price is set by competition, what you can market at. And across the street on the other dealers' lot is a

Chevy, or a Ford, but let's say a Chevy. That would happen to be built 100 percent of it in the United States.

□ 2245

It has also a $30,000 price tag on it. And that's because competition now, two comparatively valued vehicles, selling for identical price, competing directly against each other, $30,000 each. Now, we pass the FAIR tax and over time, and not a very long period of time, perhaps some would be immediate, some would be longer, but about 18 months we'd see most of these adjustments. You pass the FAIR tax and your $30,000 Chevy price will go down to $24,600. That's the 22 percent embedded Federal tax. It's part of that price that General Motors has to have in order to recover the taxes that they're paying. Your $30,000 Mazda stays at $30,000 because the embedded Federal tax isn't part of their price. That machine, that car is made in Japan. So now you pull into the dealer's lot and here's a Chevy for $24,600 and a Mazda for $30,000 and they're of comparable value.

What do you buy, Mr. Speaker?

Does this lower the price of the Mazda too? Maybe. But the consumer is going to look and say I'm going to go for the $24,600 Chevy. I like that that much better. I like it 28 percent better than the $30,000 Mazda. And then we have to add back in the sales tax on these cars and that's an embedded tax of 23 percent that covers your corporate income tax, a rebate, so that we untax everybody to the poverty level, and the payroll tax that's associated with the labor that goes in. So your $24,600 Chevy goes up to $30,400. That's with the sales tax added on. You would write the check to drive the Chevy off the lot for $30,400. But to drive the Mazda off the lot you'd have to write the check for $39,000. That's the difference. It is a 28 percent marketing advantage, $8,600 advantage, American car over Japanese-made car or Korean or any other car.

What's that tell us, Mr. Speaker? I'll submit that it tells us that there would be many more American automobiles built and sold here in the United States because they would be competitive again. Imagine being able to take 28 percent off the price of every American-made vehicle today, at least for the components of them that are made in the United States. That's what the FAIR tax would do. Our auto manufacturers in Detroit can't seem to get to this conclusion, and neither can they carry a cogent argument against it. But they're stuck in their ways. They're negotiating with the unions who haven't made any concessions that I can see at this point. And we have a simple solution to a complex problem, that, like a Rubik's cube, and I've turned this over and looked at it every way I can for 29 years, Mr. Speaker, and every time I turn the Rubik's cube of a national sales tax again and look at it another way it looks better and better and better, not worse, not weaker, not something that has a flaw, better and better and better. And it always wins the debate, it always wins the argument if given an opportunity to match up against any other idea out there on tax reform. In fact, the FAIR tax, the national sales tax does everything good that anybody's tax proposal does, it does all of them and it does them better. And I'd put it up against anybody else's tax proposal. If you take the tax off of production and you put on it consumption, you also provide an incentive for savings and an incentive for investment. But you have more production. You will have a slight diminishment in consumption because there's a tax there, but over time there's more money in a person's pocket, a worker will get 56 percent more take home pay, and then they decide when they pay those taxes. This is where America needs to go, and in a short period of time, if we suspend the capital gains taxes and do that on a 2-year period and pass the FAIR tax, even just suspending the capital gains tax, we will see the Dow Jones industrial average jump up 30 percent or more, and it will be in a matter of weeks or months, not a long term, a short-term, you see immediate reaction and this thing would start to come around. If we pass the FAIR tax and on the night that the ball drops in Times Square, I'd set it up for December 31, 2009, midnight, and end the IRS as we know it. Abolish them and the Federal income Tax Code, set it over up as a national sales tax and we will see a dynamic economy role again, Mr. Speaker.

We have the solutions here. Republicans have the solutions here. Spending trillions of dollars for a leg of a stool that we have no idea what it looks like or what kind of results we're going to get is folly. And it's the kind of folly that Einstein was talking about when he said you can't solve a problem with the same mindset that created it.

So, I'll be opposed, Mr. Speaker, to this stimulus package because I think it has an oxymoronic name. I don't think it's a stimulus at all. I think it's a burden, an albatross that's hung around the neck. I think it is, as Michelle Malkin says, intergenerational theft, to put the burden up against our children and grandchildren and great grandchildren. We can't balance the budget today. We couldn't balance the budget 5 years ago, and if we can't do that in the environment that we were in, how in the world do we think that we're going to pay off a debt that's multiple trillions of dollars and a national debt that maybe ends up doubling during the Obama term? No, that's folly, Mr. Speaker.

And let me just cap off one more thing here, before I close, and that is that there has been a significant achievement that's been reached in the nation of Iraq. I've made six trips over there. I know our leader just arrived back from there over the weekend. The reports I get from that delegation that visited Iraq and Afghanistan is that things look pretty good in Iraq. I had a long conversation with Ambassador Crocker last week on Wednesday morning, and we talked about many of the accomplishments that have been reached there; and how though, it is still delicate and there are political solutions that need to be provided, and there still are some military tactical things that have to happen, specially up in the Mosul region.

But here are some things that we know. The Iraqi people have had three successful elections. They have ratified a constitution. They are distributing their oil wealth from Baghdad out into the provinces and into the cities. They are producing more sewer, water and lights than they have ever have. The hours of electricity across the country are significantly greater than there's ever been. There are girls that have gone to school in the last 6 years for the first time. More Iraqi kids in school as well. The stability and the safety in the streets is significant. I've gone shopping in Ramadi, it's a place that a year earlier I couldn't even set foot because it was too dangerous. And I met with the mayor of Fallujah who said Fallujah is a city of peace and we're going to rebuild this city to where there's not a sign of war in this entire city. And I believe him and they're working on it and they're working on it hard.

This Congress imposed a series of benchmarks on Iraq and the President of the United States, 18 different benchmarks, Mr. Speaker. I've gone back and reviewed those benchmarks. And of those benchmarks, 17 of the 18 benchmarks have been wholly or substantially completed.

I thought it was inappropriate for this Congress to set those standards because that was definition of victory in Iraq, and those who voted for those standards believed that they were unachievable. They believed that the war was lost. They argued that it was a civil war that couldn't be won, that it was sectarian violence that could never be controlled, that al Qaeda was uncontrollable in Iraq. And sometimes they argued that al Qaeda didn't exist in Iraq until we attracted them there. I think that was the bug light theory.

But what's been accomplished in Iraq today is phenomenal. Three successful elections, the ratification of a constitution, Iraqi military forces that have been stood up and trained and deployed, 613,000 strong, Mr. Speaker, and a security and a stability to the point where they pulled off an election a weekend ago in Iraq without a single significant security incident, with the Iraqi people taking their children to the polls so they could experience with them what it's like to go and vote and be a free people. It's been phenomenal progress. 17 of 18 benchmarks reached. The 18th benchmark, by the way, that is not wholly or substantially reached

is the one that requires the Iraqi security forces to be completely independent of American forces, and that would mean logistics, intelligence, communication, supply, training, all of those things would have to be Iraqi. They're not going to be that independent, not this year or next year or the year after. You don't stand up a military like that in no time. It takes years to do that. But 17 of 18 benchmarks have been reached. The casualties in Iraq, and we had a tough time in Iraq here a little over a day ago. We lost four soldiers up by Mosul in a bombing. Regardless, as precious as those lives are and all of them that have been lost, since the first day of July, we've lost more Americans to accidents than we have to the enemy. Another measure of a definable victory in Iraq, achieved, Mr. Speaker, by our noble military under the leadership of Commander in Chief, President Bush, who had the clarity of vision and the courage and the leadership skills to order a surge when his advisors told him don't go there, Mr. President, this war can't be won. It's a definable victory today, by all of the metrics that I can identify, including a more than 90 percent reduction in civilian violence and sectarian deaths, so that they're almost immeasurable. The list goes on and on and on of the accomplishments in Iraq. And I charge and I challenge our current President of the United States to sustain the achievements of his predecessor or be judged by history as to have failed. That, Mr. Speaker, is an important message for the American people to understand tonight, that level of success in Iraq.

We need to also understand what made this a great country; that's the free enterprise system and the accountability that's in. There has to be successes and failures for our system to adjust itself. That will not happen with trillions of dollars of borrowed money and this huge debt to resolve itself.

And I would point out, as a matter of an example, that when Bill Clinton was elected President in 1992, he came to this Congress in 1993 and he said, I want a $30 billion economic stimulus plan because we have this recession that was brought about by Bush 41. I notice these new Democrat presidents always have a Bush recession to blame their economy on. But in any case, he asked for $30 billion. And that $30 billion was negotiated down to $17 billion. I think that ended up over in the Senate, and finally they decided well that's not enough money to make any difference so we're just not going to do a $17 billion economic stimulus plan. But $30 billion was a lot of money to this Congress then. And that's why they debated it. And $17 billion wasn't enough to make a difference. But today $17 billion isn't even loose change in a $2 trillion bailout/stimulus plan. That's how far we have come in a matter of two presidential terms, two different presidents, Mr. Speaker, to the point where $17 billion, $30 billion is loose change in the maw of it all. And it will swallow us up.

And then, reverting back, Mr. Speaker, to the subject matter of Iraq, I'm a little disturbed that there's such a standard that has been raised that we should honor our troops and we should honor their families for the price that they paid, and a moment of silence on this floor is appropriate, an hour of silence would be appropriate, a long and enduring prayer every day for what they have done for our freedom and all of us would also be appropriate, Mr. Speaker. But that, brought out today by the same person that brought 45 different votes to the floor of the House of Representatives, those votes designed to underfund, unfund or undermine our troops is disturbing to me.

In the 110th Congress, we had brought by the Speaker of the House, these 45 votes to the floor that I said, underfunded, undermined or unfunded our troops. Some of those that I have in mind, supplemental appropriations H.R. 2642 that would prohibit establishing a permanent base in Iraq, among other things and reduce some funding.

We have another one, which is H.R. 5658, require the President to submit a report within 90 days of the bill's enactment for the long-term costs in Iraq and Afghanistan, including the cost of operations, reconstruction and health care benefits for how long, Mr. Speaker? Through at least fiscal year 2068 is what this report says.

□ 2300

That can't be constructive to tie the Commander in Chief up to produce a report that predicts costs until 2068. That undermines our troops, Mr. Speaker.

Here is another one. It followed along H.R. 5658, and it said that the United States Defender Act would have to be authorized by Congress in order to enter into any kind of an agreement with Iraq from a military perspective. Congress would have to authorize it. I don't think the Speaker of the House was going to allow the congressional authorization of those kinds of agreements. That undermined our troops again, Mr. Speaker.

Here I have H.R. 2082, which is to authorize funds for the intelligence portion of fiscal year 2008. It defines how we can interrogate prisoners. It's another way to handcuff the President of the United States and our military, whose lives have been in harm's way and remain in harm's way.

Here is another one on the same subject—on interrogation techniques and micromanagement. This Congress should not be trying to operate a war by micromanagement. The Continental Congress tried to do that. It's one of the reasons we have a stronger central government today.

The list of these kinds of transgressions goes on, Mr. Speaker. Here is another one.

The State-Foreign Operations Appropriations—Iraq Study Group establishes that. We know what came out of that. There is another one that reduces the spending, and it identifies the 18 benchmarks which I mentioned. On and on and on.

There were 45 different votes, Mr. Speaker, on the floor of this House of Representatives, 45 of those votes aside from the seven that were brought by Republicans, to recommit, defend or seek to overturn those. They all underfunded, unfunded or undermined our troops.

So a moment of silence is appropriate, but I cannot break from the thought that American lives have been put at risk and that we have lost some lives because of the actions on the floor of this Congress. These actions, Mr. Speaker, encouraged our enemy. In spite of all of this, we have a definable victory in Iraq today, and it is a definable victory that needs to be maintained by the current President of the United States and enhanced with a prudent utilization of the forces that are there and with a prudent transfer as the direction it is going over to the Iraqi security forces with a political, economic and military solution in Iraq so that they can sustain and defend themselves and can remain our ally in the Middle East to inspire the other moderate Muslim nations that are there.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MEEK of Florida (at the request of Mr. HOYER) for today until 5 p.m.

Ms. HARMAN (at the request of Mr. HOYER) for today and February 11.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

(The following Members (at the request of Mr. LINCOLN DIAZ-BALART of Florida) to revise and extend their remarks and include extraneous material:)

Mr. LINCOLN DIAZ-BALART of Florida, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

Mr. GOODLATTE, for 5 minutes, February 11.

Mr. FLEMING, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. FRANK of Massachusetts, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on February 5, 2009 she presented to the President of the United States, for his approval, the following bill.

H.R. 2. To amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 11, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

505. A letter from the Chief, Retailer Management Branch, Benefit Redemption Divison, FNS, USDA, Department of Agriculture, transmitting the Department's final rule — Food Stamp Program: Revisions to Bonding Requirements for Violating Retail and Wholesale Food Concerns (RIN: 0584-AD44) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

506. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Food, Drug, and Cosmetic Labeling: Cochineal Extract and Carmine Declaration [Docket No.: FDA-1998-P-0032 (formerly Docket No.: 1998P-0724)] (RIN: 0910-AF12) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

507. A letter from the Associate General Counsel for Legislation and Regulation Divison, Department of Housing and Urban Development, transmitting the Department's final rule — Prohibition on Use of Indian Community Development Block Grant Assistance for Employment Relocation Activities; Final Rule [Docket No.: FR-5115-F-02] (RIN: 2577-AC78) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

508. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Real Estate Settlement Procedures Act (RESPA): Rule To Simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Settlement Costs; Deferred Applicability Date for the Revised Definition of ''Required Use'' [Docket No.: FR-5180-F-04] (RIN: 2502-AI61) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

509. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

510. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's fiscal year 2008 report on U.S. Government Assistance to and Cooperative Activities with Eurasia, pursuant to Public Law 102-511, section 104; to the Committee on Foreign Affairs.

511. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting a report pursuant to Paragraph (5)(D) of the Senate's May 1997 resolution; to the Committee on Foreign Affairs.

512. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-717, ''Local Rent Supplement Program Second Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

513. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-718, ''HPAP Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

514. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-719, ''Employment of Returning Veteran's Tax Credit Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

515. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-720, ''Public Service Commission Holdover Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

516. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-721, ''District Employee Protection Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

517. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-722, ''Lead-Hazard Prevention and Elimination Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

518. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-723, ''Paramedic and Emergency Medical Technician Transition Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

519. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-708, ''Firearms Registration Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

520. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-709, ''14W and the YMCA Anthony Bowen Project Real Property Tax Exemption and Real Property Tax Relief Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

521. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-711, ''Get DC Residents Training for Jobs Now Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

522. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-710, ''The Urban Institute Real Property Tax Abatement Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

523. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-712, ''GPS Anti-Tampering Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

524. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-713, ''Equitable Parking Meter Rates Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

525. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-714, ''Taxi Zone Operating Hours Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

526. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-715, ''Reimbursable Details Clarification Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

527. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-716, ''Uniform Child Abduction Prevention Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

528. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

529. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

530. A letter from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

531. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Extention of Administrative Fines Program [Notice 2008-12] received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

532. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2009 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 071106671-8010-02] (RIN: 0648-XM48) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

533. A letter from the Chairman, Farm Credit Administration, transmitting the Administration's final rule — Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN: 3052-AC47) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

534. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Willamette River, Portland, OR, Schedule Change [Docket No.: USCG-2008-0721] (RIN: 1625-AA09) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

535. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Wabash River;

Activity Indentifer; Permanent change to operating schedule [Docket No.: USCG-2008-0100] (RIN: 1625-AA09) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

536. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Anchorage Area ''A,'' Boston Harbor, MA [Docket No.: USCG-2008-0497] (RIN: 1625-AA01) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

537. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Miscellaneous Cargo Tank Motor Vehicle and Cylinder Issues; Petitions for Rulemaking [Docket No. PHMSA-2006-25910 (HM-218E)] (RIN: 2137-AE23) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

538. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Washington, DC Metropolitan Area Special Flight Rules Area [Docket No. FAA-2004-17005; Amdt. Nos. 1-63 and 93-90] (RIN: 2120-AI17) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

539. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30644 ; Amdt. No. 478] received January 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

540. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30642; Amdt. No 3300] received January 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

541. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class D and E Airspace; Brunswick, ME [Docket No. FAA-2008-0203; Airspace Docket No. 08-ANE-99] received January 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

542. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International, S.A. CFM56-5B Series Turbofan Engines [Docket No. FAA-2008-1353; Directorate Identifier 2008-NE-46-AD; Amendment 39-15779; AD 2009-01-01] (RIN: 2120-AA64) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

543. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No. 30643; Amdt. No. 3301] received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

544. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Clarification for Submitting Petitions for Rulemaking or Exemption [Docket No. FAA-199-6622; Amendment No. 11-55] (RIN: 2120-AG95) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

545. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Energy Efficiency Program (RIN: 3245-AF75) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

546. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Lender Oversight Program (RIN: 3245-AE14) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

547. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Debt Collection; Clarification of Administrative Wage Garnishment Regulation and Reassignment of Hearing Official (RIN: 3245-AF72) received February 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

548. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Import Restrictions Imposed on Certain Archaeological Material from China [CBP Dec. 09-03] (RIN: 1505-AC08) received January 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

549. A letter from the Assistant Secretary Office of Legislative Affairs, Department of Homeland Security, transmitting the Department's first quarterly report for fiscal year 2009 from the Office of Security and Privacy, pursuant to Public Law 110-53 121 Stat. 266, 360; to the Committee on Homeland Security.

550. A letter from the Secretary, Department of Homeland Security, transmitting the Department's Annual Report from the Office for Civil Rights and Civil Liberties, pursuant to 42 U.S.C. 2000ee-1; jointly to the Committees on Homeland Security and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows;

Mr. FRANK: Committee on Financial Services. H.R. 787. A bill to make improvements in the Hope for Homeowners Program, and for other purposes, with an amendment (Rept. 111–12). Referred to the committee of the Whole House on the State of the Union.

Mr. FRANK: Committee on Financial Services. H.R. 788. A bill to provide a safe harbor for mortgage servicers who engage in specified mortgage loan modifications, and for other purposes, with an amendment (Rept. 111–13). Referred to the Committee of the Whole House on the State of the Union.

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. WU (for himself, Mr. GERLACH, Ms. WASSERMAN SCHULTZ, Mr. PLATTS, Mr. GRIJALVA, Mr. HINOJOSA, Mr. KING of New York, Mr. LARSON of Connecticut, Mr. MCNERNEY, Ms. ZOE LOFGREN of California, Mr. KENNEDY, Mr. BLUMENAUER, Mr. GENE GREEN of Texas, Mr. DELAHUNT, Mr. HOLT, and Mr. BACA):

H.R. 930. A bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, and study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NYE:

H.R. 931. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit with respect to certain unemployed veterans; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself and Mr. HIGGINS):

H.R. 932. A bill to authorize the Secretary of Housing and Urban Development to make grants and offer technical assistance to local governments and others to design and implement innovative policies, programs, and projects that address widespread property vacancy and abandonment, and for other purposes; to the Committee on Financial Services.

By Mrs. MCMORRIS RODGERS (for herself, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. PAUL, Ms. GRANGER, Mr. BURTON of Indiana, Mr. EHLERS, Mr. MCHENRY, Mr. CONAWAY, Mr. KIRK, Mr. JORDAN of Ohio, Mr. LATTA, Mr. KLINE of Minnesota, and Mr. SOUDER):

H.R. 933. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Education and Labor.

By Mr. SABLAN (for himself, Mr. FLAKE, and Ms. BORDALLO):

H.R. 934. A bill to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands; to the Committee on Natural Resources.

By Mr. SABLAN (for himself and Mr. FALEOMAVAEGA):

H.R. 935. A bill to amend title 10, United States Code, to increase the number of persons appointed to the military service academies from the Commonwealth of the Northern Mariana Islands and American Samoa from nominations made by the Delegates in Congress from the Commonwealth of the Northern Mariana Islands and American Samoa; to the Committee on Armed Services.

By Mr. TOWNS (for himself, Mr. BURGESS, Ms. CASTOR of Florida, Mrs. BLACKBURN, Mr. HONDA, Mr. WU, and Mr. GRIJALVA):

H.R. 936. A bill to ensure the continued and future availability of lifesaving trauma health care in the United States and to prevent further trauma center closures and downgrades by assisting trauma centers with uncompensated care costs, core mission services, emergency needs, and information technology; to the Committee on Energy and Commerce.

By Mr. FILNER:

H.R. 937. A bill to amend the Immigration and Nationality Act to permit certain Mexican children, and accompanying adults, to obtain a waiver of the documentation requirements otherwise required to enter the United States as a temporary visitor; to the Committee on the Judiciary.

By Mr. FILNER:

H.R. 938. A bill to amend the Immigration and Nationality Act to restore certain provisions relating to the definition of aggravated

felony and other provisions as they were before the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN (for himself, Mr. BACHUS, Mr. BARTLETT, Mr. PAUL, Mr. BONNER, Mr. WILSON of South Carolina, Mr. SMITH of Texas, Mr. ROSKAM, Mr. HINCHEY, Mr. ROGERS of Michigan, Mr. JONES, Mr. COBLE, Mrs. BACHMANN, Mr. HOEKSTRA, Mr. DENT, Mr. WOLF, Mr. BOUSTANY, Mr. MCHUGH, and Mrs. MYRICK):

H.R. 939. A bill to permit 2008 required minimum distributions from certain retirement plans to be repaid; to the Committee on Ways and Means.

By Mr. ALEXANDER:

H.R. 940. A bill to provide for the conveyance of National Forest System land in the State of Louisiana; to the Committee on Agriculture.

By Mr. ALEXANDER:

H.R. 941. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for disaster assistance for electric utility companies serving low-income households, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ALEXANDER:

H.R. 942. A bill to direct the Secretary of Veterans Affairs to conduct a pilot project on the use of educational assistance under programs of the Department of Veterans Affairs to defray training costs associated with the purchase of certain franchise enterprises; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN (for herself, Mr. RYAN of Wisconsin, Mr. COOPER, Mr. KIRK, Mr. CAMPBELL, Mr. COLE, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. SCALISE, Mr. FORTENBERRY, Mr. LAMBORN, Mr. NEUGEBAUER, Mr. POSEY, Mr. LATTA, Mr. BRADY of Texas, Mr. KINGSTON, Mr. SAM JOHNSON of Texas, Mrs. SCHMIDT, Mr. BURTON of Indiana, Ms. FOXX, and Mr. HOEKSTRA):

H.R. 943. A bill to amend title 31, United States Code, to require certain additional calculations to be included in the annual financial statement submitted under section 331(e) of that title, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 944. A bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war; to the Committee on Veterans' Affairs.

By Mr. BRADY of Texas (for himself and Mr. GENE GREEN of Texas):

H.R. 945. A bill to amend the Internal Revenue Code of 1986 to allow additional expenses for purposes of determining the Hope Scholarship Credit, and for other purposes; to the Committee on Ways and Means.

By Mr. BRALEY of Iowa:

H.R. 946. A bill 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; to the Committee on Oversight and Government Reform.

By Mr. CALVERT (for himself and Mr. JACKSON of Illinois):

H.R. 947. A bill to direct the Secretary of Transportation to establish and collect a fee based on the fair market value of articles imported into the United States and articles exported from the United States in commerce and to use amounts collected from the fee to make grants to carry out certain transportation projects in the transportation trade corridors for which the fee is collected, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. PLATTS, Mr. GEORGE MILLER of California, Ms. MATSUI, Ms. SUTTON, Mr. LEVIN, Mr. MORAN of Virginia, Mr. BLUMENAUER, Mr. VAN HOLLEN, Mr. HARE, Mr. CARNEY, Mr. SHERMAN, Ms. EDWARDS of Maryland, Mr. GRIJALVA, Mr. KENNEDY, Mr. ROTHMAN of New Jersey, Mr. HINCHEY, Ms. ROS-LEHTINEN, Ms. WOOLSEY, Mr. LOBIONDO, Mr. SCHIFF, Mrs. MALONEY, Mr. COURTNEY, Mr. SHULER, Ms. HIRONO, Mr. MCGOVERN, Mr. HASTINGS of Florida, Mr. MURTHA, Mr. STUPAK, Mr. MCHUGH, Mr. FILNER, Mrs. MILLER of Michigan, Mr. CONYERS, Mr. MICHAUD, Mrs. EMERSON, Mr. BRADY of Pennsylvania, Mr. SMITH of New Jersey, Mr. ROSS, Mr. MILLER of North Carolina, Mr. MCDERMOTT, Mr. RAHALL, Mr. WOLF, Mr. CONNOLLY of Virginia, Mr. SESTAK, Mr. TERRY, Mr. BISHOP of New York, Mr. CARNAHAN, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. WITTMAN, Mr. SCOTT of Georgia, Mr. LYNCH, Ms. ZOE LOFGREN of California, Mr. SARBANES, Mr. CARSON of Indiana, Mr. FARR, Mr. CUMMINGS, Mr. MCMAHON, Mr. LEWIS of Georgia, Mr. GUTIERREZ, Mr. MARKEY of Massachusetts, Mr. HOLDEN, Mr. DOYLE, Mr. MCINTYRE, Ms. PINGREE of Maine, Mr. GORDON of Tennessee, Mr. BOSWELL, Mr. CLAY, Mr. LUJÁN, Mr. HOLT, Ms. DEGETTE, Mr. NYE, Mr. BOUCHER, Mr. TIM MURPHY of Pennsylvania, Mr. TOWNS, Mr. BERMAN, Ms. RICHARDSON, Ms. SHEA-PORTER, Mr. MCCOTTER, Mr. MURPHY of Connecticut, Mr. GONZALEZ, Mr. POE of Texas, Mr. ARCURI, Mr. COSTELLO, Mr. ANDREWS, Mr. BACA, and Mr. KAGEN):

H.R. 948. A bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty; to the Committee on Education and Labor.

By Mr. FILNER:

H.R. 949. A bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FILNER:

H.R. 950. A bill to amend chapter 33 of title 38, United States Code, to increase educational assistance for certain veterans pursuing a program of education offered through distance learning; to the Committee on Veterans' Affairs.

By Mr. FRANKS of Arizona:

H.R. 951. A bill to prohibit the use of funds to transfer enemy combatants detained at Naval Station, Guantanamo Bay, Cuba, to facilities in Arizona or to build, modify, or enhance any facility in Arizona to house such enemy combatants; to the Committee on Armed Services.

By Mr. HALL of New York (for himself, Ms. BORDALLO, Mr. HINCHEY, Mr. HARE, Mr. CROWLEY, Mr. COURTNEY, Mr. DELAHUNT, Mr. KAGEN, Mr. GRIJALVA, Mr. BLUMENAUER, Ms. WOOLSEY, Mr. RODRIGUEZ, Ms. MCCOLLUM, Mr. MCDERMOTT, Ms. KAPTUR, Mrs. NAPOLITANO, Mr. DONNELLY of Indiana, and Mr. NYE):

H.R. 952. A bill to amend title 38, United States Code, to clarify the meaning of ''combat with the enemy'' for purposes of service-connection of disabilities; to the Committee on Veterans' Affairs.

By Mr. HELLER (for himself and Mr. HASTINGS of Washington):

H.R. 953. A bill to amend the Internal Revenue Code of 1986 to provide for a deduction for travel expenses to medical centers of the Department of Veterans Affairs in connection with examinations or treatments relating to service-connected disabilities; to the Committee on Ways and Means.

By Mr. HOLDEN (for himself and Mr. PLATTS):

H.R. 954. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies, subject to a reduction of 50 percent if the recipient dies during the first 15 days of such month, and for other purposes; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. HASTINGS of Washington, Mr. SMITH of Washington, Mr. LARSEN of Washington, Mr. MCDERMOTT, Mr. REICHERT, Mrs. MCMORRIS RODGERS, Mr. DICKS, and Mr. BAIRD):

H.R. 955. A bill to designate the facility of the United States Postal Service located at 10355 Northeast Valley Road in Rollingbay, Washington, as the ''John 'Bud' Hawk Post Office''; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself and Mr. LATOURETTE):

H.R. 956. A bill to expand the number of individuals and families with health insurance coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. HINCHEY, and Mr. CARSON of Indiana):

H.R. 957. A bill to authorize higher education curriculum development and graduate training in advanced energy and green building technologies; to the Committee on Science and Technology.

By Mr. MORAN of Virginia (for himself, Mr. WOLF, Mr. CONNOLLY of Virginia, Mr. RUPPERSBERGER, Ms. EDWARDS of Maryland, Mr. SARBANES, Mr. PETRI, and Mr. HOLT):

H.R. 958. A bill to amend title 5, United States Code, to make unused sick leave creditable, for purposes of the Federal Employees' Retirement System, in the same manner as provided for under the Civil Service Retirement System; to the Committee on Oversight and Government Reform.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. PLATTS):

H.R. 959. A bill to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Education and Labor, and in

addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 960. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 961. A bill to suspend temporarily the duty on phosphoric acid, lanthanum salt, cerium terbium-doped; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 962. A bill to suspend temporarily the duty on lutetium oxide; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. HINCHEY, Mr. MCGOVERN, Mr. MCDERMOTT, Ms. LEE of California, and Mr. MILLER of North Carolina):

H.R. 963. A bill to enhance transparency and accountability within the intelligence community for activities performed under Federal contracts, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, and 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. ROHRABACHER (for himself, Mr. JONES, Mr. FRANKS of Arizona, Ms. FOXX, Mr. RADANOVICH, Mr. YOUNG of Alaska, Mr. GALLEGLY, Mr. LATTA, Mr. GARY G. MILLER of California, Mr. CAMPBELL, Mr. BURTON of Indiana, Mr. GOODLATTE, Mrs. MYRICK, and Mr. BILBRAY):

H.R. 964. A bill to amend the National Environmental Policy Act of 1969 to exempt any solar energy project on lands managed by the Bureau of Land Management from an environmental impact statement requirement; to the Committee on Natural Resources.

By Mr. SARBANES (for himself, Mr. HOYER, Mr. CASTLE, Mr. RUPPERSBERGER, Mr. SCOTT of Virginia, Mr. VAN HOLLEN, Ms. NORTON, Ms. EDWARDS of Maryland, Mr. MORAN of Virginia, Mr. BARTLETT, Mr. KRATOVIL, Mr. CUMMINGS, Mr. WITTMAN, Mr. NYE, and Mr. PLATTS):

H.R. 965. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Natural Resources.

By Mrs. SCHMIDT:

H.R. 966. A bill to require certain air carriers of foreign air transportation to disclose the nature and source of delays and cancellations experienced by air travelers; to the Committee on Transportation and Infrastructure.

By Mrs. SCHMIDT:

H.R. 967. A bill to enhance airline passenger protection when the Secretary of Transportation issues a rule to require airline emergency contingency plans; to the Committee on Transportation and Infrastructure.

By Mr. SHADEGG (for himself and Mr. BARTLETT):

H.R. 968. A bill to amend the Consumer Product Safety Act to provide regulatory relief to small and family-owned businesses; to the Committee on Energy and Commerce.

By Mr. SIMPSON (for himself and Mr. MINNICK):

H.R. 969. A bill to permit commercial vehicles at weights up to 129,000 pounds to use certain highways of the Interstate System in the State of Idaho which would provide significant savings in the transportation of goods throughout the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEINER:

H.R. 970. A bill to encourage the entry of felony warrants into the NCIC database by States and to provide additional resources for extradition; to the Committee on the Judiciary.

By Mr. WEINER (for himself, Mr. RYAN of Ohio, and Ms. SHEA-PORTER):

H.R. 971. A bill to amend the Internal Revenue Code of 1986 to provide commuter flexible spending arrangements; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself and Mr. KLINE of Minnesota):

H.R. 972. A bill to amend title 10, United States Code, to eliminate the requirement that certain former members of the reserve components of the Armed Forces be at least 60 years of age in order to be eligible to receive health care benefits; to the Committee on Armed Services.

By Mr. YARMUTH:

H.R. 973. A bill to establish pilot programs that provide for emergency crisis response teams to combat elder abuse; to the Committee on the Judiciary.

By Mr. BACA:

H.J. Res. 20. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. MCMAHON:

H. Con. Res. 41. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to. considered and agreed to.

By Mr. RANGEL:

H. Con. Res. 42. Concurrent resolution recognizing the contributions of the New York Public Library's Schomburg Center for Research in Black Culture in educating the people of the United States about the African-American migration experience, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 43. Concurrent resolution expressing the sense of Congress that Arthur Schomburg should be recognized for his leadership and contributions in documenting, recording, and researching the historical contributions to society of peoples of African descent and for his efforts to combat racial and ethnic discrimination in the United States; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 44. Concurrent resolution expressing the sense of the Congress that the President should grant a pardon to Marcus Mosiah Garvey to clear his name and affirm his innocence of crimes for which he was unjustly prosecuted and convicted; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress that the United States Postal Service should issue a postage stamp in commemoration of Congressman Adam Clayton Powell, Jr; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Con. Res. 46. Concurrent resolution honoring the life of Betty Shabazz; to the Committee on Oversight and Government Reform.

By Mr. WAXMAN:

H. Res. 141. A resolution providing amounts for the expenses of the Committee on Energy and Commerce in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Mr. ISSA:

H. Res. 142. A resolution honoring the life, service, and accomplishments of General Robert H. Barrow, United States Marine Corps; to the Committee on Armed Services.

By Mr. CARTER:

H. Res. 143. A resolution raising a question of the privileges of the House.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H. Res. 144. A resolution providing amounts for the expenses of the Committee on the Judiciary in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Ms. ZOE LOFGREN of California:

H. Res. 145. A resolution providing amounts for the expenses of the Committee on Standards of Official Conduct in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Ms. MARKEY of Colorado (for herself and Mr. EHLERS):

H. Res. 146. A resolution designating March 2, 2009, as "Read Across America Day"; to the Committee on Education and Labor.

By Mr. MARKEY of Massachusetts:

H. Res. 147. A resolution providing amounts for the expenses of the Select Committee on Energy Independence and Global Warming in the One Hundred Eleventh Congress; to the Committee on House Administration.

By Mr. RANGEL:

H. Res. 148. A resolution recognizing and honoring the life and achievements of Constance Baker Motley, a judge for the United States District Court, Southern District of New York; to the Committee on the Judiciary.

By Mr. RANGEL:

H. Res. 149. A resolution honoring Dick Brown: New York's greatest ambassador to Washington; to the Committee on Oversight and Government Reform.

By Mr. RANGEL:

H. Res. 150. A resolution expressing the sense of the House of Representatives that A. Philip Randolph should be recognized for his lifelong leadership and work to end discrimination and secure equal employment and labor opportunities for all Americans; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself, Mr. TIAHRT, Ms. FALLIN, Mr. PITTS, Mr. HARPER, Mrs. BACHMANN, Mr. SAM JOHNSON of Texas, Mrs. SCHMIDT, Mr. CHAFFETZ, Mr. CANTOR, Mr. HALL of Texas, Mr. WILSON of South Carolina, Mr. LAMBORN, Mr. PENCE, Mr. COLE, Mr. BROUN of Georgia, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JORDAN of Ohio, Mr. THOMPSON of Pennsylvania, Mr. BURGESS, Mr. AKIN, Mr. CULBERSON, Mr. MCCOTTER, Mr. DANIEL E. LUNGREN of California, Mr. POSEY, Mr. WOLF, Mr. PETRI, and Mr. SENSENBRENNER):

H. Res. 151. A resolution honoring the life and expressing condolences of the House of Representatives on the passing of Paul M. Weyrich; to the Committee on Oversight and Government Reform.

By Mr. TANNER (for himself, Mr. BERMAN, Mr. SHIMKUS, Mr. WEXLER, Mr. GALLEGLY, Mrs. EMERSON, Mr. MOORE of Kansas, Mr. ROSS, Mrs. TAUSCHER, Mr. MILLER of Florida, Mr. BOOZMAN,

Mr. CHANDLER, Mr. SCOTT of Georgia, Mrs. MCCARTHY of New York, Mr. LARSON of Connecticut, and Mr. MEEK of Florida):

H. Res. 152. A resolution expressing the sense of the House of Representatives that the United States remains committed to the North Atlantic Treaty Organization (NATO); to the Committee on Foreign Affairs.

By Ms. WATSON (for herself, Mrs. NAPOLITANO, Ms. KILPATRICK of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FUDGE, Mr. BUTTERFIELD, Mr. ANDREWS, Ms. KAPTUR, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Mr. KUCINICH, Ms. RICHARDSON, Ms. CLARKE, Mr. TOWNS, Mr. BECERRA, Mr. HASTINGS of Florida, Mrs. DAVIS of California, Mr. BOREN, Mr. MCDERMOTT, Ms. WATERS, Mr. ISSA, Ms. SOLIS of California, Mr. GEORGE MILLER of California, Mr. FARR, Mr. HINCHEY, and Mr. WATT):

H. Res. 153. A resolution commending the University of Southern California Trojan football team for its victory in the 2009 Rose Bowl; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LINCOLN DIAZ-BALART of Florida:

H.R. 974. A bill for the relief of Alejandro Gomez and Juan Sebastian Gomez; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 975. A bill for the relief of Terence George; to the Committee on the Judiciary.

By Mr. UPTON:

H.R. 976. A bill for the relief of Ibrahim Parlak; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. MEEKS of New York.
H.R. 17: Mr. LATTA and Mr. MICA.
H.R. 22: Mr. BISHOP of New York.
H.R. 23: Mr. WEXLER, Mr. MCNERNEY, Mr. BURTON of Indiana, and Mr. BISHOP of New York.
H.R. 31: Mr. LEVIN, Mr. RUPPERSBERGER, Ms. LINDA T. SÁNCHEZ of California, Mr. GUTIERREZ, Mr. MARCHANT, Mrs. MALONEY, Mr. GOHMERT, Mr. BERRY, Mr. SARBANES, Mr. MARSHALL, Mr. DICKS, and Mr. THOMPSON of California.
H.R. 49: Mr. COLE, Mr. WAMP, Mr. GARY G. MILLER of California, Mr. WOLF, Mr. TIBERI, Mr. FLEMING, and Mr. CRENSHAW.
H.R. 81: Ms. BERKLEY.
H.R. 85: Mr. POSEY.
H.R. 131: Mr. JOHNSON of Illinois, Mr. RYAN of Wisconsin, Mr. HASTINGS of Washington, Mr. MACK, Mr. CAMP, and Mr. MCHUGH.
H.R. 135: Mr. GRIJALVA.
H.R. 148: Mr. CALVERT.
H.R. 155: Mr. CULBERSON.
H.R. 159: Mr. HINOJOSA and Mr. MCCOTTER.
H.R. 179: Mrs. CAPPS, Ms. EDWARDS of Maryland, and Ms. WATSON.
H.R. 182: Mr. GONZALEZ, Mr. GRIJALVA, Ms. LEE of California, Mr. NADLER of New York, and Mr. HONDA.
H.R. 205: Mr. BLUNT, Mr. ROONEY, and Mr. TIM MURPHY of Pennsylvania.
H.R. 206: Mr. BURTON of Indiana.
H.R. 207: Mr. KISSELL and Mr. BURTON of Indiana.
H.R. 208: Mr. HOLT, Mr. OLSON, Mr. TIM MURPHY of Pennsylvania, Mr. SMITH of Washington, Mr. STUPAK, Mr. WITTMAN, Mr. ROTHMAN of New Jersey, Mr. MICHAUD, and Mr. HARPER.
H.R. 213: Mr. PRICE of Georgia, Mr. ROONEY, Mr. BARRETT of South Carolina, and Mr. SMITH of New Jersey.
H.R. 215: Mr. MARCHANT and Mr. BARRETT of South Carolina.
H.R. 216: Mr. HILL.
H.R. 226: Mr. LANCE and Mr. COFFMAN of Colorado.
H.R. 233: Mr. BERRY.
H.R. 235: Mrs. MILLER of Michigan, Mr. TERRY, Mr. OLVER, Mr. YOUNG of Alaska, Mr. SARBANES, Mr. SCALISE, Ms. PINGREE of Maine, Mr. FRANK of Massachusetts, and Mr. PASTOR of Arizona.
H.R. 265: Mr. CLAY.
H.R. 292: Mr. ROE of Tennessee.
H.R. 295: Mr. LAMBORN.
H.R. 303: Mr. YOUNG of Florida, Mr. CARTER, Mr. BOOZMAN, and Mr. CARNEY.
H.R. 305: Mr. LIPINSKI and Mrs. CAPPS.
H.R. 327: Mr. YOUNG of Florida.
H.R. 336: Ms. PINGREE of Maine, Mrs. MALONEY, Mr. ABERCROMBIE, and Mr. MOORE of Kansas.
H.R. 347: Mr. WU, Ms. BERKLEY, Mr. HODES, Mr. DAVIS of Tennessee, Mr. SHULER, Mr. REYES, Mr. DAVIS of Illinois, Mr. SERRANO, Ms. CLARKE, Mr. CUMMINGS, and Ms. LEE of California.
H.R. 381: Mr. HARPER.
H.R. 391: Mr. MCKEON, Mr. BISHOP of Utah, Mr. SENSENBRENNER, Mr. POSEY, and Mr. ROHRABACHER.
H.R. 411: Mr. GERLACH.
H.R. 442: Mr. JONES and Mr. SIMPSON.
H.R. 448: Mr. POE of Texas.
H.R. 469: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 470: Mr. MCKEON.
H.R. 500: Ms. MCCOLLUM.
H.R. 502: Mr. MANZULLO.
H.R. 507: Mr. MCCAUL.
H.R. 508: Mr. CULBERSON.
H.R. 517: Mr. SERRANO, Mr. MASSA, and Mr. MORAN of Virginia.
H.R. 528: Mr. KAGEN.
H.R. 536: Mr. FRANK of Massachusetts.
H.R. 557: Mr. WILSON of South Carolina, Mr. FRANKS of Arizona, Mr. STEARNS, Mr. MILLER of Florida, Mr. HOEKSTRA, Mr. GARY G. MILLER of California, Mr. KIRK, Mr. POSEY, and Ms. FALLIN.
H.R. 571: Mr. ARCURI.
H.R. 577: Mr. PRICE of North Carolina.
H.R. 578: Mr. CARSON of Indiana.
H.R. 591: Ms. HIRONO.
H.R. 593: Mr. BISHOP of New York, Ms. PINGREE of Maine, and Mr. CARSON of Indiana.
H.R. 610: Mr. GENE GREEN of Texas, Ms. LORETTA SANCHEZ of California, and Ms. FUDGE.
H.R. 615: Ms. DEGETTE.
H.R. 618: Ms. SLAUGHTER and Mr. MEEKS of New York.
H.R. 620: Mr. MILLER of Florida.
H.R. 621: Mr. MILLER of North Carolina, Mr. MCCOTTER, Ms. BORDALLO, Mr. BRALEY of Iowa, Mr. SIRES, and Mr. KISSELL.
H.R. 624: Mr. BRADY of Pennsylvania and Mr. ENGEL.
H.R. 628: Mr. COBLE and Mr. JOHNSON of Georgia.
H.R. 630: Mr. HENSARLING.
H.R. 631: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 632: Ms. DEGETTE, Mr. GENE GREEN of Texas, Mr. LANGEVIN, Mrs. MALONEY, Mr. NADLER of New York, Ms. WATERS, Mr. HODES, Mrs. MILLER of Michigan, Mr. FILNER, and Ms. LEE of California.
H.R. 636: Mr. RADANOVICH and Mr. MANZULLO.
H.R. 664: Mr. PAUL, Mr. MCCOTTER, and Mr. MILLER of Florida.
H.R. 666: Mr. MCCOTTER.
H.R. 671: Mr. BISHOP of New York.
H.R. 672: Mr. HONDA.
H.R. 673: Mr. VAN HOLLEN, Mr. PLATTS, and Mr. HOLT.
H.R. 678: Ms. DEGETTE and Mr. NADLER of New York.
H.R. 702: Mr. ROTHMAN of New Jersey, Mr. CARNEY, Mr. MCDERMOTT, and Mr. MEEKS of New York.
H.R. 704: Mr. GALLEGLY, Mr. GORDON of Tennessee, Mr. BISHOP of Georgia, and Ms. CLARKE.
H.R. 705: Mr. UPTON and Mr. PRICE of North Carolina.
H.R. 707: Ms. BERKLEY, Mr. BLUMENAUER, Mr. LANCE, Mrs. LOWEY, Ms. TSONGAS, Mr. HARPER, Mr. WATT, Mr. PASCRELL, Mr. WAMP, Ms. TITUS, Ms. WASSERMAN SCHULTZ, Ms. ESHOO, Mrs. CAPPS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WILSON of South Carolina, and Mr. DONNELLY of Indiana.
H.R. 716: Mr. KING of New York.
H.R. 723: Ms. CORRINE BROWN of Florida, Mr. MASSA, Mr. LEWIS of Georgia, Mr. COBLE, Mr. GRIJALVA, Mr. LATOURETTE, and Mr. PAUL.
H.R. 734: Mr. ROTHMAN of New Jersey, Mr. BLUMENAUER, Mr. ABERCROMBIE, Mr. PIERLUISI, and Mr. RANGEL.
H.R. 746: Mr. NYE, Mr. PAYNE, Mr. LOEBSACK, and Ms. KOSMAS.
H.R. 752: Mr. BILBRAY.
H.R. 764: Mr. SOUDER, Ms. GINNY BROWN-WAITE of Florida, and Mr. CALVERT.
H.R. 774: Mr. MEEKS of New York.
H.R. 775: Mr. LIPINSKI, Mr. GOODLATTE, Mr. GORDON of Tennessee, Mr. COSTA, Ms. WASSERMAN SCHULTZ, Ms. MCCOLLUM, Ms. PINGREE of Maine, Mr. PAYNE, and Mr. MEEK of Florida.
H.R. 795: Mr. NADLER of New York, Mr. MCGOVERN, and Mr. MEEKS of New York.
H.R. 804: Mr. MCGOVERN and Mr. GENE GREEN of Texas.
H.R. 805: Ms. SCHAKOWSKY.
H.R. 808: Mr. BOSWELL and Mr. FATTAH.
H.R. 812: Ms. GINNY BROWN-WAITE of Florida.
H.R. 819: Mr. CARNEY, Mr. MICHAUD, and Mr. MURTHA.
H.R. 823: Ms. ZOE LOFGREN of California.
H.R. 824: Mr. BISHOP of New York.
H.R. 847: Ms. BERKLEY, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, and Mr. SMITH of New Jersey.
H.R. 848: Ms. SLAUGHTER.
H.R. 857: Ms. Titus, Mr. WILSON of Ohio, and Ms. SUTTON.
H.R. 866: Mr. WAMP and Mr. HERGER.
H.R. 870: Mr. BUTTERFIELD, Mr. BOUCHER, Mr. GORDON of Tennessee, Mr. MASSA, and Mr. CUMMINGS.
H.R. 875: Mr. FARR and Ms. MCCOLLUM.
H.R. 877: Mr. LAMBORN.
H.R. 881: Mr. SMITH of Nebraska and Mr. MANZULLO.
H.R. 896: Mr. GOODLATTE, Mr. FLEMING, and Mr. WAMP.
H.R. 899: Mr. MANZULLO and Mr. MCKEON.
H.R. 908: Ms. LINDA T. SÁNCHEZ of California and Mr. COHEN.
H.R. 927: Mr. HINCHEY and Mr. CONAWAY.
H. Con. Res. 14: Mr. MASSA, Mr. PETERSON, and Mr. ELLISON.
H. Con. Res. 22: Mr. POE of Texas, Mr. MCCOTTER, and Mr. LINDER.
H. Con. Res. 29: Mr. KING of New York and Mr. WOLF.
H. Con. Res. 30: Mr. GRIJALVA and Ms. BORDALLO.
H. Con. Res. 31: Ms. BORDALLO and Mr. MCGOVERN.
H. Con. Res. 35: Mr. CONNOLLY of Virginia, Mr. ETHERIDGE, and Ms. DELAURO.
H. Con. Res. 40: Mr. HALL of New York, Mr. DRIEHAUS, Ms. LORETTA SANCHEZ of California, Ms. KAPTUR, Mr. SMITH of Washington, and Mr. BISHOP of New York.

H. Res. 22: Mr. DAVIS of Illinois, Mr. HARE, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Mrs. NAPOLITANO, Mr. SERRANO, Mr. ABERCROMBIE, and Mr. CARSON of Indiana.

H. Res. 42: Mr. PENCE.

H. Res. 47: Mr. DONNELLY of Indiana, Mr. BISHOP of New York, Mr. BILBRAY, and Mr. MCHUGH.

H. Res. 64: Mr. MARCHANT.

H. Res. 77: Mr. SMITH of Nebraska, Mr. ROSKAM, Mr. LATTA, Mr. MCHENRY, Mr. BILIRAKIS, Mr. CONAWAY, Mr. SCOTT of Virginia, Mr. CULBERSON, Mr. GOHMERT, Mr. FORBES, Mr. MANZULLO, Mrs. CAPITO, Mrs. EMERSON, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. CHAFFETZ, Ms. ROS-LEHTINEN, Mr. BROUN of Georgia, Mr. TERRY, Mr. FORTENBERRY, and Mr. SCALISE.

H. Res. 81: Mr. HARPER, Mr. SHUSTER, and Mr. THOMPSON of Pennsylvania.

H. Res. 89: Ms. EDWARDS of Maryland.

H. Res. 91: Mr. HOEKSTRA and Mr. UPTON.

H. Res. 109: Mr. SHADEGG and Mr. SESTAK.

H. Res. 111: Mr. ADERHOLT, Ms. FOXX, and Mr. GORDON of Tennessee.

H. Res. 116: Mr. ROSS.

H. Res. 117: Mr. BARTON of Texas.

H. Res. 130: Ms. LEE of California, Ms. MOORE of Wisconsin, Mr. MARKEY of Massachusetts, Mr. JOHNSON of Georgia, Mr. HINOJOSA, Mr. MORAN of Virginia, Mr. KILDEE, Mr. RUSH, Mr. SMITH of Washington, Mr. CARSON of Indiana, Mr. DAVIS of Illinois, Mr. MICHAUD, Mr. SCHRADER, Mr. HONDA, Mr. TIERNEY, Mr. HILL, Mr. MCGOVERN, Mr. MASSA, and Mr. WALZ.

H. Res. 134: Mr. SMITH of Texas, Mr. WATT, Ms. ZOE LOFGREN of California, and Mr. MOORE of Kansas.

H. Res. 139: Mr. PASCRELL, Mr. HINCHEY, Mr. PAYNE, Mr. MCGOVERN, Mr. CARNAHAN, Ms. EDWARDS of Maryland, Mr. HOLDEN, Mr. HOLT, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MATHESON, Mr. MOORE of Kansas, Mr. SABLAN, Mr. SARBANES, Mr. SERRANO, Mr. SPACE, and Ms. SUTTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 123: Ms. ROS-LEHTINEN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, TUESDAY, FEBRUARY 10, 2009 No. 27

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Once to every person and nation comes the moment to decide. Eternal God, the source of wisdom, such a season has come to our Senators. As the Members of this body strive to do the right thing, give them supernatural guidance. Guide them to make decisions that will withstand the scrutiny of generations yet unborn. Infuse their discussions with the civility that engenders respect, objectivity, and pragmatism. Destroy partisan rancor as our lawmakers remember that You are the only constituent they must please. Remind them that indecision is not an option during crisis and that evil usually triumphs when good people do nothing. Lord, only You know the future and which decision will bring the greatest benefits for the most people. As our lawmakers seek to be responsible while not knowing what the future holds, let Your providence prevail.

And Lord, we pray for the thousands in Australia, devastated by the deadly wildfires.

We pray in Your loving 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. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 10, 2009.

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.

ROBERT C. BYRD,
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 leader remarks, the Senate will resume consideration of H.R. 1, the American Recovery and Reinvestment Act. The time until 12 o'clock will be equally divided and controlled between the two leaders or their designees. At 12 o'clock noon today, the Senate will vote in relation to the Collins-Nelson of Nebraska substitute amendment, to be followed by a vote on passage of the bill. Upon disposition of H.R. 1, the Senate will recess until 2:15 p.m. to allow for the weekly caucus luncheons.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

STIMULUS COMPROMISE

Mr. MCCONNELL. Madam President, over the past several months, a series of frightening economic events have left many Americans without work and many more wondering when the bad news will end. A problem that began in the housing sector spread to the financial sector, triggering even more problems in industries that rely on credit. Major U.S. companies that many Americans never thought were vulnerable have laid off thousands of workers, some for the first time ever. Last month alone, 600,000 Americans lost jobs.

This was the situation when President Obama took office late last month. And, to his credit, our new President has committed himself to working with Congress to fix the economy, a top priority for both parties. A month before Inauguration Day, the President told us that bold legislative action would be needed. He also said repeatedly that he would be careful in spending the taxpayers' money.

The American people were ready to support an economic plan that would work and that wouldn't spend money we don't have on things we don't need. So were Republicans in Congress.

What many of us did not expect, however, was that President Obama wouldn't be the author of that plan. In an odd turn of events, the bold economic plan that President Obama called for ended up being written by some of the longest-serving Democrats in the House of Representatives—and it showed. Tasked with writing a stimulus bill that was timely, targeted, and temporary, Democrats in the House produced an enormous spending bill that was none of the above.

Criticism of the House bill was fierce, so many of us expected that Democrats in the Senate would draft a much better bill. Unfortunately, those hopes turned out to be unfounded. Not only was the Senate bill more expensive than the House bill, it repeated the same mistakes: hundreds of billions in permanent Government expansion, wasteful projects that would have

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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minimal or no impact on job creation, and a staggering $1.2 trillion pricetag when interest costs are added.

As the Senate version was taking shape, a number of Senators expressed serious concerns. One Senator said he was, ''very committed to making sure that we get it scrubbed clean of many of these programs.'' Another said that, ''If there's wasteful or silly spending, or spending that does not, you know, create, jobs, that sort of stuff needs to be pruned out.'' Another Senator said, ''We are seeking not to let this thing get loaded up with all these other pet projects and pet programs.'' Another said, ''. . . it needs some work. It needs some surgery.'' And those were just the Democrats.

Concerns were so widespread that President Obama called a meeting at the White House with congressional leaders. After the meeting, many of us thought Senate Democrats would rethink their plan. They didn't. They dug in deeper. Republicans tried repeatedly to cut out the waste and bring down the total cost of the bill, and to refocus on the central problem of the housing market. Democrats resisted. They rejected an amendment that would have cut more than $25 billion in wasteful spending from the bill. They rejected an amendment that would have turned off spending on newly created programs—rather than let them live in perpetuity. They rejected an amendment that would have turned off spending once the economy recovers.

In the end, Senate Democrats produced a bill that fell so far short that a compromise emerged. But the compromise itself wasn't much better than the original House or Senate bills. Much of the spending was either permanent or unfocused. And many of the wasteful or nonstimulative projects that raised concerns in the earlier versions remained: hundreds of millions for Government cars and Government golf carts; $200 million to consolidate the Department of Homeland Security offices in Washington; $100 million for grants to small shipyards; nearly $1 billion to spruce up parks.

In every version of the stimulus we have seen, wasteful spending has attracted the most attention. But even more worrisome to many is the permanent expansion of Government programs. One estimate puts the cost of this expansion at nearly $1 trillion over the next decade.

Even the Committee for a Responsible Federal Budget, which counts Obama economic adviser Paul Volcker and former Clinton Budget Director Alice Rivlin as directors, has been highly critical of this aspect of the bill. Last week, CRFB president Maya MacGuineas pointed out that many of the bill's spending projects squander resources. But even more troubling, she said, are the programs that aim to permanently expand Government. As MacGuineas put it, ''extending our borrowing beyond the economic downturn will make our already-dismal fiscal picture far, far worse.''

Still, some Democrats continue to defend the bill. Asked about its apparent lack of focus, one veteran Democratic Congressman said, ''So what.'' One Senate Democrat called $16.4 billion in the bill ''a trifle.'' Another Democrat Senator said that by inserting a $3 billion project of his own, he was just ''fiddling at the edges.'' Another said that $50 billion was ''not going to make the difference to the economy.'' Most people cringe at a 50-cent increase in the cost of bread. Senate Democrats shrug at taking $16 billion from the taxpayers for a project they can't even assure us will work. In an economic downturn, we should care more about how we spend their tax dollars—not less.

America is in the midst of a serious economic crisis. At some point, however, we will all have to face an even larger crisis: We have a $1.2 trillion deficit. The national debt is approaching $11 trillion. Soon we will be voting on an omnibus appropriations bill that will cost another $400 billion. This week, Secretary Geithner is expected to propose another round of bank bailouts that could cost up to $2 trillion. Including interest, the bill before us will cost $1.2 trillion.

Americans are asking themselves ''Where does it end?'' They want to know how we're going to pay for all this. They are worried. And they should be worried about a bill so big that it is equivalent to spending more than $1 million a day for more than 3,000 years. This is an enormous amount of money.

The President was right to call for a stimulus, but this bill misses the mark. It is full of waste. We have no assurance it will create jobs or revive the economy. The only thing we know for sure is that it increases our debt and locks in bigger and bigger interest payments every year. In short, we are taking an enormous risk with other people's money. On behalf of taxpayers, I will not take that risk.

The administration is clearly worried about the risks of spending this much money. Over the weekend, the Treasury Secretary decided to postpone an announcement on the use of the remaining TARP money and an entity that would absorb toxic assets from troubled banks.

Yesterday, the Democrat majority in the House postponed a leftover appropriations bill from last year that would bring 2009 spending to more than $1 trillion for the first time ever. It may seem overwhelming to do all of this at the same time. But, in my view, we need to lay all of this spending on the table at once, rather than trickle it out in an effort to hide the true costs.

We need to be straight with the American people.

Last year, the national debt was about $10 trillion. The interest payments on that debt totaled about $450 billion. At the same rate of interest, the debt we're about to take on from this stimulus, the bad bank legislation, and the appropriations bill could cost an additional $250 billion per year in interest payments.

That's about $700 billion next year in interest payments on the debt alone—more than we spent last year on defense, military construction, Veterans hospitals, and Homeland Security combined—$700 billion with nothing to show for it, $700 billion just to keep the creditors from knocking on our door. The interest costs on the stimulus bill alone will cost us $95 million a day, every day, for the next 10 years. Most people know what it is to charge a little more on the credit card than you should. They should know that their Government is about to charge a lot more on the Nation's credit than it can afford—and that it is counting on the taxpayers to cover the cost.

This is serious money, all of it borrowed, and all of it spent on the hope that it will help lift the economy.

All of us want to strengthen the economy and create and save jobs. Republicans believe the best way to do it is to first fix the problem, which is housing. Then we need to let people keep more of what they earn. Throughout this process, Republicans have been guided by the belief that the desire to ''just do something'' shouldn't be an excuse to waste tax dollars. That is why we proposed a plan that was more focused on the problem and which didn't waste money—in short, a plan that was timely, targeted, and temporary. Sadly the bill before us is none of these things, despite the good intent of the President. Obviously, I will be voting against it, and I urge my colleagues to do the same.

BOY SCOUTS OF AMERICA

Mr. MCCONNELL. Madam President, this week marks the 99th anniversary of an organization that has assisted in the moral and civic formation of millions of American boys.

By training young men in the skills of self-reliance, and inculcating in them the virtues of patriotism, volunteerism, and the importance of moral character, the Boy Scouts of America has strengthened our families, our communities, and our Nation beyond measure.

Eleven of the twelve men who have walked on the Moon were Scouts. More than one-third of all West Point cadets are Scouts. Several U.S. Presidents dating back to Teddy Roosevelt have been Scouts or Scout volunteers. And at least four of my Senate Republican colleagues are Eagle Scouts.

This week we recognize the valuable contributions of this fine organization, and we celebrate its traditions.

Looking at the challenges we face today, it is clear that men of character are needed as much today as they were when the Boy Scouts of America was incorporated in the U.S. in 1910. And as long as young boys put on the Scout uniform, we can expect those challenges to be met.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1) making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes.

Pending:

Reid (for Collins-Nelson (NE)) amendment No. 570), in the nature of a substitute.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 p.m. will be equally divided and controlled between the leaders or their designees, with the final 10 minutes for the two leaders.

The Senator from Montana.

Mr. BAUCUS. Madam President, in each of the last 3 months, more than half a million mothers and fathers came home to tell their families that they had lost their jobs.

In each of the last 3 months, more than half a million breadwinners came to terms with the news that they were no longer gainfully employed.

In each of the last 3 months, more than half a million Americans suddenly had to make do with much less.

Bad as that news is, the year ahead looks no better. Job losses have accelerated to a rate not seen in nearly three decades. And economists warn that other shoes are bound to drop.

These are times that frighten even seasoned managers. These are circumstances that concern even bullish economists.

The history of the 1920s and 1930s teaches us that we must act. The history of the Great Depression teaches us the costs of delay.

We must act to replace some of the trillions of dollars in demand that the private sector lacks. We must act to support those who, through no fault of their own, have been thrown onto the rolls of the unemployed. We must act to prevent the economy from spiraling deeper into recession.

The road before us is clear. We must pass the economic recovery and reinvestment legislation before us today. We must speedily resolve our differences with the House of Representatives. And we must get this bill to the President for signature without delay.

The bill before us would create or save 3 to 4 million jobs. The fate of millions of mothers and fathers, sisters and brothers, wives and husbands depends on what we do here today.

Every generation must face its own challenge. Responding to this economic emergency is ours. Let us not be found wanting.

Let us pass this bill and ensure that millions more mothers and fathers will not have to come home to tell their families that they have lost their jobs.

Let us pass this bill to ensure that millions more breadwinners will not have to come to terms with unemployment.

And let us pass this bill and rise to the economic challenge of our generation.

I don't know who the manager is on the other side, but I assume the Senator from Texas has more than enough authority to speak. I suggest she seek recognition and ask for whatever time she desires.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Madam President, is there time allocated to each side?

The ACTING PRESIDENT pro tempore. The time until noon is equally divided.

Mrs. HUTCHISON. Madam President, I rise with hope that my colleagues will not waive the Budget Act point of order on this bill and to speak against passage of the legislation.

Sometimes one has to talk about process when dealing with something as important and as large as the bill before us. A fair process would have allowed input from both Republicans and Democrats, and would have written the bill in committee rather than trying to write the bill on the Senate floor. I am still concerned about a $1 trillion expenditure. When we have an 800-page bill, we are spending about $1 billion per page. Yet I don't believe we have a consensus about the right way to be spending $1 trillion; $1 billion per page in this bill.

The important thing we must do for the future is to look at all of the expenditures we are making. It is important for us to look at the trillion dollars we spent on stimulation last year which did nothing to help the economy. Now we have another trillion dollars coming down the pike to shore up financial institutions. We have $1 trillion in spending before us. We already have a $10.6 trillion debt. It is time to step back and say: a trillion dollars here and a trillion dollars there, we are talking about real money. The great Everett Dirksen talked about the ''real money'' of a billion dollars, and now we are at a trillion.

It is time to pause and say to the American people: We are going to look at what needs to be done before we spend another dollar, much less $1 trillion.

I believe 100 of us would say we need a stimulus package. It is how we spend the money that is in disagreement. Right now the bill before us is one-third tax cuts and two-thirds spending. Even the tax cuts are not going to help create jobs or keep people in their homes, which should be our major focus. The tax cuts are similar to the ones we did last year, which every economist agrees did not work because we didn't see a stimulus. We didn't see an increase in buying. Instead, the economy continued to go steadily downhill. The payroll tax that is dribbled out at $20 or $30 per paycheck is not going to make people feel confident to spend money which, in turn, creates the jobs.

I believe we should have tax cuts that are targeted to making people spend their money. We have had the converter box coupons that will go to offset the cost of the digital transition. You get a coupon in the mail. You take it into a dealer that is selling the boxes. It offsets the cost immediately. How about a tax cut that is in the form of a coupon that can only be redeemed if you spend money in certain areas, such as home improvement, weatherization, where you buy things that create a market so we won't see retailers or manufacturers having to lay people off, as we have seen in the last few weeks? Why not a coupon for expenditures that will ensure that the money is spent for job-creating activities? Why not a tax cut to employers for hiring people? That would be direct. That would say: If you will hire people, we will give you a tax credit. Employers would understand that. That is an incentive. Five hundred dollars in payroll taxes dribbled out will not give that confidence. We have the history of last year to show it.

Let's talk about the spending. I think we can spend wisely to create jobs. The Republicans are not against spending. We just want to separate spending that is going to create jobs versus spending that people might like that might be good programs but are not going to create jobs. That is the division we have now.

The spending in this new amendment is better than the original bill. They said they cut about $100 billion, but when you add in the amendments already in the bill, it is about $50 billion. And some of what they cut out was the right amount they should have cut out. It was the right types of projects to cut out. I will give them that. I think if we had had a more collaborative process from the beginning, we could cut out about $200 billion that would not be creating jobs, and we could put it into a stimulus that would.

The kind of stimulus we should be targeting is money that we are going to have to spend anyway, say, over the next 5 years. Let me take, for example, military construction. In military construction, the Department of Defense

has a 5-year plan. We know what the 5-year plan is. In normal times, we would take 1 year at a time. The Department of Defense will put its highest priorities in the first year and then the second year will be next and then the third and fourth and fifth. But if we had a stimulative package, we would take that 5-year plan, and we would put it into 3 years so the spending would be upfront, and I have an amendment that will do that.

It would create jobs in America, and it would be spending we know we are going to do anyway. That spending would create jobs from money we are going to spend anyway. So in the last 2 years, we can start going back to normal, if the economy has picked up and people are spending and we have a lower unemployment rate. We would be able to say: Well, we have already done our military construction spending. We do not need to spend that money in those last 2 years and we can start trying to come toward a balanced budget again.

We have to start whittling down that $10.6 trillion debt. But, instead, we are going in the opposite direction, adding to that $10.6 trillion debt already on the books.

So I think there are some things we could agree to do. But this bill has not gone through the processes that would allow that input. My amendment has been pending since last week. It has been filed. But no action has been taken on it because we are not allowed to have the action, and we did not have the action in committee that would have allowed amendments.

I believe we could have made some headway on military construction. The same for highways. I agree with the highway spending in the bill. I think we should have more in that direction because it is money we are going to have to spend eventually; move it up to the front. They are American jobs. That meets the test.

I am very concerned that some of the spending in this bill—in the hundreds of millions and billions of dollars—is the kind of spending that is going to increase. It is going to increase payments the people are then going to come to expect, and we are not going to be able to come back to normalization, even when we have normalization, and we are going to keep adding to this debt.

I hope my colleagues will pause and realize that for $1 trillion, we ought to do better for the future generations of our country because if our foreign investors in U.S. start beginning to think it is a risk to invest in the United States because we have no means to pay them back, two things can happen, and both of them are bad. One is they stop buying the debt. Then what are we going to do? The second is, they buy the debt but at what rate? They start raising the interest rates because the risk is greater. That will increase the economic woes we are now experiencing. Neither of those scenarios is a good one.

I hope our colleagues will see we are on a road that in the long term is not the right road for our country. I respect that everyone is trying to do what is right.

I know my colleagues on the Democratic side are trying to do what they think is right. I know the President is. I know the Republicans are too. We are in disagreement because we have not had the ability to fully come together in a way that will allow give and take, not just to have a bill that is laid before us where we are trying to amend here, amend there, without any cohesion in what we want to be the final result that would be a collaborative process. But what we have done is not, and at $1 trillion I think we need to do it right.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, I yield 5 minutes to the Senator from Maryland.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, is there a time limit on the speaking time at this time?

The ACTING PRESIDENT pro tempore. The Senator has been yielded 5 minutes.

Ms. MIKULSKI. Madam President, thank you very much. Then I will get right to it. I have a lot to say in support of this bill.

Let me start off by saying we have inherited a terrible mess, but the Senate is taking a major step forward to turn the country around by passing the American Recovery and Reinvestment Act.

By standing with President Obama, we stand for America, to create jobs for people who have lost them and to help those who have jobs keep them.

This bill is about jobs, jobs, jobs. Through the rough and tumble of the legislative process, I do believe the Senate has found a sensible center. I compliment all of both sides of the aisle who chose to work with each other to accomplish this.

This bill balances spending on the public investments and targeted tax credits that create jobs without exacerbating the Federal deficit.

There is much to commend us about the spending bill. The focus on physical infrastructure is absolutely crucial to my own State of Maryland. If one takes something that is not very jazzy to talk about, such as sewers and water grants, I can only bring to the Senate's attention that this stimulus would bring $123 million to Maryland for these projects. But if Governor O'Malley were here, he would say: Thank God. If the people of Montgomery County, Prince Georges County, and Baltimore city were here, they would say: Cheers.

Over the weekend, we had a terrible water main break in Maryland, in Baltimore. It went through Madison Street, near one of our most famous Catholic Churches. That church runs a school by the Jesuits, which focuses on giving a Jesuit prep school education practically free to poor boys, helping them to find their way. It closed not because of a lack of funds but because of a water break.

Iggy's, one of our most delicious pizza parlors, was flooded with water not with business because of the water main break.

Most recently, a big water main break occurred on River Road in Montgomery County. There was a dashing rescue by the brave people, first responders, of the Montgomery County rescue team, snatching people from waters that cascaded through like it was a Maryland ''Niagara Falls.'' We have the money and the will to pay for the daring rescue, but we want to fix essentially what was a tsunami, a local tsunami in Montgomery County. Every time we do this, you have to have jobs for the people who will actually build the water and sewer programs.

I could take you on a tour throughout Maryland. But what we are doing is creating jobs, improving the environment and public safety and public health. I could go item after item on these spending issues. Education would be one of the others which is very important.

The American Recovery and Reinvestment Act creates jobs by investing in our infrastructure. It fixes aging physical infrastructure, like roads, bridges, and water systems.

Water mains are aging. Roadways are turning into rivers. Small businesses have to shut their doors. Hospitals can't take care of the sick.

A recent water main break in Baltimore closed St. Ignatius, a school that provides a Jesuit education for poor kids. It closed Iggy's pizza parlor, a local Baltimore landmark. It was shut down after the water main break. The owner is not sure when he can reopen his doors.

The stimulus provides $123 million for Maryland water and sewer projects. The formula funding to the States is to make low-interest loans to localities and utilities. This means local governments won't have to raise rates or cut services.

But not all jobs require a shovel to be ready to go. Some need microscopes and telescopes. High-tech jobs like maritime charting help keep Maryland's economy afloat.

There is $80 million to update nautical charts. There is a backlog of 20,000 square miles. Some nautical charts for the bay have not been updated in decades. The channels have changed naturally. So have the boats that go down the channels. Ships are bigger and weigh more.

We need accurate charts to make sure boats don't run aground, halting the flow of goods in Baltimore Harbor. It could cause an environmental mess and costly clean-up. Maryland can't afford a maritime accident.

It makes major investments in education so families and local school districts can help special needs children.

By giving money to the Governor to fill budget gaps in State aid, Prince George's County won't have to consolidate 12 schools, increase class size, or cut 900 positions in central administration.

By providing funding for Early Head Start, officials in Baltimore City can start serving the 95 percent—7,600—of low-income infants who are eligible but do not receive nutritional, health, and education services due to a lack of funding.

By providing a surge in title I dollars, Carroll County won't have to cut 33 teaching positions that otherwise would be slashed because of tight budgets.

It provides a social safety net that helps distressed families. It helps with food stamps and nutrition for seniors. It supports Meals on Wheels so seniors stay in their communities and age in place. Last year, Meals on Wheels of Maryland delivered 780,000 meals to almost 3,000 seniors.

Putting food in people's mouths, about 317,000 Marylanders rely on food stamps each month.

It expands Medicaid so States can continue to cover those already on Medicaid and expand the program to cover new individuals. About 854,000 children and adults rely on Medicaid in Maryland. For families of three who make about $52,000 this means elderly won't get dropped from nursing homes and children will have health care.

It invests in the techno infrastructure, like broadband to expand small businesses. Rural Maryland will be able to sell agricultural products or crafts and antiques on e-Bay, running e-based businesses out of their homes. Or if they lose a job, they can look for a new job online. And telecommuting is an option, so they may not have to move to a city to be near a good job.

And it has targeted tax breaks to help families and small businesses, like expanding the child tax credit, helping at least 100,000 poor children in Maryland. It eases the ability to qualify for the refundable child tax credit, and provides up to an additional $2,000 for a family with two children making less than $30,000.

Last week we learned that 598,000 people lost their jobs in January. This bill is a victory for America. This bill stimulates the economy today and lays the groundwork for a stronger economy tomorrow.

In addition to what was done the other night and what will pass in this stimulus—and I intend to vote for this stimulus—I am so heartened my automobile amendment is included in this bill. It makes interest payments on car loans and State sales or excise car tax deductible for new cars that would be purchased this year.

What does it do? It actually gets people in the showroom. It does what Senator HUTCHISON talked about. I got 71 votes: 41 Democrats and 30 Republicans. What does it do? It saves jobs because it gets people in the showroom to buy a car; and that means for the people who sell the car, for the auto mechanic who fixes it, for the manufacturer who makes it, and, most of all, for the consumers. They get a chance to buy a car that will be far more fuel efficient and also lower carbon. Now, that is what both sides of the aisle have talked about.

My amendment makes interest payments on car loans and State sales/excise car tax deductible for new cars purchased from November 12, 2008 to December 31, 2009.

How does this amendment help our economy? It saves jobs. If the domestic auto industry goes bankrupt, the U.S. would lose 3 million jobs, in manufacturing, repairs and service, car dealerships, and science and engineering. It helps consumers. A family would save about $1,553 on a $25,000 car, such as a Dodge minivan. Cars are most families' biggest purchases after their homes. It supports States and local governments. States rely on car excise taxes for their infrastructure projects. More car sales means more revenue for struggling State and local governments.

It is urgently needed. To reach viability, the Big Three need U.S. new car sales to be at 13 million a year at a minimum. Sales in December were more than 20 percent below that minimum—10.3 million a year. This is the only proposal that will stimulate demand up the supply chain so that the Big Three's restructuring plans will work.

Who would qualify for this tax deduction? Families who make less than $250,000; $125,000 for individuals. The deduction is ''above-the-line''—meaning it can be taken advantage of by itemizers and nonitemizers. It only applies on cars that are less than $49,500.

I have a statement from someone whom I never thought I would be in alignment with, the economist Martin Feldstein. He is on the conservative side, and everybody knows you kind of cover me blue. He says what we should focus on is providing incentives to households and businesses to increase current spending. Why not a tax credit to households to purchase cars or other consumer durables?

I will quote from his article, dated Thursday, January 29, 2009, in the Washington Post:

> As a conservative economist, I might be expected to oppose a stimulus plan. In fact, on this page in October, I declared my support for a stimulus. But the fiscal package now before Congress needs to be thoroughly revised. In its current form, it does too little to raise national spending and employment. It would be better for the Senate to delay legislation for a month, or even two, if that's what it takes to produce a much better bill. We cannot afford an $800 billion mistake.
>
> Start with the tax side. The plan is to give a tax cut of $500 a year for two years to each employed person. That's not a good way to increase consumer spending. Experience shows that the money from such temporary, lump-sum tax cuts is largely saved or used to pay down debt. Only about 15 percent of last year's tax rebates led to additional spending.
>
> The proposed business tax cuts are also likely to do little to increase business investment and employment. The extended loss ''carrybacks'' are primarily lump-sum payments to selected companies. The bonus depreciation plan would do little to raise capital spending in the current environment of weak demand because the tax benefits in the early years would be recaptured later.
>
> Instead, the tax changes should focus on providing incentives to households and businesses to increase current spending. Why not a temporary refundable tax credit to households that purchase cars or other major consumer durables, analogous to the investment tax credit for businesses? Or a temporary tax credit for home improvements? In that way, the same total tax reduction could produce much more spending and employment.

The ACTING PRESIDENT pro tempore. The Senator has used 5 minutes.

Ms. MIKULSKI. My time has expired. Madam President, I ask for 2 minutes to conclude.

All I say is this: I thank the Chair for allowing me to offer the amendment. But if you want a car at your house, call the White House or call the House of Representatives. The problem now is not the idea but it is the politics. Let's get the White House on our side. Let's get the House of Representatives on this side. Flood not the streets but flood them with the phone calls. Call these numbers. Let's get America rolling again.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Madam President, I yield 10 minutes to the Senator from New York.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Thank you, Madam President.

I thank my colleague from Maryland, who is doing a great job on the car amendment, and my colleague from Montana, the chair, who has led us extremely well on this legislation.

We are trying to deal with an economic crisis that grows worse day by day, similar to an economic 9/11 that ought to be bringing us together. The economy is hurtling southward. People are laid off every second and every minute. You get on the phone and talk to someone you know—I spoke to a friend of mine. Her sister had been laid off. I went to a local Italian restaurant. The waiter's wife had been laid off. The woman who cuts my hair, her husband has been laid off.

We are hemorrhaging jobs. The middle class is losing dollars. The country could edge over into a recessionary spiral downward that actually turns into deflation, which could, God forbid, turn into a depression. Yet while President Obama shows leadership, the other side is still adamantly sticking to policies that do not work. They are arguing for marginal rate cuts and choosing to ignore that the very purpose of a stimulus package is to spend money, to help fill the void left by a dramatic reduction in consumer and business spending.

This package certainly does not have everything I want or any single Member wants. But for the sake of this

country, we all must give and come together and get it passed—not only passing on the floor today but getting this passed in conference quickly because every day we wait more are laid off.

In my judgment, this package should be more heavily tilted toward spending, jobs, putting money in the pocket of the middle class. This is a position supported by the vast majority of mainstream economists.

The President and Senate Democrats have bent over backward to accommodate views we do not feel accurately portray what needs to be done. People are criticizing President Obama for being partisan last night. But let me tell you, he and we have reached out and done our best to bring Republicans along. But as the President said last night, drawing the line at continuing the very policies that got us into this position in the first place is the proper place to draw that line. To pass a bill with 80 votes that would do nothing to help the average person would be a far greater failure than passing a bill with 61 votes that starts our economy moving again.

There are three criteria for this bill, simply put: jobs, tax cuts for the middle class, and rebuilding our infrastructure. Let me repeat that: jobs, tax cuts for the middle class, and rebuilding our infrastructure. Most every provision in this bill does one of those three things now. Lots of little porky things have been taken out.

So while some of our colleagues on the other side of the aisle want to cure the Bush recession with the Bush economic plan, the President was right to say no. As for bipartisanship, we have been trying; Lord, we have been trying. The two largest amendments added to this bill—a total of $106 billion of the $840 billion in the bill—were added by Republicans. This isn't just allowing people to debate; this isn't just saying we will listen to you and not do what you want. Again, let me repeat: The two biggest amendments added to the recovery package were Republican amendments, Senator ISAKSON's at $36 billion and Senator GRASSLEY's at $70 billion, and they didn't vote for the bill. What do you want out of us? This is not a small little bauble of $10 million in tax cuts or in spending. This is close to one-eighth of the entire bill, and it doesn't bring us a single vote. How can you say we are not being bipartisan when we have allowed major changes to be made to this bill, despite the President's wishes?

What has happened here is very simple. Our Republican colleagues want the right to add amendments but never will vote for the bill, except for three courageous Senators—two from Maine, one from Pennsylvania. What more can we do? There were 472 amendments filed, 48 considered, 27 offered by Republicans, a good bunch of those accepted. Many of us voted for them. What more bipartisanship do you want?

Here is the sad fact. The sad fact is this: Unless the bill is all tax cuts mostly for the wealthy and has virtually no spending, a large number on the other side will never vote for it. Never. So all the talk of bipartisanship is that: mere talk. We are walking the walk. We are adding Republican amendments. We are giving people a chance to offer amendments. We are not so-called ''filling the tree'' and blocking debate. We have to scrounge, beg, and plead, for three votes. Again, I salute those three who did it. They made changes in the package that I didn't want. I would rather see more money in education. I would rather see ours similar to the House bill, which has 34 percent tax cuts and 66 percent creating jobs and helping people keep jobs, but again we went from 34 percent tax cuts to 44 percent.

I wish to make one other point before I conclude. Many on the other side point to one little provision or another. They say, Well, there is money for STD; there is money for the Mall. Well, we took those out, but make no mistake about it, if we took them out, they still weren't going to vote for the bill. They were excuses. Let me say this to all of the chattering class that so much focuses on those little tiny, yes, porky amendments. The American people don't care. The American people care far more that there is a proposal in the bill—this one I pushed—that gives a $2,500 credit to families who pay tuition to put their kids through college. Great relief. They care far more about that than about some small provision in the bill that shouldn't be there, because the tax relief from tuition costs they are going to get means far more to them. They care more about a provision that keeps the teachers in their schools. They care far more about the provisions that will build roads and bridges and employ people in their communities. So to all of us, particularly on my side, let's not fall for the bait. Let's not make this a bill that is mostly things such as refurbishing the Mall or sexually transmitted diseases which should be out of the bill. It is a bill about jobs. It is a bill about tax cuts to the middle class. It is a bill about infrastructure. The American people know that. They know they are hurting. They know we have reached out, and they know we have to act.

So we will not be diverted. We will do our best to bring more Republicans over to our side, and I hope that happens this week. We will be open to new suggestions just as we were to $106 billion in suggestions that were added to the bill. But we will not sacrifice the focus of this bill: jobs, tax cuts for the middle class, and infrastructure for anything, because America demands that we get ourselves out of this mess.

I salute our President. He put together a great package. My colleagues in the House improved on it. We in the Senate reluctantly had to pull back on certain portions of the House bill to get the 60 votes necessary, and we did it for the good of the country, even though each of us would have written it differently. Now we must move forward. I urge my colleagues on the other side of the aisle to reconsider, to acknowledge that we have been very bipartisan, to acknowledge that our country has a crisis, to acknowledge that they actually lost the election and can't write the whole bill, even though they will have some suggestions; and I urge that we all come together the way we did after 9/11 when there was another crisis and move this country forward.

I yield my remaining time to my friend from Montana and yield the floor.

Mr. FEINGOLD. Madam President, I am deeply troubled by the enormous debt this legislation is creating for future generations. Under almost any other circumstance I would vote against this bill for that very reason. But our economy is in desperate shape, and we are facing the worst economic crisis since World War II.

Since the recession began a little over a year ago, 3.6 million jobs have been lost, with nearly half of those coming just in the last 3 months. The unemployment rate is 7.6 percent and rising, and the number of unemployed is approaching 5 million.

The deeply flawed financial regulatory policies of the last two decades paved the way for this economic collapse, and the budget policies of the last 8 years have left us ill-equipped to address it without running up hundreds of billions in debt.

There are no good options, but doing nothing is simply unacceptable.

The bill on which we will vote today is far from perfect. On that there is nearly unanimous agreement. The question before us, then, is whether to vote against this bill and hope we can produce legislation that will be more effective, or to support this bill and begin to do something, however imperfect, to stop the economy from plunging further.

Given the current makeup of the Senate, it is extremely unlikely that the Senate will produce a better bill. We could work on it for another couple of weeks, but the changes would be small. It is far more important that we act to prime the economic pump, and that we do so soon. And for that reason, I will support this far from perfect measure, and hope that it will be improved in conference.

But this bill should not set a new precedent for budget policies. Once we stop the economic plunge, we absolutely must return to a sustainable budget policy, one that will reduce the mountain of debt we have left to our children and grandchildren.

Mr. AKAKA. Madam President, I support the Economic Recovery and Reinvestment Act.

This legislation will create jobs by encouraging innovation for the development of clean energy and strengthening our Nation's infrastructure. This

vital bill will assist States so that they can continue to provide vital services. States need help in meeting the social service and health care needs of their communities. As economic activity has declined, State revenues have also decreased. Supporting States so that they can continue to provide health care coverage and essential social services will help our constituents in this great time of need. States must be good stewards of these resources and utilize them for their intended purposes. This recovery bill will also provide relief to workers and families hardest hit by the economic recession.

I am proud to support provisions in the Economic Recovery and Reinvestment Act which will bring financial relief to our Nation's struggling public schools, colleges and universities. Our Nation's future depends upon our ability to provide our keiki with the educational opportunities they need today so they can compete in tomorrow's global economy. The Senate bill includes $39 billion in much needed funding to assist our local school districts as well as public colleges and universities. It also includes funding for teacher quality partnership grants to improve the quality of new teachers and encourage individuals to enter the teaching field. In addition, the Senate-passed version also provides $12.4 billion in title I grants to Local Education Agencies to help our Nation's most disadvantaged students. The Senate bill also helps students and their families achieve the dream of a higher education by increasing the Pell Grant maximum award by $281 for award year 2009–2010 and then by $400 for 2010–2011.

I am pleased that the legislation includes significant funding that will benefit the Department of Veterans Affairs and the veterans it serves. I have been working, along with other members of the Veterans' Affairs Committee, to advocate for the needs of veterans in the context of this recovery and reinvestment bill. I am very grateful to the chairman of the Appropriations Committee, Hawaii's senior Senator, Mr. INOUYE, for hearing our message and providing tangible results.

The money in this package that is appropriated for VA will help advance a number of projects that have been languishing for too long. For example, VA has a $10 billion backlog in major health care facilities construction. This stimulus package includes $3.7 billion for health care and services, the vast majority of it for facility construction.

Included in that sum is $1.1 billion for major facility construction that can be used to build new hospitals for veterans who have insufficient access to health care, or have lost use of their hospital due to damage or disrepair. Another $1.37 billion is targeted on crucial nonrecurring maintenance to facilities that need upgrades or repairs. There is also nearly $940 million appropriated for minor construction, which will be used to build new community based outpatient clinics, among other purposes.

The legislation also includes $50 million to improve benefits for veterans.

I am pleased with the almost $65 million intended for VA's National Cemetery Administration. Of this amount, $60 million will be used to provide much needed cemetery infrastructure support and repair and investment in VA's National Shrine initiative. I believe the funding will go a long way toward meeting our obligation to provide final resting places for veterans and honor their service on our behalf.

As helpful as this infusion of funding will be, I remind all of my colleagues that this only addresses existing, unmet needs. When it is time to begin work on the new budget, we cannot subtract any money from the VA appropriation, as all of those funds will be needed to meet the new fiscal year's costs.

I am pleased that Veterans' Affairs Committee staff was able to work with the Finance Committee to ensure that certain VA beneficiaries receive economic recovery payments. I appreciate the willingness of the Finance Committee to make certain that VA beneficiaries, who might not otherwise receive a payment, get one in this time of economic uncertainty.

I also commend my colleague, Senator INOUYE, for his ongoing advocacy on behalf of the Filipino veterans of World War II. This legislation contains an authorization for a lump sum payment for funds that were appropriated last session for these veterans.

I look forward to swift enactment of this essential legislation intended to help working families, create jobs, improve infrastructure, and assist veterans.

Mr. LEAHY. Madam President, for the past week, the Senate has been debating an economic recovery plan introduced by Senators INOUYE and BAUCUS. I support this plan because the American people and their communities need it to create jobs, help stabilize the economy, and protect those who have been most hurt by the current global economic and financial crises.

We are confronting the most severe economic problems this country has experienced in generations. The U.S. economy has been in recession since December 2007. America's GDP declined 3.8 percent in the fourth quarter of 2008, the steepest drop since 1982. The United States lost 2.6 million jobs last year, the most since 1945. And last week we learned that the U.S. economy shed 598,000 jobs in January, putting the unemployment rate at 7.6 percent.

In my home State of Vermont, not only has the amount of credit available to small businesses shrunk significantly, but our unemployment rate jumped to 6.4 percent in December—the highest measurement in more than 15 years. With many more firms announcing layoffs in January and so far in February, the economic numbers are shaping up as even bleaker news for America's working families, and also for America's now out-of-work families.

Of course, Vermont is not alone in this struggle. Workers, businesses, and State and local governments all across the country face mounting debt, slumping orders, and sagging budgets.

To respond to this extraordinary crisis, I agree with President Obama and a vast majority of Americans that we must act quickly and responsibly to pass an economic recovery and job creation plan as bold as the challenges we face. By acting now to strengthen our economy and invest in America's future, we can create good-paying jobs, cut taxes for working families, and make responsible investments in our future.

Our No. 1 priority should be to put America back to work. This economic recovery plan we are debating today will help create or save million of jobs, including an entire generation of green jobs that will make public and private investments in renewable energy and make America more energy efficient.

Investing in our country's infrastructure and education will do more than create jobs today—it also will put the country back on a long-term path toward prosperity. Rebuilding our roads and bridges; expanding broadband access to rural communities; making our energy grid smart and more efficient; constructing state-of-the-art classrooms, labs and libraries; and investing in job training that Americans will need to succeed in the 21st century economy will give us tangible assets that we can use for years to come to foster additional economic growth.

But it has been interesting over the past week to listen to the impassioned speeches of some members of the minority party in relation to this economic recovery bill. Despite all of the pain being felt in America today, it is as if their tax-cutting policies, in effect for the past 8 years, were a resounding success and built a strong economy, rather than left the American people with a trillion-dollar deficit and the highest unemployment rates in recent history. It is as if they have somehow convinced themselves that we should go right on supporting the Bush administration's policies that the voters soundly rejected last November.

For instance, I have heard criticism about the increased Federal funding for State and local law enforcement in this bill. Some have called this a ''pet project'' which will do little to stimulate the economy. Nothing could be further from the truth. Tough economic times create conditions that can too easily lead to a spike in crime. Just 2 weeks ago, USA Today reported a study by the Police Executive Research Forum finding that nearly half of the 233 police agencies surveyed had seen significant increases in crime since the economic crisis began. Maintaining effective State and local law enforcement during a time of budget cutting

at the State and local levels is key to our efforts to combat the scourge of drugs and crime.

The funding the Senate has included in the recovery package for State and local law enforcement will not only help to address vital crime prevention needs, but will also have an immediate and positive impact on the economy, as police chiefs and experts from across the country told the Senate Judiciary Committee in our first hearing of the year, which I chaired last month. Hiring new police officers will stimulate the economy as fast as, or faster than, other spending. For construction jobs, only 30 to 40 percent of the funds go to salaries, but in police hiring, nearly 100 percent of the money goes to creating jobs.

We also need to remember that crime and drugs are not just big city issues. I held Judiciary Committee hearings in Rutland and St. Albans, VT, last year to seek solutions to the growing problem of drug crime in rural areas. Rural areas, which lack the crime prevention and law enforcement resources often available in larger communities, have in many cases been hit particularly hard by the economic crisis. The Senate bill's inclusion of such assistance is important and should remain.

I am also pleased that the Senate has chosen to include in its recovery package funding for programs protecting women who are victims of violence through the Violence Against Women Act, as well as for victims of crime—addressing those who are most vulnerable to the likely increases in crime in a down economy. Law enforcement officials and victims' advocates have made clear to the Judiciary Committee that in the current economic crisis there are more victims than ever in need of more help than before, but funding sources for victim services are scarce. Those already victimized by crime should not also be victims of our struggling economy.

I have also long held the view that American innovation can and should play a vital role in revitalizing our economy and in improving our Nation's health care system. I commend the lead sponsors of the economic recovery legislation for making sure that this bill includes an investment in health information technology that takes meaningful steps to protect the privacy of American consumers. The privacy protections for electronic health records in the economic recovery package are essential to a successful national health IT system. Among other things, these privacy safeguards give each individual the right to access his or her own electronic health records and the right to timely notice of data breaches involving their health information, and the safeguards place critical restrictions on the sale of sensitive health data.

Also crucial are funds for fraud enforcement, which is necessary for protecting the integrity and efficiency not only of the financial system, but also of the spending in this bill—the very concern that critics of the bill keep harping on. The economic crisis has revealed an epidemic of fraud related to the mortgage fraud crisis and the resulting corporate collapses. The FBI and other Federal agencies will soon be overwhelmed with new cases. In the past year, the FBI has received more than 60,000 Suspicious Activity Reports from banks, a number which has doubled in 3 years, but currently there are fewer than 200 agents assigned to investigate these criminal allegations. The significant funding included in the Senate recovery and reinvestment bill would help the FBI hold accountable those responsible for contributing to our economic crisis.

Nobody thinks this bill is perfect. Like most bills, there are things in it that I like and other things that I disagree with. We are part of a global economic recession involving forces that extend far beyond our borders, and nobody thinks this bill will eliminate unemployment completely or solve all our fiscal problems. It took years to get us into this mess, and it will take years to get us out. There is no quick fix—not this bill, not any bill.

But America is hurting, and Americans urgently need our help. They want action and solutions. I strongly support this economic recovery package because I believe it would provide a direct infusion of emergency aid to create new jobs, help save existing jobs, make significant infrastructure investments, provide relief for massive State budget deficits, and relieve the tax burden on struggling families. We have had a long, tough debate here in the Senate, but America deserves nothing less than our best effort.

Mr. COBURN. Madam President, this economic stimulus bill contains $87.7 billion to bail out State Medicaid programs and more than $21 billion to have the Government control the adoption rate of health information technology (health IT) through Medicare and Medicaid.

We are in the middle of an economic crisis today. Yet the health IT spending through Medicare and Medicaid will not start until 2011. Interestingly enough, the Congressional Budget Office, CBO, has stated it ''anticipates near-universal adoption of health IT over the next quarter century even without legislative action. As a result, the 0.3 percent reduction in health care costs estimated to result in the near term from enactment of this bill would diminish in later years, when the use of health IT will be more pervasive in any event.'' So this stimulus bill spends money more than 2 years after the economic crisis has started on an issue that the market would have addressed on its own.

This is just one of the many examples that illustrate that the stimulus is, as recently noted by the Wall Street Journal's editorial page, ''90 percent social policy and 10 percent economic policy.'' I believe that this ''social policy'' will be counterproductive to the goals of universal adoption of health IT because it will mire the health care system in new bureaucratic red tape.

Another example of the stimulus's social policies is its inclusion of $1.1 billion for research on medical treatment comparative effectiveness. This is to be used to ''accelerate the development and dissemination of research assessing the comparative clinical effectiveness of health care treatments and strategies, including through efforts that: (1) conduct, support, or synthesize research that compares the clinical outcomes, effectiveness, and appropriateness of items, services, and procedures that are used to prevent, diagnose, or treat diseases, disorders, and other health conditions and (2) encourage the development and use of clinical registries, clinical data networks, and other forms of electronic health data that can be used to generate or obtain outcomes data.''

Included in this $1.1 billion spending is a $400 million ''slush fund'' given to the Secretary of Health and Human Services, HHS, that could be construed to allow the Secretary to use however he or she wishes. Let me be clear, none of the comparative effectiveness research funding under the stimulus may be used for anything but research on comparative clinical effectiveness.

While I recognize and appreciate that the comparative effectiveness provisions of this bill only permit comparative clinical effectiveness, I am concerned that this lays the groundwork for comparative cost effectiveness with bills that the Obama administration will push and Congress will consider in the future. Why else would they be pushing to spend $1.1 billion on comparative clinical effectiveness, if the intention was not to one day tie the answers from that research to cost and coverage decisions?

To quote one of President Obama's top White House health advisers, Jeanne Lambrew, ''There is a bipartisan—I should be careful about the bipartisan, working the bipartisanship in the Senate. The House isn't quite as bipartisan as we would like but there has been support for investing about $1.1 billion in this economic recovery act for over two years for ARC and partly for NIH and partly for under agency activities to begin to try to say how do we get at the relative costs, excuse me, the relative effectiveness of the different services.'' That statement could be characterized as a Freudian slip.

While Congress has limited comparative effectiveness research funding in the stimulus to clinical effectiveness questions, I am concerned that the sponsors of this bill and the Obama administration have plans to force on the American public coverage decisions based on comparative cost effectiveness. Make no mistake: I will vigorously fight those efforts in the future.

In addition to the comparative clinical effectiveness research spending, the stimulus bill creates a structure

similar to the Federal Health Board described in the book ''Critical'' by former Senator Tom Daschle. President Obama endorsed this book and has relied on Senator Daschle's advice in crafting his health care agenda. A new, bureaucratic Federal Coordinating Council for Comparative Clinical Effectiveness Research would be established under section 802 of the stimulus. The council will advise the President and Congress on No. 1. strategies with respect to the infrastructure needs of comparative clinical effectiveness research within the Federal Government; No. 2. appropriate organizational expenditures for comparative clinical effectiveness research by relevant Federal departments and agencies; and No. 3. opportunities to assure optimum coordination of comparative clinical effectiveness and related health services research conducted or supported by relevant Federal departments and agencies, with the goal of reducing duplicative efforts and encouraging coordinated and complementary use of resources.

The council would be composed of 15 members, all of whom are senior Federal officers or employees with responsibility for health-related programs. It concerns me that no attempt is made with this language to ensure council membership includes private, nongovernment experts. The American people know that medical experts at places like Harvard, Johns Hopkins, and Yale have more expertise on medical issues than bureaucrats at the Department of Health and Human Services. In the future, I will work to ensure that this council—and the American people—benefit from the expertise that resides in the minds of our country's premier medical experts.

The council would report annually on Federal activities in this area and recommendations for further research. While I recognize and appreciate that the comparative clinical effectiveness research and the council in the stimulus do not go as far as the board outlined in Senator Daschle's book, I am gravely concerned that it is simply the precursor to a full-fledged Federal Health Board. In Senator Daschle's own words, a Federal Health Board may alter the traditional doctor-patient relationship by giving the Federal Health Board new powers to make coverage decisions about medical technologies, treatments, drugs, and procedures, ''Doctors and patients might resent any encroachment on their ability to choose certain treatments . . .''

The model proposed by Senator Daschle and endorsed by President Obama—and which I am concerned the stimulus lays the groundwork for—would be disastrous for American patients. This exact model is a failed policy of the past in Great Britain's health care system. Great Britain's National Institute for Health and Clinical Excellent, NICE, evaluates new medical drugs and treatments for coverage decisions for all British citizens.

An approach like NICE neglects the basic fact that medical decisions vary by individual patient and disease processes. Medicine is not simply a cold science; it is also an art that reflects each individual patient's condition.

An approach like NICE will ultimately attach price tags to patients' lives and result in treatment rationing. To quote my friend Dr. Scott Gottlieb in a recent Wall Street Journal opinion editorial, ''[NICE] has concluded that $45,000 is the most worth paying for products that extend a person's life by one 'quality-adjusted' year. (By their calculus, a year combating cancer is worth less than a year in perfect health.) . . . In Britain, there's vocal dissent against NICE constraints, especially among the cancer patients who are denied many effective new drugs that, for now, are widely prescribed in the U.S. The rich, of course, are able to opt out of the British controls. But the rest of the country has to appeal to politicians—rather than their doctors—to gain access to restricted medicines.''

Rather than top-down Government solutions that control costs by one-size-fits-all coverage mandates, I believe that a health care market that plays by fair rules is a far more powerful force to control costs and improve quality. The American people know it works because that competition and entrepreneurship has worked in every other American industry. I support creating a health care system where patients and doctors are able to make decisions based on individual patient conditions and needs.

The American people know that bureaucrats and politicians cannot be trusted as the ultimate arbiters of medical decisions. I will vigorously oppose any efforts to take choice and individualized care away from patients and their doctors.

Mr. KENNEDY. Madam President, this is a truly historic moment. We are taking a bold step to meet the greatest challenge to our Nation's continued prosperity in a generation. Thanks to visionary leadership from our new President and from our leaders here in Congress, we can offer new hope for working families throughout the Nation.

America is mired in a crisis unlike any we have seen since the Great Depression. Trillions of dollars of hard-earned wealth have been wiped out. Families are losing their homes, their jobs, their health care, their life savings, and their hopes for the future.

At the heart of this economic turmoil is the collapse of the jobs market. We lost 2.6 million jobs last year. Over 11 million Americans are unemployed—that is more than four unemployed workers for every job opening in the country. We recently learned that there were 626,000 new jobless claims in the past week and that 4.8 million Americans are collecting unemployment compensation—the highest number on record. The monthly job numbers released last Friday show that the national unemployment rate has reached 7.6 percent. In many States, unemployment has already reached 8, 9, or even 10 percent.

Getting laid off can start a devastating downward spiral. It often means the loss of health insurance, leaving families with exorbitant medical bills when they can least afford them. It means more parents can no longer afford to send their children to college or even put food on the table or heat their homes.

We need to turn our economy around, and we need to do it now. Economists agree that only ambitious and aggressive job creation policies—and strong government investment in our nation's future can spark a revival of our economy.

In November, Americans voted overwhelmingly for change—for action over gridlock, for practical solutions over ideology, and for a government that has a role to play in advancing our common prosperity. President Obama has called on us to pass a bold economic recovery bill that embraces these priorities and the bill before us will do that.

First and foremost, this legislation would create good new jobs by repairing and replacing aging infrastructure. The funding included for water infrastructure—both for wastewater and for drinking water—is long overdue. In New England, we have some of the oldest sewer infrastructure in the Nation. Much of it was built in bygone years when excess sewage was dumped into public waterways. These funds are a good start, but much more must be done to replace these so-called combined sewer systems.

Similarly, the bill's investments in roads, bridges, and transit are absolutely essential to putting people back to work, and to avoiding some of the catastrophes we have seen, such as the I–35 bridge collapse in Minnesota. I commend the bill's managers for recognizing how essential these projects are for the Nation's future.

In all, the Congressional Budget Office reports that economic recovery legislation could save or create up to 2.4 million new jobs this year, up to 3.9 million jobs in 2010, and up to 1.9 million jobs in 2011. These jobs will make a tremendous difference in revitalizing our economy.

But in the meantime, millions of Americans still need help to weather the storm. That is why this bill extends and temporarily increases unemployment insurance benefits. These extra dollars will give a strong boost to economic growth, while putting more money in the pockets of millions of Americans facing the worst job market in a quarter century.

Unfortunately, there are millions of hard-working Americans who have contributed to this vital program, but who don't benefit from it. Only 37 percent of unemployed workers receive benefits. These rules are particularly unfair to the most vulnerable Americans—including low-wage workers and the

many women who juggle work and childcare responsibilities.

There is no better time to strengthen this vital safety net and extend it to Americans who have funded it with their hard-earned dollars. That is why I am pleased that this legislation includes provisions from the Unemployment Insurance Modernization Act, a bipartisan bill which I have worked on with Senators BAUCUS, SNOWE, STABENOW, ROCKEFELLER, and many others. These provisions will immediately improve coverage for more than 500,000 workers unable to qualify for these benefits now. It will also provide needed funds to States to keep their unemployment offices open and running smoothly, even under the overwhelming flood of applications from workers who have lost their jobs.

The recovery package also strengthens the safety net by making other important investments in the health and wellbeing of children and low-income families. It provides major increases for the School Lunch Program, food stamps, Meals on Wheels, food bank aid, and low-income weatherization assistance. These programs are particularly vital today, when family budgets are being stripped to the bone.

I am especially pleased by the increase in food stamp aid. More than half a million residents in Massachusetts rely on food stamps to buy food each month. Nearly 70 percent of the assistance goes to households with children, and 20 percent goes to households with an elderly person.

These investments are essential to meet the needs of our most vulnerable citizens. In fact, increased spending on food stamps is among the most effective ways to stimulate the economy, and I commend the leadership for bringing forward a bill that makes this kind of wise and compassionate investment.

The legislation will also immediately help Americans to stay healthy, thus making them more productive and successful. It provides job support in medical research. It promotes a primary care workforce. It helps unemployed workers protect their health while looking for new jobs and opportunities.

To create a healthier America, we need greater emphasis on prevention. Citizens need access to primary care providers and preventive screenings, communities need vigorous prevention initiatives, and the nation needs a strong national public health infrastructure and workforce. In our ongoing discussions and work on health reform, it is vital for us to address how best to support prevention and wellness and revitalize our public health system.

Funds provided in the bill are also an important first step in increasing the nation's ability to conduct comparative effectiveness research and achieve the important goal of helping Americans obtain the right care, in the right place, at the right time, every time.

It makes no sense to hamstring such research by placing unnecessary restrictions on what may and may not be studied. Limiting studies only to the clinical practice of medicine could inadvertently prohibit research comparing reforms in health services. One of the best examples of comparative effectiveness research is a study of patients with pneumonia, which has helped us understand who should be hospitalized and who can be cared for at home. That is important science, and we need to encourage it.

Obviously, this stimulus funding is by no means the end of the comparative effectiveness research movement. It is just the beginning. The debate over what research should be conducted, how it should be governed, and how it should be used should be reserved for the ongoing policy discussion.

The legislation also includes important investments in health information technology. Use of electronic medical records will enable our health care system to provide the highest possible quality of care, and also benefit from the improved efficiency that other industries have already achieved through IT. This investment will help develop a high-tech infrastructure for our health care system, and it will also create high paying jobs today. IT industry experts estimate that every $10 billion spent on health information will create more than 200,000 jobs in manufacturing, software development and information technology services.

Finally, the recovery package before us also takes important steps to strengthen education as a key strategy to revitalize the economy and move America forward. It includes important investments at every point in the education pipeline. It will help to prevent harmful teacher layoffs and cuts in school budgets, expand access to child care and preschool programs, and strengthen Pell grants to provide a lifeline of assistance to needy college students.

American education is severely affected by the economic downturn. This package responds directly to that challenge by beginning to revive America's preschool classrooms, its elementary, middle, and high schools, and colleges.

Resources devoted to education and to the future of America's youth are among the most important investments proposed in this legislation, and this assistance couldn't come at a better time. According to the Center on Budget and Policy Priorities, 34 States have implemented or proposed cuts in K–12 education. It is part of the economic crunch of rising unemployment, declining consumer spending, and home foreclosures. Per pupil spending has been reduced, school breakfast programs have been eliminated, training for teachers and principals has been cut off, and in some cases schools have been forced to reduce hours in the school day or shorten the school year.

Across the Nation, school superintendents have implemented or plan to implement staff reductions. Many school districts facing shrinking budgets are planning cuts in math and science classes, in new teacher programming, and in teacher mentoring—and they are also increasing class sizes. We must not force America's students to bear these high costs of our economic crisis.

I am especially pleased, therefore, that this legislation includes $39 billion in emergency basic aid to states to prevent harsh cutbacks and reduce budget shortfalls in early childhood education, K–12 education, and higher education. Such aid is a lifeline of support for America's preschools, classrooms, and college campuses.

The bill also makes a significant commitment toward meeting the needs of low-income children, by providing $12.4 billion under title I of the Elementary and Secondary Education Act, and provides an unprecedented $13.5 billion to assist schools in meeting their commitment to students with special needs under the Individuals with Disabilities Education Act.

The increase in funding for title I immediately demonstrates our commitment to prevent harmful cuts and deliver the support and solutions needed for schools to close achievement gaps and meet the goals of the No Child Left Behind Act.

The investment in IDEA is a down payment towards finally meeting the Federal Government's 33-year old promise to fund 40 percent of the average per-pupil expenditure for every child in special education. The Federal Government now funds less than half of this commitment, because of the economic shortfall at the local level that is being exacerbated by the current crisis.

I am also pleased that this legislation makes a key investment in upgrading schools for the 21st century by investing in the education technology program under the No Child Left Behind Act.

For low-income college students across the country, the bill increases the maximum Pell grant by $281 for the next school year, and by $400 for the year after that. College costs have risen by more than 400 percent over the past 20 years, but the size of the Pell grant has fallen far behind. The College Cost Reduction and Access Act we passed in the last Congress was a downpayment on this challenge, and this bill is another step in the right direction.

In the current economic climate, this support is more important than ever. As in recessions past, Americans are entering or returning to college in record numbers. Over 6 million citizens have applied for Pell grants this year, an increase of over 10 percent compared to last year. With more and more low-income families and fewer and fewer jobs to go around, opening the doors of college to more students is a sensible response to this economic challenge. It will help us weather the crisis and better prepare our Nation to compete in the future.

Our recovery won't be fair unless it also includes our Nation's youngest and most vulnerable children. This bill delivers over $1 billion for the Head Start and Early Head Start programs, which will allow about 50,000 more children to participate in these programs. The size of Early Head Start will be increased by half, creating almost 30,000 jobs.

Investments in high-quality early learning programs like Head Start produce excellent returns for later economic growth and job development. Currently, Head Start serves only half of eligible preschoolers, and Early Head Start serves less than 3 percent of eligible infants and toddlers. These programs have been struggling, because operating costs associated with providing high-quality early childhood education are soaring, yet staff, program hours, transportation, and other services have been declining in order to deal with a 13-percent decrease in funds. The funding in this recovery package will help Head Start Centers across the country get back on their feet and back on track serving our youngest children.

The legislation also invests in essential child care assistance for children and parents. It provides an increase of $2 billion in the child care development block grant, so that States can serve an additional 480,000 needy children, and paid work opportunities are created for 190,000 caregivers.

Quality child care produces long-term benefits in children's learning and development. It also allows parents to continue working productively. The licensed child care sector enables parents to earn more than $100 billion annually, generating nearly $580 billion in direct and indirect labor income and more than 15 million jobs.

We know that child care is one of the largest expenses for low-income families. Between 2006 and 2007, the average cost of full-time infant child care rose by 6.5 percent, and child care costs for four-year olds rose by 5.3 percent. Yet funding for the child care development block grant has been nearly flat since 2002. As a result, nearly 140,000 fewer children are receiving Federal assistance under this program than in 2002. Only one out of every seven children eligible for assistance under this program now receives it.

There is no question that the challenges we face as a nation are daunting. But they are challenges we must face together. Following the President's lead, we must ask more Americans to be part of the solution. This legislation makes that possible by including $200 million for national service programs and infrastructure, an important investment for these difficult times.

With the crisis hitting community after community, the demand for services and assistance is sharply increasing. In response, more Americans, young and old, are answering the President's call to serve. They are looking for ways to help. Applications to service organizations are up. AmeriCorps members across the country are already performing this needed role, from mentoring youth whose families are struggling, to ensuring low-income individuals have a place to go home to. The increased funding for national service opportunities in this bill will enable more Americans to help those in need, and will also provide support and assistance for nonprofit organizations doing some of the most important work in our neediest communities. Much more can be done to expand these opportunities and encourage more Americans to put their skills and ingenuity to work for others in their hard-hit communities. This legislation is a significant step toward this goal.

This package makes many critical investments in our infrastructure and in our future. Never has action been more urgently needed to jumpstart our economy. This recovery legislation is an indispensible and long-overdue step toward putting our economy back to work for American families. I urge my colleagues on both sides of the aisle to support these strong measures and to save and create jobs. Together, we can turn our economy around and begin a new era of prosperity for all our Nation's families.

Mr. LEVIN. Madam President, the American people are counting on us to act to stabilize and revitalize the economy, and the Economic Recovery and Reinvestment Act that the Senate is considering is an essential part of that effort. It will create jobs and make investments to bolster our economy in both the short and long term.

The situation is dire. The Nation is in a deep recession. Michigan's unemployment rate is the highest in the country. Michigan has lost over half a million jobs since January 2001, and more than 300,000 of those were manufacturing jobs. In this January alone, the Nation lost 598,000 jobs, including 207,000 manufacturing jobs, and the number of first-time jobless claims was higher than any time in the past quarter century. The economy is in very bad shape, and it is getting worse.

Job creation must be our No. 1 priority as we work to turn the economy around, and jobs are the focus of this recovery plan. The provisions in this bill are designed to create jobs, including funding for infrastructure, tax cuts, and investments in critical technology. The Obama administration estimates that this plan will create or save over 3 million jobs nationwide—well over 100,000 jobs in Michigan alone—over the next 2 years, including jobs in health care, clean energy and construction.

The recovery plan includes funding for investments in technology and modernization efforts that can help us compete in the global economy.

The bill includes $2 billion in funding for the Department of Energy for grants to manufacturers of advanced batteries and battery systems, which will help provide American manufacturers the resources and the support they need to manufacture these batteries in U.S. facilities. The recovery package also includes $100 million in Defense Production Act funding, which will go toward the support of manufacturers of technologies for the next generation of vehicles used by the military. This funding is critical because battery manufacturers and other manufacturers are deciding now where to locate their production facilities, and we cannot afford to lose those facilities and the jobs located there to other countries that are willing to offer greater financial incentives than we are.

The package also includes significant measures to expand the American market for advanced technology vehicles. It increases from 250,000 to 500,000 the number of plug-in hybrid vehicles eligible for the consumer tax credit for these vehicles. And it includes funding for Federal agencies to aggressively lease alternative energy vehicles—such as hybrid vehicles—to support a wide variety of agency missions. Government leasing of these vehicles will help stimulate production of these vehicles. We cannot just preach about the need to produce these vehicles. We must lead the way in purchasing them, even though their up-front cost is greater.

Shovel-ready infrastructure projects are the most immediate way to create jobs and get the economy moving quickly. The recovery plan includes over $45 billion in funding for ready-to-go road, bridge, rail and other projects to immediately and directly create jobs. I supported an amendment that would have added further funding for such projects, which unfortunately did not pass. Michigan has over $3 billion in transportation projects that can be commenced within 180 days. Even without the additional funding, the legislation we are considering will provide Michigan with nearly $900 million in highway formula funds and $165 million in transit formula funds, allowing for significant repairs to roads and bridges and purchases of buses for our public transit authorities. There is additional funding which will hopefully result in investments in the midwest high-speed rail corridor, and improvements to Amtrak that can help bring commuter rail to Michigan. I am especially pleased that the Senate stimulus bill distributes the highway infrastructure funds using the Surface Transportation Program, STP, authorized under the current highway law. The STP formula treats Michigan and other donor States in a much fairer manner than other highway funding allocation formulas.

The legislation also provides $2 billion for the Army Corps to address river and harbor, flood and ecosystem restoration projects across our Nation. I am hopeful that a significant portion of these funds will be directed to the Great Lakes navigational system, one of our Nation's most important maritime highways, which faces a backlog

in many much-needed maintenance projects that are ready to go.

Additionally, the legislation includes $6 billion for water infrastructure investments that will immediately employ people, protect public health, improve the environment, and create a stronger economic climate. This bill will provide Michigan with over $150 million for job-creating projects to address crucial wastewater needs, and about $70 million to improve water mains, leaking pipes, water treatment plants, pumping stations, and similar projects. It also includes $200 million for environmental infrastructure projects that can create jobs while helping to mitigate the impact of combined sewer overflows, which dump harmful pollutants into the Great Lakes every year.

There are also nearly $200 million worth of projects identified in conjunction with the Great Lakes Legacy Act, which was reauthorized in 2008 in order for the EPA to clean up contaminated sediments in the Great Lakes, which are shovel ready and could be done in a few months. Last year, the Brookings Institution released a report that concluded that a Federal investment would yield economic benefits of 2½ to 1. I will continue to push for these projects to be funded promptly from the appropriations in this bill.

The recovery package also includes $100 million in competitive grants for the cleanup of brownfield sites where redevelopment is complicated because of real or potential environmental contamination. Last year, Michigan was awarded $8 million for 22 such projects, and I am hopeful that a good portion of these grants will be awarded to Michigan communities. Because most of Michigan's grants were awarded for site assessments, rather than actual cleanup projects, I joined my colleagues Senators CARDIN and VOINOVICH in sponsoring an amendment that would allow the grants to be awarded for both assessments and cleanup projects. Both of these uses would quickly put people to work and make these sites attractive for investment and reuse, creating additional new jobs, generating additional tax revenues, and improving communities' overall quality of life.

Finally, on the infrastructure front, the bill includes about $750 million for the National Park Service to address the lengthy backlog of maintenance projects and other important needs. I am hopeful that a significant portion of these funds will be used at Michigan's four national park units and the North Country National Scenic Trail. Michigan's park and trail funding needs are great, and numerous projects have been deferred for several years. It is estimated that Michigan's parks and trails could use upwards of $35 million in funding for infrastructure investments that could be started within the next 18 months. I was concerned that the $23 million set aside for deferred maintenance of trails might exclude, for technical reasons, developing scenic trails, like the North Country Trail, which has 1,150 miles that run through Michigan. I obtained assurances on the record from Senator FEINSTEIN, the sponsor of the trail funding language that such trails would in fact be eligible for the trail funding, and I am hopeful that many trail maintenance projects will begin soon, creating jobs and boosting the economy.

The recovery bill will provide funds investing in health information technology, computerizing health records to reduce medical errors and save billions of dollars in health care costs.

The tax provisions in this legislation will create a refundable tax credit of $500 for working individuals and $1,000 for working families, covering 95 percent of working families. Taxpayers can receive this benefit through a reduction in the amount of tax that is withheld from their paychecks, or through claiming the credit on their tax returns. This will mean direct and immediate relief for nearly 4 million Michigan workers. For many struggling families, this will help them make ends meet in these tough times. By putting extra money in families' pockets, these targeted tax cuts will offer an immediate boost to the economy.

This recovery plan includes important measures that will modernize the current unemployment benefits system which includes administrative dollars and funds to incentivize States to modernize their unemployment insurance programs. This would mean more than $90 million for the State of Michigan right off the bat. This plan will also provide a further extension of unemployment benefits which will help the approximately 162,000 unemployed workers in Michigan who are unable to find a job in these hard economic times and whose unemployment benefit will expire. Additionally, it will provide an additional $100 per month in unemployment benefits, pumping money directly into depressed economic areas. Further, the bill temporarily exempts the first $2,400 unemployment benefits from income tax, meaning more of these funds can go to recipients and help grow the economy. Providing job training in new and expanding fields will help to lower the unemployment rate and help today's workers better compete against foreign competition. The bill provides $3.4 billion for job training including State formula grants for adult, dislocated worker, and youth programs, including $1.2 billion to create up to one million summer jobs for youth. The training and employment needs of workers also will be met through dislocated worker national emergency grants, new competitive grants for worker training in high growth and emerging industry sectors, with priority consideration to ''green'' jobs and health care, and increased funds for the Job Corps and YouthBuild programs. Green jobs training will include preparing workers for activities supported by other economic recovery funds, such as retrofitting of buildings, green construction, and the production of renewable electric power. It also provides $500 million for State formula funds for vocational rehabilitation State grants to help individuals with disabilities prepare for and sustain gainful employment; and $400 million for employment services grants to match unemployed individuals to job openings through State employment service agencies and allow States to provide customized reemployment services.

The bill includes funding to enhance and expand education initiatives aimed at ensuring that our next generation of Americans is able to meet the challenges of a global economy. It includes a $39 billion State fiscal stabilization fund for local school districts and public colleges and universities, distributed through existing State and Federal formulas, and $7.5 billion to States as incentive grants as a reward for meeting key education performance measures. It also addresses the needs of educationally disadvantaged students served through the Title I program, including $12.4 billion to help close the achievement gap and enable these students to reach their potential. Further, the bill includes $13 billion to improve educational outcomes for children served under the Individuals with Disabilities in Education Act. This level of funding will increase the Federal share of special education services to its highest level ever. Finally, the bill adds $13.9 billion to increase the Pell grant maximum award and pay for increases in program costs resulting from increased eligibility and higher Pell grant awards. The bill supports an increased Pell Grant maximum award of $281 in the 2009–2010 academic year and $400 in the 2010–2011 academic year, which will help 7 million students pursue postsecondary education.

A provision was also included to encourage use of the low-income housing tax credit, an important tool for the development of affordable rental housing.

Together, the provisions in this bill offer significant hope for our Nation's economic future. Still, a comprehensive economic recovery effort is balanced on a three legged stool consisting of creating jobs, unfreezing credit markets, and addressing the housing crisis, including reduction in the flood of foreclosures.

I am assured that the Obama administration is moving towards prompt action on the other fronts. President Obama will soon be putting forward a significant housing measure focused on reducing foreclosures and stabilizing home values. The Treasury Department is working to reconfigure the so-called TARP funds, of which $350 billion remains, to unfreeze our Nation's credit markets. The Treasury is also establishing sensible conditions for financial institutions who receive loans

from the government so we can monitor what they do with the funds and get them to resume the flow of credit.

This recovery plan represents an essential step toward stabilizing our economy. The infrastructure projects will create Michigan jobs, the tax provisions will help Michigan families and the investments in technology and modernization will pay dividends for years to come. While I am mindful of the further challenges we must address in order to end this recession, I support the Economic Recovery and Reinvestment Act with a sense of real urgency.

Mr. LEAHY. Madam President, I commend the Senate Appropriations Committee for including $7 billion in the Reinvestment and Recovery Act for the Department of Commerce to improve broadband access in our country. This new program should bring broadband to unserved and underserved areas in Vermont and other rural parts of our country. That access is crucial to the vitality of rural communities which are in danger of being left off the technology highway.

During deliberation of the reinvestment and recovery bill over the past week, I offered amendment No. 332 to set aside $100 million within the available $7 billion to provide loan guarantees for broadband construction. The program established in the underlying bill currently will fund only grants. These grants will be an important pillar of any financing for a national build out of broadband. However, loan guarantees are another important financing option to construct broadband networks. That is why I am offering this amendment to set aside less than 2 percent of the $9 billion for grants to establish a loan guarantee program.

Creating a loan guarantee program alongside the grant program has the benefit of leveraging billions of additional dollars in broadband investment. The $100 million that my amendment would have set aside would have leveraged up to $2 billion in additional broadband initiatives. And perhaps more importantly, a loan guarantee program would have the potential of advancing broadband projects that were prepared to move forward with bonds only to be halted due to the economic downturn and crisis in the credit markets.

In Vermont, I have been closely following the East Central Fiber, ECF, project. A group of 22 towns in the upper Connecticut and White River valleys of our State have formed a joint venture to bring fiber-optic broadband communications services to their region. The area is currently underserved or un-served with the type of modern communications infrastructure which is so critical to their long term economic survival. The East Central Fiber group was prepared to build their fiber to the home project through municipal financing until the credit markets collapsed during the economic downturn. A federal loan guarantee program could be the difference in financing this $100 million initiative.

It makes sense to establish a loan guarantee program for broadband in conjunction with the new grant program this bill funds. The small percentage of funds my amendment would have set aside has the potential to leverage billions more in broadband investments for rural communities.

This amendment was cleared by the relevant committees. Unfortunately Senators who oppose the reinvestment and recovery bill will raise objections to adopting any amendments by unanimous consent. Thus my amendment No. 332, as modified, along with several other amendments were denied being included in the final legislation that will pass the Senate today.

I will continue to work with my colleagues to establish at Broadband Loan Guarantee program at the Department of Commerce. Such guarantees are an important part of any national strategy to bring broadband, including fiber to every home, to rural communities.

Mr. BYRD. Madam President, these are perilous economic times.

The national economy is shedding jobs at an alarming rate. Nearly 2 million jobs have been lost nationwide in the last 3 months, with 3.6 million jobs lost since December 2007. In West Virginia, our workforce has been buffered to some degree by the mining industry, but we, too, are now feeling the painful global recession. In December—in just 1 month—West Virginia lost 4,100 jobs. We are hearing more frequently about layoff and job loss announcements: Dow Chemical in Kanawha County, Century Aluminum and Alcan in Jackson County, Bayer Material Science in Marshall County, Patriot Coal in Boone and Kanawha Counties, Mountaineer Racetrack & Casino in Hancock County, Simonton Windows in Ritchie County, AGC Flat Glass in Harrison County, American National Rubber in Wayne County, Georgia-Pacific in Fayette County, Greenbrier Resort Hotel in Greenbrier County, Kingwood Mining in Preston County, and Goodies Clothing and Circuit City stores throughout the State.

The Federal Reserve has reduced its interest rate target to near zero, and continues to experiment with unprecedented programs to bolster lending, injecting about $1 trillion into the banking system. Adding to the unease, the Congress has authorized the Treasury Department to purchase up to $700 billion of toxic debt from financial institutions. This is an authority that has been used, so far, to recapitalize the banking system, seemingly with few, if any, strings attached on the institutions receiving the funding. Meanwhile, national deficits and debt are increasing to what still seem like improbable levels.

If the stimulus package before the Congress today seems extraordinary, it is because the economic and fiscal challenge before us is extraordinary.

Not only has the recession created a $3.6 trillion economic gap over the next 5 years, but the fiscal programs of the previous administration have left this Nation with a $2.2 trillion deficit in infrastructure investments. Highway and mass transit systems, airport and rail construction, energy and water projects, schools and public facilities were starved under the previous administration. As State and local budgets shrink, these infrastructure deficits will continue to increase. In West Virginia, I have seen how inadequate infrastructure can limit access to jobs, to health care, and to schools. It can strangle and suffocate local economies.

It may seem incredible to some, but with a $2.2 trillion infrastructure deficit, and a $3.6 trillion contraction in the economy, an $838 billion stimulus is not enough. Rather than cutting back the stimulus package as some have suggested, we should be adding funds to infrastructure projects, which is why I cosponsored an amendment to the stimulus bill that would have further increased investments in transportation infrastructure. I agree with others who have said that the risk here is not that we may do too much. The real risk is that we may not do enough, fast enough, soon enough, and that jobs will continue to evaporate.

I have tried to focus this stimulus where I think it can do the most good for the working people of this Nation, including the people of West Virginia. During the debate, I supported several amendments to limit costs, and to target spending and tax cuts toward working families and their communities. I fought to make sure the bill would create jobs quickly. Seventy eight percent of the stimulative effect will take place in the next 18 months—a big improvement compared to the House bill. I also sought to ensure that there is some oversight of how these funds are spent at the state and local level. I have supported the creation of a Recovery and Transparency Board comprised of inspector generals across the Federal Government, to bring to light wasteful and corrupt spending. Likewise, I am hopeful that this Board will monitor State and local management of these funds, to ensure that excessive or political strings are not attached, delaying this critical funding.

I am sorry to see this stimulus package derisively referred to as wasteful, pork-barrel spending. I suspect many of these naysayers are not looking to create jobs, so much as they are looking to create a sound bite. I do not consider moneys for our Nation's roads and bridges, for our schools and communities, and for a safety net for the unemployed and uninsured to be handouts. I do not consider funding wasteful if it helps to ensure that state and local officials do not have to layoff police officers, school teachers, and fire fighters.

This stimulus is exactly what we need to be doing. I have been fighting for this infrastructure funding for many years. The bill may not win any popularity contests, but it is still the best idea for helping to mitigate this

economic downturn. It achieves the principle goals of creating jobs, of helping to prevent painful and dangerous budget cuts at the State and local level, and of investing in the long-term growth of the U.S. economy. I unhesitatingly cast my vote in support of this measure.

Mr. GRASSLEY. Madam President, I want to speak about the trade adjustment assistance amendment that Senator BAUCUS and I have introduced.

It is amendment No. 404, and it is called the Trade and Globalization Adjustment Assistance Act of 2009.

My colleagues are used to hearing me talk about the importance of trade.

Trade creates good, well paying jobs for American workers, farmers, and service suppliers. Those jobs are more important than ever in this time of economic difficulty.

So we need to keep working hard to open new markets for U.S. goods and services.

But if we are going to engage in international trade, we need to make sure we are looking out for U.S. workers who are affected by foreign competition.

Our trade adjustment assistance program is the primary program the Federal Government has for helping those workers. Unfortunately, the program is out of date. It isn't doing enough to help the workers who need it. And that is why I have joined with Senator BAUCUS to update it.

Today's amendment is the culmination of months of hard work on the part of Senator BAUCUS and myself. And this work reflects years of oversight and careful thought. It is also the product of close collaboration and intensive negotiations with our counterparts on the House Ways and Means Committee, Chairman RANGEL and Congressman CAMP. I want to thank my colleagues for their cooperation and good will.

This amendment truly is a bipartisan, bicameral product. The amendment would update the trade adjustment assistance program in important ways, so it better serves the needs of our workers in the globalized economy of the 21st century. I will mention some of those changes now, and I anticipate that Senator BAUCUS and I will introduce report language into the RECORD to reflect the legislative intent behind the provisions we have included in our amendment.

One of the most important changes that the amendment makes is to open the trade adjustment assistance program to workers in the services sector. Those workers aren't currently eligible for trade adjustment assistance.

So, if you are a customer service representative, and your job is outsourced to India, you are out of luck.

That limitation makes no sense to me. Services make up almost 80 percent of our economy, so it makes sense that service workers should be eligible for adjustment assistance if they are adversely impacted by trade. But that last point is critically important. Trade adjustment assistance should be made available to service workers, but only if they can demonstrate a causal nexus between trade and the loss of jobs.

The amendment I introduced with Senator BAUCUS requires an express determination of such a causal nexus before service workers can be certified for trade adjustment assistance. I wouldn't be here supporting this compromise if it didn't. The same goes for manufacturing workers. Trade adjustment assistance is premised upon an adverse trade impact, and this amendment preserves that nexus. Our amendment fills the hole in existing law so that software developers, customer service reps, and other service workers will be able to seek the same benefits that are currently available to workers in the manufacturing sector, and on the same terms. That is only fair.

We also increase the availability of training funds so that States can handle this expansion in eligibility and provide better training opportunities for displaced workers, to help them train for new careers. Our amendment expands the trade adjustment assistance for firms program to help individual firms better respond to foreign competition and avoid having to cut jobs to begin with. It improves the trade adjustment assistance for farmers program to provide targeted training and to help agricultural producers develop new skills and business plans. It creates a trade adjustment assistance for communities program to help entire communities respond to the pressures of globalization, and to help community colleges and other educational institutions develop new and more targeted courses to assist trade-impacted workers. And it helps States fund caseworker time spent with TAA clients, so that laid-off workers will have someone to help them examine their options and plan next steps.

Our amendment introduces a great deal more flexibility into the program, so that workers can choose between full-time and part-time training, or full-time work with limited wage insurance. Trade-impacted workers can even take advantage of training and case management services before they lose their jobs. Our amendment also improves the accountability and internal oversight of the program, at the State and Federal level, to provide additional assurance that taxpayer monies will be well-spent.

I have already noted that this amendment is a bipartisan effort that reflects the work of four offices. It is a compromise in many respects. There are portions of the amendment that I might have done differently if it were solely up to me. But that is the nature of compromise. And the overall policy embodied in this amendment is a good one that will do a lot of good for a lot of Americans—in Iowa and across the United States. Equally important, if we enact this amendment into law, it will help unlock the trade agenda so we can progress with other important priorities. Chief among those is implementation of the Colombia trade agreement, which is my top trade priority. And then we need to turn to our other trade agreements with Panama and South Korea as well. We need to level the playing field so that our exporters, service suppliers, and farmers can increase their sales to foreign countries. It is more important than ever.

We have had a social compact on trade for over 45 years.

One side of that compact is to address the needs of trade-displaced workers, and we are doing that with the Baucus-Grassley amendment.

The other side is to open up new markets for U.S. exports.

That was a driving principle when President Kennedy established the trade adjustment assistance program. President Obama should hold true to that principle by doing everything he can to create new export opportunities, starting with implementation of our pending trade agreements. A pro-growth trade agenda should be integral to our economic recovery strategy.

Now let me turn to the provisions in this amendment dealing with the health coverage tax credit. The health coverage tax credit was the creation of a bipartisan effort in 2002. It was designed to help those who were losing their jobs and their health coverage due to trade-related restructuring. The health coverage tax credit represented the first time that the Federal Government offered assistance in the form of a tax credit to purchase health coverage. It was a new way of doing things. Instead of the government offering government-run coverage, the government was offering a tax credit to purchase private coverage. That is a good thing.

As a new program, it had start-up challenges. And the program has special challenges that we don't see in the regular insurance market. You see, the trade adjustment assistance program is for a limited number of people. And it is offered just while people who have lost their jobs are going through retraining and finding another job. Health insurers do their best when they are insuring a larger group of people for a longer period of time. That is how insurance normally works. But the TAA program is the opposite.

So this program has some special challenges to manage. And for a new program, I think it has managed those challenges pretty well. But there is always room for improvement. That is especially true for a new program like this one. The Government Accountability Office and the Internal Revenue Service have studied the health coverage tax credit program and offered their recommendations. The health plans have also offered suggestions for how to make the program work better.

The amendment that Senator BAUCUS and I have worked out would make a number of improvements to the program. These are improvements needed

to make it work better for eligible workers. First, we need to make coverage more affordable. That is something I hope we can address in more comprehensive health reform. But in the meantime, this amendment will make coverage affordable by increasing the tax credit to 80 percent of the cost of coverage. By providing more assistance, we can make private insurance options more affordable. Let's not forget that if we don't preserve access in the private market, many of these unemployed workers and their families will be forced into Medicaid. This amendment also makes important changes that will raise awareness about the program. One of the biggest barriers to enrollment is that people just don't know about the program. We are also going to help people with upfront costs during enrollment, and improve coverage for family members.

As I said before, this is not a perfect program and today's changes are not going to make it perfect. I hope as this process moves forward, we can still look for ways to expand the number of coverage options for people that want to use the credit. We should make sure they have a variety of choices in the individual market. But even though today's changes don't do everything we would like, they represent another step in making this program work better for unemployed workers and their families.

And I compliment Senator BAUCUS for his hard work and commitment to moving forward on these important reforms. With that, I invite my colleagues to join me in supporting amendment 404, the Trade and Globalization Adjustment Assistance Act of 2009. The reforms in this amendment will provide immediate benefits to workers impacted by trade in Iowa and across the country. Over the long term, these reforms will help to strengthen the global competitiveness of our workforce. And that translates into maintaining good-paying jobs right here in the United States.

Mr. BAUCUS. Madam President, a baker once told Studs Terkel, the great chronicler of the American people:

''Work is an essential part of being alive. Your work is your identity. It tells you who you are . . . There's such a joy in doing work well.''

This body is considering legislation about economic growth and recovery. It is about energy, and it is about healthcare.

But we must never forget that we are also considering what is essential to Americans' lives. In our hands is a part of Americans' identities, and the joy and pride they get from a day's work well done.

And when we consider jobs lost in America, we must never forget that, in our hands, is also the pain of lost identity, lost pride, and lost meaning in Americans' lives.

Last week, Senator GRASSLEY and I—along with Chairman RANGEL and Mr. CAMP—completed negotiations on provisions to renew and expand our trade adjustment assistance programs.

Our provisions promise American workers who have lost their jobs the chance to get back on their feet. And with that opportunity, it offers Americans another shot at the dignity and joy they get from an honest day's work.

Trade adjustment assistance—or ''TAA''—has been my highest trade priority. For over two years, I have worked with Senator GRASSLEY and Chairman RANGEL to realize this priority. It was a long process, and it was not easy.

But I am proud to say that with their help, along with the invaluable support of Congressman Camp, and Senators SNOWE, BINGAMAN, CANTWELL, STABENOW, ROCKEFELLER, and others, we have achieved it.

When President Kennedy created trade adjustment assistance in 1962, he crafted it to reflect the needs and conditions of the American economy of his time.

Our new TAA provisions will reform and expand TAA to reflect the needs and conditions of our economy as we know it today. This renewal and expansion is historic. It is the most significant expansion of the program since President Kennedy created it.

And, most importantly, it will help TAA reach more Americans than ever before with the smart and effective services they need, when they need them.

The opportunities of international trade and job-creating exports have never been greater. For much of the past two years, growing American exports were a rare bright spot in our economy.

Yet with these opportunities also come risks. A sudden shift in global trade flows can send an industry reeling, taking its workers with it. In rural communities dependent on a single employer, the effect is even more sharply felt.

In my home State of Montana, the global recession has already hit our mines and our lumber industry. Workers in our aluminum and paper products companies also suffer in this crisis.

Trade adjustment assistance gives American workers caught in the crosscurrents of international trade a chance to get back on their feet with retraining, a healthcare tax credit, and strategic support for firms.

But as important as TAA is to our workers, it has not kept up with our evolving economy. It remains limited in scope, limited in resources, and limited in its ability to deliver effective services.

That is why the TAA expansion that Senator GRASSLEY and I negotiated is so important. It addresses these limitations and makes trade adjustment assistance work better for far more workers.

First, and perhaps most significantly, our new TAA provisions extend TAA to services workers. America remains a manufacturing powerhouse, but our economy has also evolved to create a vibrant and globally-integrated services industry. Services are now nearly 80 percent of our economy, yet TAA's benefits are out of reach for all services workers.

This legislation brings TAA in line with today's economy, extending TAA benefits to America's services industry workers, whether they are transportation workers, software designers, computer programmers, or airline maintenance technicians.

Second, our provisions extend TAA's offshoring provisions to all workers regardless of the country to which that job shifts.

Under current law, workers whose jobs shift abroad may only qualify for TAA if that shift is to countries with which we have a free trade agreement or certain other trade arrangements. But it does not cover eight of our top ten partners, including China, Japan, and Korea.

This legislation does away with that geographic limitation and expands TAA's benefits to cover all trade with all of our partner countries.

Third, our new TAA package increases training funds available to states by 160 percent—from $220 million to $570 million per year.

Job retraining programs are at the heart of TAA, and have proven the quickest and most effective way to give workers the skills they need to get back on the job. Take just two recent examples from Montana.

Wilfred Johnson lost his job after four decades in the lumber industry. He was 58 years old and had never before been unemployed. Mr. Johnson turned to local TAA administrators and with the help of TAA retraining funds, soon learned to operate heavy machinery. He earned his commercial driver's license, and started a new job with the Forest Service last spring.

Daryl Blasing also lost his job at a lumber mill. With the help of TAA, he retrained to learn information technology skills at a community college. Today, Mr. Blasing monitors election software for the State of Montana, a job he does so well that he earned the Governor's Award for Excellence in Performance.

Despite these and many similar successes around the country, workers' retraining needs often outpace TAA retraining resources. States including Iowa, Pennsylvania, Michigan, and North Carolina regularly exhaust their annual allotment of retraining funds before the year is out. Our new provisions remedy that funding shortfall and will make TAA training as effective as it could be.

Fourth, this reform also strengthens programs that offer American companies and farmers strategic assistance to keep them competitive and to keep their workers on the job.

Struggling farmers will be eligible for targeted and intensive technical assistance under the TAA for Farmers

program, leading to a better business plan and the seed money to get that plan off the ground.

We also more than triple the resources to back the successful TAA for Firms program, which partners small businesses with industry experts to improve their efficiency and competitiveness.

Fifth, I have worked with Senators SNOWE, CANTWELL, BINGAMAN, and GRASSLEY to devise a program to help communities struggling with the consequences of international trade.

When a large employer shuts down, entire communities feel the shock. This amendment recognizes the community-wide effects of trade and offers community-wide solutions.

Under the new TAA for Communities program, grants to technical colleges and public-private partnerships will help identify and invest in new viable and competitive industries. These small investments will help entire communities grow.

Sixth, our new TAA provisions take steps to ensure trade displaced workers have access to health care through a workable health coverage tax credit program.

Under current law, TAA-eligible workers can receive a 65 percent tax credit to buy certain health insurance. Our legislation will improve the affordability of health coverage for trade displaced workers by increasing the tax credit subsidy to 80 percent.

It will also provide workers retroactive reimbursement for premium costs that are paid while waiting to get enrolled in the health program.

Our legislation also improves coverage for spouses and dependents and establishes new rules to protect workers from being denied coverage based on pre-existing health conditions.

Our proposal also increases transparency around the costs and availability of health benefits and puts stronger mechanisms in placing for ensuring workers have accurate and timely information about their health coverage options.

There are many other aspects to our TAA package. I am introducing into the record a detailed description of our provisions. Senator GRASSLEY and I prepared this document with Ways and Means Committee Chairman RANGEL and Ranking Minority Member CAMP.

This document is meant to serve as the legislative history of these many provisions, as well as to provide the rationale for the amendments we propose to current law.

Madam President, during this debate my colleagues have talked a lot about the promise of our economy and hope for the future.

I too am hopeful. I am hopeful because I know that with this legislation, we are trying to do what is best for America.

I am also hopeful because I believe, as Studs Terkel wrote, ''Hope has never trickled down. It has always sprung up.''

It will again spring up from the Americans who work to stay competitive in their current jobs. And hope will spring from those courageous and innovative workers who retrain for new jobs.

Our provisions to renew and expand Trade Adjustment Assistance will help them do that. I urge my colleagues to give it their support.

I ask unanimous consent to have the report language printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I. LEGISLATIVE HISTORY

The Trade and Globalization Adjustment Assistance Act of 2009 (''Act'') amends the Trade Act of 1974 (''the Trade Act'') to reauthorize trade adjustment assistance (''TAA''), to extend trade adjustment assistance to service workers, communities, firms, and farmers, and for other purposes. This document reflects the shared views of Chairman Baucus, Senator Grassley, Chairman Rangel, and Congressman Camp (''the Members'') on the trade-related aspects of the Act. This document does not address the health coverage tax credit aspects of the Act.

II. EXPLANATION OF THE BILL

A. PART I—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

1. Subpart A—Trade Adjustment Assistance for Service Sector Workers

Extension of Trade Adjustment Assistance to Service Sector and Public Agency Workers; Shifts in Production (Section 1701 (amending Sections 221, 222, 231, 244, and 247 of the Trade Act of 1974))

PRESENT LAW

Section 222 of the Trade Act provides trade adjustment assistance to workers in a firm or an appropriate subdivision of a firm if (1) a significant number or proportion of the workers in the firm or subdivision have become (or are threatened to become) totally or partially separated; (2) the firm produces an article; and (3) the separation or threat of same is due to trade with foreign countries.

There are three ways to demonstrate the connection between job separation and trade. The Secretary of Labor (''the Secretary'') must determine either (1) that increased imports of articles ''like or directly competitive'' with articles produced by the firm have contributed importantly to the separation and to an absolute decrease in the firm's sales or production, or both; (2) that the workers' firm has shifted its production of articles ''like or directly competitive'' with articles produced by the firm to a trade agreement partner of the United States or a beneficiary country under the Andean Trade Preference Act, the African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or (3) that the firm has shifted production of such articles to another country and there has been or is likely to be an increase in imports of like or directly competitive articles.

Section 222 of the Trade Act also provides TAA to adversely affected secondary workers. Eligible secondary workers include (1) secondary workers that supply directly to another firm component parts for articles that were the basis for a certification of eligibility for TAA benefits; and (2) downstream workers that were affected by trade with Mexico or Canada.

When the Department investigates workers' petitions, it requires firms and customers to certify the questionnaires that the workers' firm and the firm's customers submit. Present law also authorizes the Secretary to use subpoenas to obtain information in the course of its investigation of a petition. The law provides for the imposition of criminal and civil penalties for providing false information and failing to disclose material information, but the penalties apply only to petitioners.

EXPLANATION OF PROVISION

The provision would amend section 222 of the Trade Act to expand the availability of TAA to include workers in firms in the services sector. Like workers in firms that produce articles, workers in firms that supply services would be eligible for TAA if a significant number or proportion of the workers have become (or are threatened to become) totally or partially separated, and if increased imports of services ''contributed importantly'' to the workers' separation or threat of separation.

As with articles, there would be three ways for service sector workers to demonstrate that they are eligible for TAA. First, TAA would be available if increased imports of services like or directly competitive with services supplied by the firm have contributed importantly to the separation and to an absolute decrease in the firm's sales or production, or both. Second, TAA would be available in ''shift in supply'' (''service relocation'') scenarios, if the workers' firm or subdivision established a facility in a foreign country to supply services like or directly competitive with the services supplied by the trade-impacted workers. Third, TAA would be available in ''foreign contracting'' scenarios, if the workers' firm or subdivision acquired from a service supplier in a foreign country services like or directly competitive with the services that the trade-impacted workers had supplied. In each scenario, the relevant activity would need to have contributed importantly to the workers' separation or threat of separation.

The provision also expands the ''shift in production'' prong of present law by eliminating the requirement in section 222 that the shift be to a trade agreement partner of the United States or a country that benefits from a unilateral preference program. Under the modified provision, if workers are separated because their firm shifts production from a domestic facility to any foreign country, the separated workers would potentially be eligible for TAA. Additionally, there would be no requirement to demonstrate separately that the shift was accompanied by an increase of imports of products like or directly competitive with those produced by the workers' firm or subdivision.

The provision also amends section 222 to make workers at public agencies eligible for TAA. Under the modified provision, if a public agency acquires services from a foreign country that are like or directly competitive with the services that the public agency supplies, and if the acquisition contributed importantly to the workers' separation or threat thereof, the workers would be able to seek TAA benefits.

The provision also amends section 222 to expand the universe of adversely affected secondary workers that could be eligible for TAA. First, the provision adds firms that supply testing, packaging, maintenance, and transportation services to the list of downstream producers whose workers potentially are eligible for TAA. Second, workers at firms that supply services used in the production of articles or in the supply of services would also become potentially eligible for benefits. Third, the provision permits downstream producers to be eligible for TAA if the primary firm's certification is linked to trade with any country, not just Canada or Mexico.

The provision requires the Secretary to obtain information that the Secretary determines necessary to make certifications from workers' firms or customers of workers' firms through questionnaires and in such other manner as the Secretary considers appropriate. The provision also permits the Secretary to seek additional information from other sources, including (1) officials or employees of the workers' firm; (2) officials of customers of the firm; (3) officials of unions or other duly recognized representatives of the petitioning workers; and (4) one-stop operators. The provision states that the Secretary shall require a firm or customer to certify all information obtained through questionnaires, as well as other information that the Secretary relies upon in making a determination under section 223, unless the Secretary has a reasonable basis for determining that the information is accurate and complete.

The provision states that the Secretary shall require a worker's firm or a customer of a worker's firm to provide information by subpoena if the firm or customer fails to provide the information within 20 days, unless the firm or customer demonstrates to the Secretary's satisfaction that the firm or customer will provide the information in a reasonable period of time. The Secretary retains the discretion to issue a subpoena sooner than 20 days if necessary. The provision also establishes standards for the protection of confidential business information submitted in response to a request made by the Secretary.

The provision amends the penalties provision in section 244 of the Trade Act to cover individuals, including individuals who are employed by firms and customers, who provide information during an investigation of a worker's petition.

Finally, the provision amends section 247 of the Trade Act to add definitions for certain key terms and makes various conforming changes to sections 221 and 222.

REASONS FOR CHANGE

Most service sector workers presently are ineligible for TAA benefits because of a statutory requirement that the workers must have been employed by a firm that produces an ''article.'' Of the 800 TAA petitions denied in FY2006, almost half were denied for this reason. Most of the denied service-related petitions came from two service industries: business services (primarily computer-related) and airport-related services (e.g., aircraft maintenance). In April 2006, the Department of Labor issued a regulation expanding TAA eligibility to software workers that partially, but not fully, addresses the service worker coverage issue. See GAO Report 07–702. The provision fully addresses the issue by making service sector workers eligible for TAA on equivalent terms to workers at firms that produce articles.

The provision expands the ''shift in production'' prong of present law for similar reasons. Under present law, a worker whose firm relocates to China is not necessarily eligible for TAA; such worker must also show that the relocation to China will result in increased imports into the United States. In contrast, a worker whose firm relocates to a country with which the United States has a trade agreement (e.g., Mexico, Israel, Chile) does not need to show increased imports. The provision eliminates this disparate treatment by making TAA benefits available in both scenarios on the same terms.

Present law also fails to cover foreign contracting scenarios, where a company closes a domestic operation and contracts with a company in a foreign country for the goods or services that had been produced in the United States. For example, if a U.S. airline lays off a number of its U.S.-based maintenance personnel and contracts with an independent aircraft maintenance company in a foreign country, the laid off personnel are not covered under present law, even if they lost their jobs because of foreign competition. The proponents believe such workers should be potentially eligible for TAA benefits.

Similarly, the proponents believe that workers who supply services at public agencies should be treated the same as their private-sector counterparts: if such workers are laid off because their employer contracts with a supplier in a foreign country for the services that the workers had supplied, the workers should be able to seek TAA benefits.

The provision provides that in cases involving production or service relocation or foreign contracting, a group of workers (including workers in a public agency) may be certified as eligible for adjustment assistance if the shift ''contributed importantly'' to such workers' separation or threat of separation. This requirement is identical to the existing causal link requirement in section 222(a)(2)(A)(iii), which establishes the criteria for certifying workers on the basis of ''increased imports.''

The proponents understand that the Department of Labor has interpreted the ''contributed importantly'' requirement in section 222(a)(2)(A)(iii) to mean that imports must have been a factor in the layoffs or threat thereof. Or, in other words, under present law the Secretary of Labor will certify a group of workers as eligible for assistance if the facts demonstrate a causal nexus between increased imports and the workers' separation or threat thereof. The proponents approve of the Department's interpretation of the ''contributed importantly'' requirement and expect that the Department will continue to apply it in future cases involving increased imports.

Similarly, the proponents also understand that the existing language in section 222(a)(2)(B) addressing production relocation contains an implicit causation requirement. Thus, the Department has required production relocation under section 222(a)(2)(B) to be a factor in the workers' separation or threat thereof. The provision makes the requirement explicit.

The proponents emphasize that by making the ''contributed importantly'' requirement in section 222(a)(2)(B) explicit, no change in the Department's administration of cases involving production relocation is intended. The proponents expect that this change in section 222 would not affect the outcomes that the Department has been reaching under present law in such cases, and will not alter outcomes in future cases. Thus, as has been the case, if the Department finds that production relocation was a factor in the layoff (or threat thereof) of a group of workers in the United States, the proponents expect that the Secretary will certify such workers as eligible for adjustment assistance.

Finally, with respect to certifications involving production or service relocations or foreign contracting, the proponents recognize that there may be delays in time between when the domestic layoffs (or threat of layoffs) occur, and when the production or service relocation or foreign contracting occurs. The proponents intend that the Department of Labor certify petitions where there is credible evidence that production or service relocation or foreign contracting will occur, and when the other requirements of the statute are met. Such evidence could include the conclusion of a contract relating to foreign production of the article, supply of services, or acquisition of the article or service at issue; the construction, purchase, or renting of foreign facilities for the production of the article, supply of the service, or acquisition of the article or service at issue; or certified statements by a duly authorized representative at the workers' firm that the firm intends to engage in production or service relocation or foreign contracting.

The proponents are aware of concerns that the Secretary may rely on inaccurate information in making its determinations, including when denying certification of petitions. The provision addresses these concerns by requiring the Secretary to obtain certifications of all information obtained from a firm or customer through questionnaires as well as other information from a firm or customer that the Secretary relies upon in making a determination under section 223, unless the Secretary has a reasonable basis for determining that the information is accurate and complete.

The proponents are also aware of concerns that some firms and customers fail to respond to the Secretary's requests for information or provide inaccurate or incomplete information. The subpoena, confidentiality of information, and penalty language included in this provision are designed to address these problems.

The provision would also apply if the Secretary needs to obtain information from a customer's customer, such as in an investigation involving component part suppliers.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Group Eligibility—Component Parts (Section 1701 (amending Section 222 of the Trade Act of 1974))

PRESENT LAW

Under present law, U.S. suppliers of inputs (i.e., component parts) may be certified for TAA benefits only pursuant to the secondary workers provision of section 222(b), which requires that the downstream producer have employed a group of workers that received TAA certification. Thus, for example, domestic producers of taconite have been unable to obtain certification for TAA benefits when downstream producers of steel slab have not obtained certification.

Additionally, U.S. suppliers of inputs have been unable to obtain certification for TAA benefits in situations in which there is a shift in imports from articles incorporating their inputs to articles incorporating inputs produced outside the United States.

EXPLANATION OF PROVISION

The provision allows for the certification of workers in a firm when imports of the finished article incorporating inputs produced outside the United States that are like or directly competitive with imports of the finished article produced using U.S. inputs have increased and the firm has met the other criteria for certification, including a significant number of workers being totally or partially separated, a decrease in sales or production, and the increase in imports has contributed importantly to the workers' separation.

For example, under the new provision, workers in a U.S. fabric plant may be certified if the U.S. firm sold fabric to a Honduran apparel manufacturer for production of apparel subsequently imported into the United States and (1) the Honduran apparel manufacturer ceased purchasing, or decreased its purchasing, of fabric from the U.S. producer and, instead, used fabric from another country; or (2) imports of apparel from another country using non-U.S. fabric that are like or directly competitive with imports of Honduran apparel using U.S. fabric have increased.

Prior to certification, the Department of Labor would also have to determine that the firm met the other statutory requirements for certification, including that a significant number of workers had been totally or partially separated, or are threatened to become totally or partially separated, the sales or production of the petitioning fabric firm had decreased, and the increased imports of apparel using non-U.S. fabric had contributed importantly to that decrease and to the workers' separation or threat thereof.

Likewise, workers in a U.S. picture tube manufacturing plant that sells picture tubes to a Mexican television manufacturer for production of televisions subsequently imported into the United States would be certified under section 222 if the U.S. manufacturer's sales or production of picture tubes decreased and (1) the manufacturer of televisions located in Mexico switched to picture tubes produced in another country; or (2) imports of televisions from another country using non-U.S. picture tubes that are like or directly competitive with imports of Mexican televisions using U.S. picture tubes have increased.

As in the apparel example above, prior to certification, the Department of Labor would also have to determine that the picture tube firm met the other statutory requirements for certification, including that a significant number of workers had been totally or partially separated, or are threatened to become totally or partially separated, the sales or production of the petitioning picture tube firm had decreased, and the increased imports of televisions using non-U.S. picture tubes had contributed importantly to that decrease and to the workers' separation or threat thereof.

REASONS FOR CHANGE

Section 222(a) is being amended to provide improved TAA coverage for U.S. suppliers of inputs, and to address situations where suppliers of component parts have been unable to obtain certification for TAA benefits because of gaps in coverage under present law.

The amended language is broad enough to encompass both the situation in which the input producer's customer switches to inputs produced outside the United States, and the situation in which the input producer's customer is displaced by a third country producer, because both situations may equally impact the sales or production of the domestic input producer.

Additionally, for purposes of section 222(a)(2)(A)(ii)(III), as in other instances, when company-specific data is unavailable, the Secretary may reasonably rely on such aggregate data or such other information as the Secretary deems appropriate.

As reflected in the examples above, the proponents intend that the Secretary of Labor should interpret the term component parts, as used in section 222(a)(2)(A)(ii)(III), flexibly. For example, the proponents intend that uncut fabric would be considered to be a component part of apparel for purposes of this provision, even though, for purposes of other trade laws, U.S. Customs and Border Protection might not consider such fabric to be a component part.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Separate Basis for Certification (Section 1702 (amending Section 222 of the Trade Act of 1974))

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision amends section 222(c) of the Trade Act by providing that a petition filed under section 221 of the Trade Act on behalf of a group of workers in a firm, or appropriate subdivision of a firm, meets the requirements of subsection 222(a) of the Trade Act if the firm is publicly identified by name by the U.S. International Trade Commission (''ITC'') as a member of a domestic industry in (1) an affirmative determination of serious injury or threat thereof in a global safeguard investigation under section 202(b)(1) of the Trade Act; (2) an affirmative determination of market disruption or threat thereof in a China safeguard investigation under section 421(b)(1) of the Trade Act; or (3) an affirmative final determination of material injury or threat thereof in an antidumping or countervailing duty investigation under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A)), but only if the petition is filed within 1 year of the date that notice of the affirmative ITC determination is published in the Federal Register (or, in the case of a global safeguard investigation under section 202(b)(1), a summary of the report submitted to the President by the ITC under section 202(f)(1) is published in the Federal Register under section 202(f)(3)) and the workers on whose behalf such petition was filed have become totally or partially separated from such workers' firm within either that 1-year period or the 1-year period preceding the date of such publication.

REASONS FOR CHANGE

The proponents note that the provision allows workers in firms publicly identified by name in certain ITC investigations to be eligible for adjustment assistance on the basis of an affirmative injury determination by the ITC under certain circumstances, and without an additional determination by the Secretary of Labor that either increased imports of a like or directly competitive article contributed importantly to such workers' separation or threat of separation (and to an absolute decline in the sales or production, or both, of such workers' firm or subdivision), or that a shift in production of articles contributed importantly to such workers' separation or threat of separation.

In order for workers to avail themselves of this provision, the petition must be filed with the Secretary (and with the Governor of the State in which such workers' firm or subdivision is located) within 1 year of the date of publication in the Federal Register of the applicable notice from the ITC and the workers on whose behalf such petition was filed must have become totally or partially separated from such workers' firm within either that 1-year period or the 1-year period preceding such date of publication.

If a petition is filed on behalf of such workers more than 1 year after the date that the applicable notice from the ITC is published in the Federal Register, it will remain necessary for the Secretary of Labor to investigate the petition and determine that the statutory criteria for certifying such workers in section 222 are satisfied.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Determinations by the Secretary of Labor (Section 1703 (amending Section 223 of the Trade Act of 1974))

PRESENT LAW

The Secretary is required to investigate petitions filed by workers and determine whether such workers are eligible for TAA benefits. A summary of such group eligibility determination, together with the Secretary's reasons for making the determination, must be promptly published in the Federal Register. Similarly, a termination of a certification, together with the Secretary's reasons for the termination, must be promptly published in the Federal Register.

EXPLANATION OF PROVISION

This section requires the Secretary to publish (1) a summary of a group eligibility determination, together with the Secretary's reasons for the determination; and (2) a certification termination, together with the Secretary's reasons for the termination, promptly on the Department's website (as well as in the Federal Register). The section also requires the Secretary to establish standards for investigating petitions, and criteria for making determinations. Moreover, the Secretary is required to consult with the Senate Committee on Finance (''Senate Finance Committee'') and the Committee on Ways and Means of the House of Representatives (''House Committee on Ways and Means'') 90 days prior to issuing a final rule on the standards.

REASONS FOR CHANGE

To improve accountability, transparency, and public access to this information, the Secretary should be required to post (1) a summary of a group eligibility determination, together with the Secretary's reasons for the determination; and (2) a certification termination, together with the Secretary's reasons for the termination, promptly on the Department's website (as well as in the Federal Register). The Secretary also should have objective and transparent standards for investigating petitions, and criteria for the basis on which an eligibility determination is made. The Secretary should consult with Senate Finance and House Ways and Means to ensure the intent of Congress is accurately reflected in such standards.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Monitoring and Reporting Relating to Service Sector (Section 1704 (amending Section 282 of the Trade Act of 1974))

PRESENT LAW

Present law requires the Secretaries of Commerce and Labor to establish and maintain a program to monitor imports of articles into the United States, including (1) information concerning changes in import volume; (2) impacts on domestic production; and (3) impacts on domestic employment in industries producing like or competitive products. Summaries must be provided to the Adjustment Assistance Coordinating Committee, the ITC, and Congress.

EXPLANATION OF PROVISION

The provision is renamed ''Trade Monitoring and Data Collection.'' The provision requires the Secretaries of Commerce and Labor to monitor imports of services (in addition to articles). To address data limitations, the provision requires the Secretary of Labor, not later than 90 days after enactment, to collect data on impacted service workers (by State, industry, and cause). Finally, it requires the Secretary of Commerce, in consultation with the Secretary of Labor, to report to Congress, not later than one year after enactment, on ways to improve the timeliness and coverage of data regarding trade in services.

REASONS FOR CHANGE

Existing data on trade in services are sparse. Because of the increases in trade in services, the proponents believe that it is critical that the government collect data on imports of services and the impact of these imports on U.S. workers. Such information

will be useful when considering any further refinement of TAA that Congress may contemplate. More generally, the additional data will give U.S. businesses and workers insight into trade in services, helping them better compete in the global marketplace.

EFFECTIVE DATE

The provision goes into effect on the date of enactment of this Act.

2. Subpart B—Industry Notifications Following Certain Affirmative Determinations

Notifications following certain affirmative determinations (Section 1711 (amending Section 224 of the Trade Act of 1974))

PRESENT LAW

Present law includes a provision requiring the ITC to notify the Secretary of Labor when it begins a section 201 global safeguard investigation. The Secretary must then begin an investigation of (1) the number of workers in the relevant domestic industry; and (2) whether TAA will help such workers adjust to import competition. The Secretary of Labor must submit a report to the President within 15 days of the ITC's section 201 determination. The Secretary's report must be made public and a summary printed in the Federal Register.

EXPLANATION OF PROVISION

The provision expands the notification requirement to instruct the ITC to notify the Secretary of Labor and the Secretary of Commerce, or the Secretary of Agriculture when dealing with agricultural commodities, when it issues an affirmative determination of injury or threat thereof under sections 202 or 421 of the Trade Act, an affirmative safeguard determination under a U.S. trade agreement, or an affirmative determination in a countervailing duty or dumping investigation under sections 705 or 735 of the Tariff Act of 1930. Additionally, the provision requires the President to notify the Secretaries of Labor and Commerce upon making an affirmative determination in a safeguard investigation relating to textile and apparel articles. Whenever an injury determination is made, the Secretary of Labor must notify employers, workers, and unions of firms covered by the determination of the workers' potential eligibility for TAA benefits and provide them with assistance in filing petitions. Similarly, the Secretary of Commerce must notify firms covered by the determination of their potential eligibility for TAA for Firms and provide them with assistance in filing petitions, and the Secretary of Agriculture must do the same for investigations involving agricultural commodities.

REASONS FOR CHANGE

A significant hurdle to ensuring that workers and firms avail themselves of TAA benefits is the lack of awareness about the program. In situations like these, where the ITC has made a determination that a domestic industry has been injured as a result of trade, giving notice to the workers and firms in that industry of TAA's potential benefits is warranted.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Notification to Secretary of Commerce (Section 1712 (amending Section 225 of the Trade Act of 1974))

PRESENT LAW

Under present law, the Secretary of Labor must provide workers with information about TAA and provide whatever assistance is necessary to help petitioners apply for TAA. The Secretary must also reach out to State Vocational Education Boards and their equivalent agencies, as well as other public and private institutions, about affirmative group certification determinations and projections of training needs.

The Secretary must also notify each worker who the State has reason to believe is covered by a group certification in writing via U.S. Mail of the benefits available under TAA. If the worker lost his job before group certification, then the notice occurs at the time of certification. If the worker lost her job after group certification, then the notice occurs at the time the worker loses her job. The Secretary must also publish notice in the newspapers circulating in the area where the workers reside.

EXPLANATION OF PROVISION

The provision requires the Secretary of Labor, upon issuing a certification, to notify the Secretary of Commerce of the identity of the firms covered by a certification.

REASONS FOR CHANGE

Firms employing workers certified as eligible for TAA benefits may not be aware that they may be eligible for assistance under the TAA for Firms program. Requiring the Secretary of Labor to notify the Secretary of Commerce when workers at a firm are certified as TAA eligible will help put these firms on notice of their potential TAA for Firms eligibility.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

3. Subpart C—Program Benefits

Qualifying requirements for workers (Section 1721 (amending Section 231 of the Trade Act of 1974))

PRESENT LAW

Present law authorizes a worker to receive TAA income support (known as ''Trade Readjustment Allowance'' or ''TRA'') for weeks of unemployment that begin 60 days after the date of filing the petition on which certification was granted.

To qualify for TAA benefits, a worker must have (1) lost his job on or after the trade impact date identified in the certification, and within two years of the date of the certification determination; (2) been employed by the TAA certified firm for at least 26 of the 52 weeks preceding the layoff; and (3) earned at least $30 or more a week in that employment.

A worker must qualify for, and exhaust, his State unemployment compensation (''UC'') benefits before receiving a weekly TRA.

Further, to receive TRA, a worker must be enrolled in an approved training program by the later of 8 weeks after the TAA petition was certified, or 16 weeks after job loss (the ''8/16'' deadline). The 8/16 deadline can be extended in certain limited circumstances. Workers may also receive limited waivers of the 8/16 training enrollment deadline.

Present law provides for waivers in the following circumstances: (1) the worker has been or will be recalled by the firm; (2) the worker possesses marketable skills; (3) the worker is within 2 years of retirement; (4) the worker cannot participate in training because of health reasons; (5) training enrollment is unavailable; or (6) training is not reasonably available to the worker (nothing suitable, no reasonable cost, no training funds).

Waivers last 6 months, unless the Secretary determines otherwise, and will be revoked if the basis for the waiver no longer exists. States have the authority to issue waivers. By regulation, State and local agencies must ''review'' the waivers every thirty days.

If a worker fails to begin training or has stopped participating in training without justifiable cause or if the worker's waiver is revoked, the worker will receive no income support until the worker begins or resumes training.

EXPLANATION OF PROVISION

The provision amends existing law to change the date on which a worker can receive TAA income support from 60 days from the date of the petition to the date of certification.

The provision strikes the 8/16 rule and extends the deadline for trade-impacted workers. If a worker lost his job before the certification, then the worker has 26 weeks from the date of certification to enroll in training. If the worker lost his job after certification, he has 26 weeks from the date he lost his job to enroll in training.

The provision also gives the Secretary the authority to waive the new 26 week training enrollment deadline if a worker was not given timely notice of the deadline.

The provision clarifies that the ''marketable skills'' training waiver may apply to workers who have post-graduate degrees from accredited institutions of higher education.

The provision requires the State to review training waivers 3 months after such waiver is issued, and every month thereafter.

REASONS FOR CHANGE

The proponents believe that the 60–day rule makes little sense and leads to the following scenario: a worker laid off well before certification could exhaust his unemployment insurance and yet have to wait to receive the trade readjustment assistance to which the worker was otherwise entitled.

The Government Accountability Office, the Department of Labor, the states, and workers' advocacy groups have criticized the 8/16 deadline as being too short. First, these deadlines often occur while the worker is still on traditional UI (most workers receive up to 26 weeks of State UI compensation). During those 26 weeks, most workers are actively engaged in a job search and are not focused on retraining. Forcing workers to enroll in training at such an early stage can discourage active job search. Second, typically, a worker decides to consider training only after an extended period of unsuccessful job searching. Under present law, workers are only beginning to consider training options close to the 8/16 deadline, and often make hurried decisions about training merely to preserve their TAA eligibility. Third, when large numbers of certified workers are laid off all at once, it can be difficult for TAA administrators to perform adequate training assessments and meet the 8/16 deadline. See GAO Report 04–1012. Therefore, extending the enrollment deadlines to the later of 26 weeks after layoff or certification would provide a reasonable period for a worker to search for employment and consider training options, as well as for the State to assess workers and meet the enrollment deadlines.

While recognizing the necessity of waivers in certain circumstances, states have identified the monthly review of waivers to be burdensome. Many states have complained that processing the sheer volume of waivers requires significant administrative time and cost. For example, according to GAO, 59,375 waivers were issued in 2005 (and 60,948 in 2004). The new requirement that waivers be reviewed initially three months rather than one month after they are issued reduces the administrative burden while continuing to provide for appropriate review, thus allowing the State to ensure the worker continues to

qualify for the waiver. The provision does not require a review of waivers issued on the basis that an adversely affected worker is within two years of being eligible for Social Security benefits or a private pension. The status of such workers is unlikely to change and thus, automatic review of their waivers is a waste of resources. States still retain the discretion to review such waivers if circumstances warrant.

When a worker has failed to meet the training enrollment deadline through no fault of his own, the proponents believe that there should be redress. Under present law, there is none. The Department of Labor has acknowledged that this is a problem.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Weekly amounts (Section 1722 (amending Section 232 of the Trade Act of 1974))

PRESENT LAW

TRA is the income support that workers receive weekly. It is equal to the worker's weekly UI benefit. TRA is divided into two main periods: ''Basic TRA'' and ''Additional TRA.''

Under present law, because of the operation of State UI laws, workers who are in training and working part-time run the risk of resetting their UI benefits (and their TRA benefit) at the lower part-time level which would leave them with insufficient income support to continue with training.

EXPLANATION OF PROVISION

The provision amends existing law to (1) disregard, for purposes of determining a worker's weekly TRA amount, earnings from a week of work equal to or less than the worker's most recent unemployment insurance benefits where the worker is working part-time and participating in full-time training; and (2) ensure that workers will retain the amount of income support provided initially under TRA even if a new UI benefit period (with a lower weekly amount) is established due to the worker obtaining part-time or short-term full-time employment.

REASONS FOR CHANGE

The proponents believe that the disincentive to combining full-time training and part-time work needs to be removed so that workers who might not otherwise be in training, but for the additional income they earn working part-time, are not excluded from the program.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Limitations on Trade Readjustment Allowances; Allowances for Extended Training and Breaks in Training (Section 1723 (amending Section 233(a) of the Trade Act of 1974))

PRESENT LAW

Basic TRA is available for 52 weeks minus the number of weeks of unemployment insurance for which the worker was eligible (usually 26 weeks). Basic TRA must be used within 104 weeks after the worker lost his job (130 weeks for workers requiring remedial training). Any Basic TRA not used in that period is foregone.

Additional TRA is available for up to 52 more weeks if the worker is enrolled in and participating in training. The worker receives Additional TRA only for weeks in training. A worker on an approved break in training of 30 days or less is considered to be participating in training and therefore eligible for TRA during that period. Additional TRA must otherwise be used over a consecutive period (e.g., 52 consecutive weeks).

Participation in remedial training makes a worker eligible for up to 26 more weeks of TRA.

EXPLANATION OF PROVISION

The provision increases the number of weeks for which a worker can receive Additional TRA from 52 to 78 and expands the time within which a worker can receive such Additional TRA from 52 weeks to 91 weeks.

REASONS FOR CHANGE

The proponents believe that the program must provide incentives for eligible workers to participate in long term training, such as a two-year Associate's degree, a nursing certification, or completion of a four-year degree (if that four-year degree was previously initiated or if the worker will complete it using non-TAA funds).

Typically, workers cannot participate in a training program without TAA income support. Thus, because many workers exhaust at least some of their basic TRA while they seek another job instead of beginning training, they are limited to shorter-term training options, both practically and because training approvals are usually tied to the period of TRA eligibility. The purpose of the additional 26 weeks of income support, for a total of 78 weeks of additional TRA, is to provide an opportunity for workers to engage in long term training that might not have otherwise been a viable option.

The proponents note that the Department of Labor's practice is to approve, before training begins, a training program consisting of a course or related group of courses designed for an individual to meet a specific occupational goal. 20 CFR 617.22(f)(3)(i). Nothing in this section is intended to change current Department of Labor practice. The additional 26 weeks of income support are intended to provide more options for long term training at the time when this individual training program is designed and approved.

In short, the new, additional income support is available only for workers in long term training.

The proponents note that, at the same time, it is not their intent to limit the Secretary's ability, in certain, limited circumstances, to modify a worker's training program where the Secretary determines that the current training program is no longer appropriate for the individual.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Special Rules for Calculation of Eligibility Period (Section 1724 (amending Section 233 of the Trade Act of 1974))

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision states that periods during which an administrative or judicial appeal of a negative determination is pending will not be counted when calculating a worker's eligibility for TRA. Moreover, the provision also grants justifiable cause authority to the Secretary to extend certain applicable deadlines concerning receipt of Basic and Additional TRA. Further, the provision allows workers called up for active duty military or full-time National Guard service to restart the TAA enrollment process after completion of such service.

The provision also strikes the 210 day rule, which mandates that a worker is not eligible for additional TRA payments if the worker has not applied for training 210 days from certification or job loss, whichever is later.

REASONS FOR CHANGE

The proponents believe that tolling of deadlines is necessary; otherwise judicial relief obtained from a successful court challenge would be meaningless, as the decision of the court will inevitably take place after the TAA program eligibility deadlines have passed. The Department of Labor provides for similar tolling in its present and proposed regulations.

Similarly, the proponents believe that affording the Secretary flexibility in instances where a worker is ineligible through no fault of her own is consistent with the spirit of the program and will help ensure that workers get the retraining they need. The amendment permits the Secretary to extend the periods during which trade readjustment allowances may be paid to an individual if there is justifiable cause. The provision does not increase the amount of such allowances that are payable. The proponents intend that the justifiable cause extension should allow the Secretary equitable authority to address unforeseen circumstances, such as a health emergency.

The 210 day deadline is superseded by the 8/16 deadline in current law, the new 26/26 enrollment deadlines under these amendments, and the requirement that a worker be in training to receive additional TRA.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Application of State Laws and Regulations on Good Cause for Waiver of Time Limits or Late Filing of Claims (Section 1725 (amending Section 234 of the Trade Act of 1974))

PRESENT LAW

A State's unemployment insurance laws apply to a worker's claims for TRA.

EXPLANATION OF PROVISION

The provision makes a State's ''good cause'' law, regulations, policies, and practices applicable when the State is making determinations concerning a worker's claim for TRA or other adjustment assistance.

REASONS FOR CHANGE

Most States have ''good cause'' laws allowing the waiver of a statutory deadline when the deadline was missed because of agency error or for other reasons where the claimant was not at fault. These good cause laws apply to administration of State UI laws. The Department of Labor, by regulation, has precluded application of State good cause laws to TAA. This prohibition unjustifiably penalizes workers who miss a deadline through no fault of their own.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Employment and Case Management Services; Administrative Expenses and Employment and Case Management Services (Sections 1726 and 1727 (amending Section 235 of the Trade Act of 1974))

PRESENT LAW

Present law requires the Secretary of Labor to make ''every reasonable effort'' to secure services for affected workers covered by a certification including ''counseling, testing, and placement services'' and ''[s]upportive and other services provided for under any other Federal law,'' including WIA one-stop services. Typically, the Secretary provides these services through agreements with the States.

EXPLANATION OF PROVISION

The provisions require the Secretary and the States to, among other things (1) perform comprehensive and specialized assessments of enrollees' skill levels and needs; (2) develop individual employment plans for each impacted worker; and (3) provide enrollees with (a) information on available training and how to apply for such training, (b) information on how to apply for financial aid, (c) information on how to apply for such training, (d) short-term prevocational services, (e) individual career counseling, (f) employment statistics information, and (g) information on the availability of supportive services.

The provision requires the Secretary, either directly or through the States (through cooperating agreements), to make the employment and case management services described in section 235 available to TAA eligible workers. TAA eligible workers are not required to accept or participate in such services, however, if they choose not to do so.

These provisions provide for each State to receive funds equal to 15 percent of its training funding allocation on top of its training fund allocation. Not more than two-thirds of these additional funds may be used to cover administrative expenses, and not less than one-third of such funds may be used for the purpose of providing employment and case management services, as defined under section 235. Finally, the section provides for an additional $350,000 to be provided to each State annually for the purpose of providing employment and case management services. With respect to these latter funds, States may decline or otherwise return such funds to the Secretary.

REASONS FOR CHANGE

States incur costs to administer the TAA program, including for processing applications and providing employment and case management services. While appropriators customarily provide the Department of Labor with administrative funds equal to 15 percent of the total training funds for disbursement to the States, the proponents believe that this practice should be codified, with the changes discussed above.

The proponents believe that the employment services and case management funding provided for in this section should be in addition to, and not offset, any funds that the State would otherwise receive under WIA or any other program.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Training Funding (Section 1728 (amending Section 236 of the Trade Act of 1974))

PRESENT LAW

The total amount of annual training funding provided for under present law is $220,000,000. During the year, if the Secretary determines that there is inadequate funding to meet the demand for training, the Secretary has the authority to decide how to apportion the remaining funds to the States.

Based on internal department policy, at the beginning of each fiscal year, the Department of Labor allocates 75 percent of the training funds to States based on each State's training expenditures and the average number of training participants over the previous 2½ years. The previous year's allocation serves as a floor. The Department of Labor also has a ''hold harmless'' policy that ensures that each State's initial allocation can be no less than 85 percent of its initial allocation in the previous year. The Department of Labor holds the remaining 25 percent in reserve to distribute to States throughout the year according to need; most of the remaining funds are disbursed at the end of the fiscal year. States have 3 years to spend their federal funds. If the funds are not spent, the money reverts back to the General Treasury.

Under present law, the Secretary shall approve training if (1) there is no suitable employment; (2) the worker would benefit from appropriate training; (3) there is a reasonable expectation of employment following training (although not necessarily immediately available employment); (4) the approved training is reasonably available to the worker; (5) the worker is qualified for the training; and (6) training is suitable and available at a reasonable cost. ''Insofar as possible,'' the Secretary is supposed to ensure the provision of training on the job. Training will be paid for directly by the Secretary or using vouchers.

One of the statutory criteria for approval of training is that the worker be qualified to undertake and complete such training. The statute doesn't specifically address how the income support available to a worker is to be considered in determining the length of training the worker is qualified to undertake. Another of the statutory training approval criteria is that the training is available at a reasonable cost. The statute doesn't specifically address if funds other than those available under TAA may be considered in making this determination.

EXPLANATION OF PROVISION

The provision strikes the obsolete requirement that the Secretary of Labor shall ''assure the provision'' of training on the job.

This provision increases the training cap from $220,000,000 to $575,000,000 in FY2009 and FY2010, prorated for the period beginning October 1, 2010 and ending December 31, 2010.

The provision requires the Secretary to make an initial distribution of training funds to the States as soon as practicable after the beginning of the fiscal year based on the following criteria: (1) the trend in numbers of certified workers; (2) the trend in numbers of workers participating in training; (3) the number of workers enrolled in training; (4) the estimated amount of funding needed to provide approved training; and (5) other factors the Secretary determines are appropriate. The provision specifies that initial distribution of training funds to a State may not be less than 25 percent of the initial distribution to that State in the previous fiscal year.

The provision requires the Secretary to establish procedures for the distribution of the funds held in reserve, which may include the distribution of such funds in response to requests made by States in need of additional training funds. The provision also requires the Secretary to distribute 65 percent of the training funds in the initial distribution, and to distribute at least 90 percent of training funds for a particular fiscal year by July 15 of that fiscal year.

The provision directs the Secretary to decide how to distribute funds if training costs will exceed available funds.

The provision would specify that in determining if a worker is qualified to undertake and complete training, the training may be approved for a period that is longer than the period for which TRA is available if the worker demonstrates the financial ability to complete the training after TRA is exhausted. It is intended that financial ability means the ability to pay living expenses while in TAA-funded training after the period of TRA eligibility.

The provision would specify that in determining whether the costs of training are reasonable, the Secretary may consider whether other public or private funds are available to the worker, but may not require the worker to obtain such funds as a condition for approval of training. This means, for example, that if a training program would be determined not to have a reasonable cost if only the use of TAA training funds were considered, the Secretary may consider the availability of other public and private funds to the worker. If the worker voluntarily commits to using such funds to supplement the TAA training funds to pay for the training program, the training program may be approved. However, the Secretary may not require the worker to use the other public or private funds where the costs of the training program would be reasonable using only TAA training funds.

Finally, the provision requires the Secretary to issue regulations in consultation with the Senate Finance Committee and the House Committee on Ways and Means.

REASONS FOR CHANGE

The proponents believe that the training cap needs to be increased for two reasons. First, more funding is needed to cover the expanded group of TAA eligible workers because of changes made elsewhere in the bill (e.g., coverage of service workers, expanded coverage of manufacturing workers). Second, during high periods of TAA usage, the existing training funding has proved to be insufficient. Some states have run out of training funds, resulting in some States freezing enrollment of eligible workers in training. See GAO–04–1012.

As the GAO has documented, there are significant problems with the Department's method of allocating training funds. The primary problem is that the Department of Labor's method of allocation appears to result in insufficient funds for some States. This appears to be occurring because of the Department's reliance on historical usage and a ''hold harmless'' policy. In particular, States that were experiencing heavy layoffs at the time the initial allocation formula was implemented may no longer be experiencing layoffs at the same rate, but still receive significant allocations from the Department. In contrast, a State experiencing relatively few layoffs several years ago may now have far greater numbers of layoffs, but still receives a limited amount in its distribution. In short, the allocation that States receive at the beginning of the fiscal year may not reflect their present demand for training services. The provision addresses these problems by lowering the ''hold harmless'' provision to 25 percent, requiring initial and subsequent distributions to be based on need, and by requiring that 90 percent of the funds be allocated by July 15 of each fiscal year. Additionally, the proponents expect the Secretary to distribute the remaining funds as soon as possible after that date.

In order to facilitate the approval of longer-term training, the proponents intend to ensure that the period of approved training is not necessarily limited to the duration of TRA. Where the worker demonstrates the ability to pay living expenses while in TAA funded training after TRA is exhausted, such training should be approved if the other training approval criteria are also met.

The proponents intend to ensure that training programs that would otherwise not be approved under TAA due to costs may be approved if a worker voluntarily commits to using supplemental public or private funds to pay a portion of the costs.

It is also the intent that, together, these amendments to the training approval criteria allow training to be approved for a period that is longer than the period for which TRA and TAA-funded training is available if the worker demonstrates the financial ability to pay living expenses and pay for the additional training costs using other funds

after TRA and the TAA-funded training are exhausted.

EFFECTIVE DATE

The provision increasing the training cap goes into effect upon the date of enactment of this Act. The provisions relating to training fund distribution procedures go into effect October 1, 2009. The other provisions in this section go into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and apply to petitions filed on or after that date.

Prerequisite Education, Approved Training Programs (Section 1729 (amending Section 236 of the Trade Act of 1974))

PRESENT LAW

Under present law, approvable training includes employer-based training (on-the-job training/customized training), training approved under the Workforce Investment Act of 1998, training approved by a private industry council, any remedial education program, any training program whose costs are paid by another federal or State program, and any other program approved by the Secretary. Additionally, remedial training is approvable and participation in such training makes a worker eligible for up to 26 more weeks of TAA-related income support.

EXPLANATION OF PROVISION

The provision clarifies that existing law allows training funds to be used to pay for apprenticeship programs, any prerequisite education required to enroll in training, and training at an accredited institution of higher education (such as those covered by 102 of the Higher Education Act), including training to obtain or complete a degree or certification program (where completion of the degree or certification can be reasonably expected to result in employment). The provision also prohibits the Secretary from limiting training approval to programs provided pursuant to the Workforce Investment Act of 1998.

The provision offers up to an additional 26 weeks of income support while workers take prerequisite training or remedial training necessary to enter a training program. A worker may enroll in remedial training or prerequisite training, or both, but may not receive more than 26 weeks of additional income support.

REASONS FOR CHANGE

Present law does not explicitly state whether TAA training funds may be used to obtain a college or advanced degree. Some States have interpreted this silence to preclude enrollment in a two-year community college or four-year college or university as a training option, even where a TAA participant was working towards completion of a degree prior to being laid off. The proponents believe that States should be encouraged to approve the use of training funds by TAA enrollees to obtain training or a college or advanced degree, including degrees offered at two-year community colleges and four-year colleges or universities.

While a worker can obtain additional income support while participating in remedial training, there is no corollary support for workers participating in prerequisite training (e.g., individuals enrolling in nursing usually need basic science prerequisites, which are not considered qualifying remedial training). States have requested additional income support for workers who participate in prerequisite training.

The proponents believe that while WIA-approved training is an approvable TAA training option, it should not be the only one that TAA enrollees are authorized to pursue. The proponents are concerned that some States have restricted training opportunities to those approved under WIA. According to the Congressional Research Service, many community colleges, for instance, do not get WIA certification because of its costly reporting requirements. To limit TAA training opportunities in this way unacceptably curbs the scope of training that TAA enrollees might elect to participate in and potentially impairs their ability to get retrained and reemployed.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Pre-Layoff and Part-Time Training (Section 1730 (amending Section 236 of the Trade Act of 1974))

PRESENT LAW

Present law does not permit pre-layoff or part-time training,

EXPLANATION OF PROVISION

This provision specifies that the Secretary may approve training for a worker who (1) is a member of a group of workers that has been certified as eligible to apply for TAA benefits; (2) has not been totally or partially separated from employment; and (3) is determined to be individually threatened with total or partial separation. Such training may not include on-the-job training, or customized training unless such customized training is for a position other than the workers' current position.

Additionally, the provision permits the Secretary to approve part-time training, but clarifies that a worker enrolled in part-time training is not eligible for a TRA.

REASONS FOR CHANGE

This provision explicitly establishes Congress' intent that workers be eligible to receive pre-layoff and part-time training.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

On-the-Job Training (Section 1731 (amending Section 236 of the Trade Act of 1974))

PRESENT LAW

Current law provides that the Secretary may approve on-the-job training (''OJT''), but does not govern the content of acceptable OJT.

EXPLANATION OF PROVISION

This provision permits the Secretary to approve OJT for any adversely affected worker if the worker meets the training requirements, and the Secretary determines the OJT (1) can reasonably lead to employment with the OJT employer; (2) is compatible with the worker's skills; (3) will allow the worker to become proficient in the job for which the worker is being trained; and (4) the State determines the OJT meets necessary requirements. The Secretary may not enter into contracts with OJT employers that exhibit a pattern of failing to provide workers with continued long-term employment and adequate wages, benefits, and working conditions as regular employees.

REASONS FOR CHANGE

The provision incorporates requirements to ensure OJT is effective. Specifically, OJT must be (1) reasonably expected to lead to suitable employment; (2)compatible with the workers' skills; and (2) include a State-approved benchmark-based curriculum. Moreover, the provision is intended to prevent employers from treating workers participating in OJT differently in terms of wages, benefits, and working conditions from regular employees who have worked a similar period of time and are doing the same type of work.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Eligibility for Unemployment Insurance and Program Benefits While in Training (Section 1732 (amending Section 236 of the Trade Act of 1974))

PRESENT LAW

Current law states that a worker may not be deemed ineligible for UI (and thus, TAA) if they are in training or leave unsuitable work to enter training.

EXPLANATION OF PROVISION

The provision states that a worker will not be ineligible for UI or TAA if the worker (1) is in training, even if the worker does not meet the requirements of availability for work, active work search, or refusal to accept work under Federal and State UI law; (2) leaves work to participate in training, including temporary work during a break in training; or (3) leaves OJT that did not meet the requirements of this Act within 30 days of commencing such training.

REASONS FOR CHANGE

The proponents are concerned that confusion in present UI law surrounding a worker's decision to quit work to enter training and the ramifications of that decision from a UI eligibility perspective may preclude a worker from being able to participate in TAA training. The provision is meant to eliminate that confusion.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Job Search and Relocation Allowances (Section 1733 (amending Section 237 of the Trade Act of 1974))

PRESENT LAW

The Secretary may grant an application for a job search allowance where (1) the allowance will help the totally separated worker find a job in the United States; (2) suitable employment is not available in the local area; and (3) the application is filed by the later of (a) 1 year from separation, (b) 1 year from certification, or (c) 6 months after completing training (unless the worker received a waiver, in which case the worker must file by the later of one year after separation or certification). A worker may be reimbursed for 90 percent of his job search costs, up to $1,250.

The Secretary may grant an application for a relocation allowance where: (1) the allowance will assist a totally separated worker relocate within the United States; (2) suitable employment is not available in the local area; (3) the affected worker has no job at the time of relocation; (4) the worker has found suitable employment that may reasonably be expected to be of long-term duration; (5) the worker has a bona fide offer of employment; and (6) the worker filed the application the later of (a) 425 days from separation, (b) 425 days from certification, or (c) 6 months after completing training (unless the worker received a waiver, in which case the worker must file by the later of 425 days after separation or certification). A worker may be reimbursed for 90 percent of his relocation costs plus a lump sump payment of three times the worker's weekly wage up to $1,250.

EXPLANATION OF PROVISION

The provision reimburses 100 percent of a worker's job search expenses, up to $1,500,

and 100 percent of a worker's relocation expenses, and increases the additional lump sum payment for relocation to a maximum of $1,500. It also strikes the provision in existing law under which a worker who has completed training but who received a prior training waiver has a shorter period to apply for a job search allowance and relocation allowance than other workers who have completed training.

REASONS FOR CHANGE

The proponents believe that the job search and relocation allowances need to be increased to reflect the cost of inflation and the cost and difficulty a worker faces when looking for work and taking a job outside the worker's local community.

The proponents believe that workers completing training should have the same periods after training to apply for job search and relocation allowances irrespective of whether a worker received a waiver from the enrollment in training requirements prior to undertaking and completing the training. This period allows workers a reasonable opportunity to obtain the same assistance as other workers needed to find and relocate to a new job after being trained.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

4. Subpart D—Reemployment Trade Adjustment Assistance Program

Reemployment Trade Adjustment Assistance Program (Section 1741 (amending Section 246 of the Trade Act of 1974))

PRESENT LAW

The Trade Act of 2002 created a demonstration project for alternative trade adjustment assistance for older workers (ATAA or ''wage insurance''). Through this program, some workers who are eligible for TAA and reemployed at lower wages may receive a partial wage subsidy. Under the program, States use Federal funds provided under the Trade Act to pay eligible workers up to 50 percent of the difference between reemployment wages and wages at the time of separation. Eligible workers may not earn more than $50,000 in reemployment wages, and total payments to a worker may not exceed $10,000 during a maximum period of two years.

In addition to having been certified for TAA, such workers must be at least 50 years of age, obtain full-time reemployment with a new firm within 26 weeks of separation from employment, and have been separated from a firm that is specifically certified for ATAA. When considering certification of a firm for ATAA, the Secretary of Labor considers whether a significant number of workers in the firm are 50 years of age or older and possess skills that are not easily transferable. ATAA beneficiaries may not receive TAA benefits other than the Health Coverage Tax Credit (HCTC).

EXPLANATION OF PROVISION

The provision renames ATAA ''reemployment TAA.'' The provision eliminates the requirement that a group of workers (in addition to individuals) be specifically certified for wage insurance in addition to TAA certification. The provision eliminates the current-law requirement that a worker must find employment within 26 weeks of being laid off to be eligible for the wage insurance benefit, and replaces it with a requirement that the clock on the two-year duration of the benefit begin at the sooner of exhaustion of regular unemployment benefits or reemployment, allowing initial receipt of the wage insurance benefit at any point during that two-year period.

The provision allows workers to shift from receiving a TRA, while training, to receiving reemployment TAA, while employed, at any point during the two-year period.

The provision increases the limit on wages in eligible reemployment from $50,000 a year to $55,000 a year. Similarly, it increases the maximum wage insurance benefit (over two years) from up to $10,000 to up to $12,000.

The provision lifts the restriction on wage insurance recipients' participation in TAA-funded training. It also permits workers reemployed less than full-time, but at least 20 hours a week, and in approved training, to receive the wage insurance benefit (which would be prorated if the worker is reemployed for fewer hours compared to previous employment).

REASONS FOR CHANGE

The proponents believe that the reemployment TAA, or wage insurance, program is a potentially beneficial option for many older workers, but it includes unnecessary barriers to participation. The proponents believe that changes to section 246 of the Trade Act will make the wage insurance program a more viable option for many more potentially interested workers. Inflation has lessened the maximum value of the available benefit, and increasing personal, nominal, median income has lowered the share of workers eligible to participate in the program. Several other requirements make the program inaccessible and unattractive.

Findings from the Government Accountability Office (GAO) highlight the need to reform specific aspects of the program. First, the 26-week reemployment deadline was cited by the GAO as one of ''two key factors [that] limit participation.'' The GAO went on to note that ''[o]fficials in States [the GAO] visited said that one of the greatest obstacles to participation was the requirement for workers to find a new job within 26 weeks after being laid off. For example, according to officials in one State, 80 percent of participants who were seeking wage insurance but were unable to obtain it failed because they could not find a job within the 26-week period. The challenges of finding a job within this timeframe may be compounded by the fact that workers may actually have less than 26 weeks to secure a job if they are laid off prior to becoming certified for TAA. For example, a local caseworker in one State [the GAO] visited said that the 26 weeks had passed completely before a worker was certified for the benefit.''

Additionally, the GAO found that automatically certifying workers for the wage insurance benefit would cut the Department of Labor's workload and promote program participation.

Currently, workers opting for wage insurance must also surrender eligibility for TAA-funded training and be reemployed full-time. The provision eliminates these restrictions.

The proponents believe that eliminating the 26-week deadline for reemployment, eliminating the need for firms to be certified for wage insurance, eliminating the prohibition on wage insurance beneficiaries receiving TAA-funded training, and allowing part-time workers and former TRA recipients access to the wage insurance benefit should make the wage insurance program more accessible and attractive.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

5. Subpart E—Other Matters

Office of Trade Adjustment Assistance (Section 1751 (amending Subchapter C of chapter 2 of title II of the Trade Act of 1974))

PRESENT LAW

The TAA for Workers program is currently operated by the Employment and Training Administration at the Department of Labor.

EXPLANATION OF PROVISION

The provision creates an Office of Trade Adjustment Assistance headed by an administrator who shall report directly to a Senate-confirmed Deputy Assistant Secretary for Employment and Training Administration. The Deputy Assistant Secretary shall report directly to the Assistant Secretary for Employment and Training Administration.

Under the provision, the administrator will be responsible for overseeing and implementing the TAA for Workers program and carrying out functions delegated to the Secretary of Labor, including: making group certification determinations; providing TAA information and assisting workers and others assisting such workers prepare petitions or applications for program benefits (including health care benefits); ensuring covered workers receive Section 235 employment and case management services; ensuring States comply with the terms of their Section 239 agreements; advocating for workers applying for assistance; and operating a hotline that workers and employers may call with questions about TAA benefits, eligibility requirements, and application procedures.

The provision requires the administrator to designate an employee of the Department with appropriate experience and expertise to receive complaints and requests for assistance, resolve such complaints and requests, compile basic information concerning the same, and carry out other tasks that the Secretary specifies.

The Deputy Assistant Secretary will oversee the operation of the Office of Trade Adjustment Assistance and carry out other duties that the Secretary assigns.

REASONS FOR CHANGE

It is the view of the proponents that creating an Office of Trade Adjustment Assistance in the Department of Labor with primary accountability for the management and performance of the TAA for Workers program will improve the program's operation. By requiring that the individual running that office report to a Deputy Assistant Secretary confirmed by the Senate, accountability and oversight of the program as a whole will be enhanced.

The creation of the Office of Trade Adjustment Assistance should not interfere with the coordination of services provided by TAA, the National Emergency Grant program, and Department of Labor Rapid Response services.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act.

Accountability of State Agencies; Collection and Publication of Program Data; Agreements with States (Section 1752 (amending Section 239 of the Trade Act of 1974))

PRESENT LAW

Present law gives the Secretary of Labor the authority to delegate to the States through agreements many aspects of TAA implementation, including responsibilities to (1) receive applications for TAA and provide payments; (2) make arrangements to provide certain employment services through other Federal programs; and (3) issue waivers. It also mandates that any agreement entered into shall include sections requiring that the provision of TAA

services and training be coordinated with the provision of Workforce Investment Act (WIA) services and training. In carrying out its responsibilities, each State must notify workers who apply for UI about TAA, facilitate early filing for TAA benefits, advise workers to apply for training when they apply for TRA, and interview affected workers as soon as possible for purposes of getting them into training. States must also submit to the Department of Labor information like that provided under a WIA State plan.

EXPLANATION OF PROVISION

The provision requires the Secretary, either directly or through the States (through cooperating agreements), to make the employment and case management services described in the amended section 235 available to TAA eligible workers. TAA eligible workers are not required to accept or participate in such services, however, if they choose not to do so.

The provision requires States and cooperating State agencies to implement effective control measures and to effectively oversee the operation and administration of the TAA program, including by monitoring the operation of control measures to improve the accuracy and timeliness of reported data.

The provision also requires States and cooperating State agencies to report comprehensive performance accountability data to the Secretary, on a quarterly basis.

REASONS FOR CHANGE

To ensure that the employment and case management services described in the amended section 235 are made available to TAA enrollees as required under that section, the proponents believe that it is necessary to incorporate those obligations into the agreements that the Department of Labor enters into with each of the States concerning the administration of TAA.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Verification of Eligibility for Program Benefits (Section 1753 (amending Section 239 of the Trade Act of 1974))

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

Section 1753 requires a State to re-verify the immigration status of a worker receiving TAA benefits using the Systematic Alien Verification for Entitlements (SAVE) Program (42 U.S.C. 1320b–7(d)) if the documentation provided during the worker's initial verification for the purposes of establishing the worker's eligibility for unemployment compensation would expire during the period in which that worker is potentially eligible to receive TAA benefits.

The section also requires the Secretary to establish procedures to ensure that the re-verification process is implemented properly and uniformly from State to State.

REASONS FOR CHANGE

This provision is intended to ensure that workers maintain a satisfactory immigration status while receiving benefits. This section was included for the purposes of the TAA program only and should not be extended to other programs.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Collection of Data and Reports; Information to Workers (Section 1754 (amending Subchapter C of chapter 2 of title II of the Trade Act of 1974))

PRESENT LAW

Present law does not contain statutory language requiring the collection of data or performance goals and the TAA program has suffered a history of problems with its performance data that has undermined the data's credibility and limited their usefulness. Most of the outcome data reported in a given program year actually reflects participants who left the program up to 5 calendar quarters earlier. In addition, as of FY 2006, the Department of Labor does not consistently report TAA data by State or industry or by services or benefits received.

While the Department of Labor has take some steps aimed at improving performance data, the data remain suspect and fail to capture outcomes for some of the program's participants, and many participants are not included in the final outcomes at all.

EXPLANATION OF PROVISION

The provision would require the Secretary of Labor to implement a system for collecting data on all workers who apply for or receive TAA. The system must include the following data classified by State, industry, and nationwide totals: number of petitions; number of workers covered; average processing time for petitions; a breakdown of certified petitions by the cause of job loss (increased imports etc.); the number of workers receiving benefits under any aspect of TAA (broken down by type of benefit); the average time during which workers receive each type of benefit; the number of workers enrolled in training, classified by type of training; the average duration of training; the number and type of training waiver granted; the number of workers who complete and do not complete training; data on outcomes, including the sectors in which workers are employed after receiving benefits; and data on rapid response activities.

The provision would also require, by December 15 of each year, the Secretary to provide to the Senate Finance Committee and the House Committee on Ways and Means a report that includes a summary of the information above, information on distributions of training funds under section 236(a)(2), and any recommendations on whether changes to eligibility requirements, benefits, or training funding should be made based on the data collected. Those data must be made available to the public on the Department of Labor's website in a searchable format and must be updated quarterly.

REASONS FOR CHANGE

The proponents believe that valuable information on TAA and its impact is neither being collected nor being made publicly available. This, in turn, inhibits the ability of Congress to perform its oversight responsibilities and, if necessary, to refine and improve the program, its performance, and worker outcomes. Additionally, the proponents believe that all of the data that the Department of Labor gathers should be made available and posted on its website in a searchable format. This will enhance the accountability of the TAA program and the Department of Labor, not just to Congress, but to the American people as well.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Fraud and recovery of overpayments (Section 1755 (amending Section 243(a)(1) of the Trade Act of 1974))

PRESENT LAW

An overpayment of TAA benefits may be waived if, in accordance with the Secretary's guidelines, the payment was made without fault on the part of such individual, and requiring such repayment would be contrary to ''equity and good conscience.''

EXPLANATION OF PROVISION

The provision states that the Secretary shall waive repayment if the overpayment was made without fault on the part of such individual and if repayment ''would cause a financial hardship for the individual (or the individual's household, if applicable) when taking into consideration the income and resources reasonably available to the individual or household and other ordinary living expenses of the individual or household.''

REASONS FOR CHANGE

The proponents believe that the Department of Labor has adopted a very strict standard for issuing overpayment waivers. In particular, 20 CFR 617.55(a)(2)(ii)(C) defines equity and good conscience to require ''extraordinary and lasting financial hardship'' that would ''result directly'' in the ''loss of or inability to obtain minimal necessities of food, medicine, and shelter for a substantial period of time'' and ''may be expected to endure for the foreseeable future.''

The proponents understand that no worker has met this strict waiver standard. In including standard statutory waiver language in TAA, there is no indication that Congress intended to make waivers impossible to secure. To the contrary, the proponents believe that Congress intended that overpaid individuals who are without fault and unable to repay their TAA overpayments should have a reasonable opportunity for waivers of the requirement to return those overpayments. The provision clarifies this intent.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Sense of Congress on Application of Trade Adjustment Assistance (Section 1756 (amending Section Chapter 5 of title II of the Trade Act of 1974))

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision expresses the Sense of Congress that the Secretaries of Labor, Commerce, and Agriculture should apply the provisions of their respective trade adjustment assistance programs with the utmost regard for the interests of workers, firms, communities, and farmers petitioning for benefits.

REASONS FOR CHANGE

Courts reviewing determinations by the Department of Labor regarding certification for trade adjustment assistance have stated that the Department is obliged to conduct its investigations with ''utmost regard for the interests of the petitioning workers.'' See, e.g., Former Employees of Komatsu Dresser v. United States Secretary of Labor, 16 C.I.T. 300, 303 (1992) (citations omitted). The courts have explained that such statements flow from the ex parte nature of the Department's certification process (as opposed to a judicial or quasi-judicial proceeding) and the remedial purpose of the trade adjustment assistance program. This section reflects such statements and extends them to the firms, farmers, and communities programs.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the

date of enactment of this Act, and applies to petitions filed on or after that date.

Consultations in Promulgation of Regulations (Section 1757 (amending Section 248 of the Trade Act of 1974))

PRESENT LAW

The Secretary is required to prescribe necessary regulations.

EXPLANATION OF PROVISION

This provision requires the Secretary to consult with the Senate Finance Committee and the House Committee on Ways and Means 90 days prior to the issuance of a final rule or regulation.

REASONS FOR CHANGE

Requiring that the Secretary consult with the relevant committees 90 days prior to the issuance of a final rule or regulations will help ensure that such rules and regulations reflect Congress' intent.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

B. PART II—TRADE ADJUSTMENT ASSISTANCE FOR FIRMS

Trade Adjustment Assistance for Firms (Section 1761–1767 (amending Sections 251, 254, 255, 256, 257, and 258 of the Trade Act of 1974))

PRESENT LAW

A firm may file a petition for certification with the Secretary of Commerce. Upon receipt of the petition, the Secretary shall publish a notice in the Federal Register that the petition has been received and is being investigated. The petitioner, or anyone else with a substantial interest, may request a public hearing concerning the petition.

To be certified to receive TAA benefits, a firm must show (1) a ''significant'' number of workers became or are threatened to become totally or partially separated; (2) sales or production of an article, or both, decreased absolutely, or sales or production, or both, of an article that accounted for not less than 25 percent of the total production or sales of the firm during the 12-month period preceding the most recent 12-month period for which data are available have decreased absolutely; and (3) increased imports of competing articles ''contributed importantly'' to the decline in sales, production, and/or workforce.

A firm certified under section 251 has two years in which to file an adjustment assistance application, which must include an economic adjustment proposal.

In deciding whether to approve an application, the Secretary of Commerce must determine that the proposal (1) is reasonably calculated ''to materially contribute'' to the economic adjustment of the firm; (2) gives adequate consideration to the interests of the firm's workers; and (3) demonstrates that the firm will use its own resources for adjustment.

Criminal and civil penalties are applicable for, among other things, making false statements or failing to disclose material facts. However, the penalties do not cover the acts and omissions of customers or others responding to queries made in the course of an investigation of a firm's petition.

The Secretary must make its decisions within 60 days.

EXPLANATION OF PROVISION

The provision makes service sector firms potentially eligible for benefits under the TAA for Firms program. It also expands the look back so that all firms can use the average of one, two, or three years of sales or production data, as opposed to one year, to show that the firm's sales, production, or both, have decreased absolutely or that the firm's sales, production, or both of an article or service that accounts for at least 25 percent of its total production, or sales have decreased absolutely.

In determining eligibility, the provision makes clear that the Secretary may use data from the preceding 36 months to determine an increase in imports, and may determine that increased imports exist if customers accounting for a significant percentage of the decline in a firm's sales or production certify that their purchases of imported articles or services have increased absolutely or relative to the acquisition of such articles or services from suppliers in the United States.

The provision requires the Secretary of Commerce, upon receiving information from the Secretary of Labor that the workers of a firm are TAA-covered, to notify the firm of its potential TAA eligibility.

The provision requires the Secretary of Commerce to provide grants to intermediary organizations to deliver TAA benefits. The provision requires the Secretary to endeavor to align the contracting schedules for all such grants by 2010, and to provide annual grants to the intermediary organizations thereafter. The provision requires the Secretary to develop a methodology to ensure prompt initial distribution of a portion of the funds to each of the intermediary organizations, and to determine how the remaining funds will be allocated and distributed to them. The Secretary must develop the methodology in consultation with the Senate Finance Committee and the House Committee on Ways and Means.

The provision amends the penalties provision in section 259 to cover entities, including customers, providing information during an investigation of a firm's petition.

Additionally, the provision requires the Secretary of Commerce to submit an annual report demonstrating the operation, effectiveness, and outcomes of the TAA for Firms program to the Senate Finance Committee and the House Committee on Ways and Means, and to make the report available to the public. The methodology for the distribution of funds to the intermediary organizations shall include criteria based on the data in the report. The provision creates rules relating to the disclosure of confidential business information included in this annual report.

REASONS FOR CHANGE

Most service sector firms are currently ineligible for the TAA for Firms program because of a statutory requirement that the workers must have been employed by a firm that produces an ''article.'' In an era when 80 percent of U.S. workers are employed in the service sector, the proponents believe service sector firms should be eligible for TAA.

The proponents also note that firms currently have a limited ''look back'' under existing law, which unfairly restricts their ability to show that increased imports are hurting their businesses.

Because data is not always readily available to demonstrate an increase in imports of articles or services, or to show how such increased imports compete with the articles or services of a particular firm, the proponents believe that the Secretary should be able to utilize information from the customers of a firm that account for a significant percentage of sales or production that would verify these customers are increasing their purchases of imports relative to their purchases from domestic suppliers.

Since a firm may not know that it could be eligible for TAA benefits, despite the fact that workers at the firm have qualified for the TAA for workers program, the proponents believe it is important to give these firms notice of their potential eligibility for TAA benefits.

The proponents are concerned that at present, the Economic Development Administration (EDA) is entering into contracts with intermediary organizations that vary in length.

Thus, the contracts begin and end at different times during the year. To improve transparency, accountability and oversight, the proponents have included a provision requiring EDA to endeavor to align these contracts by October 2010 and enter into 12 month contracts thereafter. The proponents will leave it to the discretion of the Secretary to determine the appropriate 12 month contract cycle.

The proponents also believe that the methodology for distributing funds to intermediary organizations should be based in part on their performance, the number of firms they serve, and the outcomes of firms completing the program. The Secretary of Commerce should consult Congress before finalizing such methodology.

The proponents understand that some customers provide inaccurate or incomplete information in response to questionnaires posed by the Secretary. The penalty language included in this provision is designed to address this problem.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Extension of Authorization of Trade Adjustment Assistance for Firms (Section 1764)

PRESENT LAW

The authorization of the TAA for Firms program expired on December 31, 2007. The program is currently authorized at $16 million per year.

EXPLANATION OF PROVISION

The provision reauthorizes the program through December 31, 2010, and increases its funding to $50 million per year for fiscal years 2009 and 2010, and prorates such funding for the period beginning October 1, 2010 and ending December 31, 2010. Of that amount, $350,000 is set aside each year to fund full-time TAA for Firms positions at the Department of Commerce, including a director of the TAA for Firms program.

REASONS FOR CHANGE

The proponents believe that the TAA for Firms program has been underfunded, as at least $15 million in approved projects lack funding. Additionally, the Firms team at the Department of Commerce lacks adequate full-time staff to administer the program.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

C. PART III—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

Trade Adjustment Assistance for Communities (Section 1771–1773)

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision creates a Trade Adjustment Assistance for Communities program that will allow a community to apply for designation as a community affected by trade. A community may receive such designation from the Secretary of Commerce if the community demonstrates that (1) the Secretary of Labor has certified a group of workers in the community as eligible for TAA for Workers benefits, the Secretary of Commerce has

certified a firm in the community as eligible for TAA for Firms benefits, or a group of agricultural producers in the community has been certified to receive benefits under the TAA for Farmers and Fishermen program; and (2) the Secretary determines that the community is significantly affected by the threat to, or the loss of, jobs associated with that certification. The Secretary of Commerce must notify the community and the Governor of the State in which the community is located upon making an affirmative determination that the community is affected by trade.

The Secretary of Commerce shall provide technical assistance to a community affected by trade to assist the community to (1) diversify and strengthen its economy; (2) identify impediments to economic development that result from the impact of trade; and (3) develop a community strategic plan to address economic adjustment and workforce dislocation in the community. The Secretary of Commerce shall also identify Federal, State and local resources available to assist the community, and ensure that Federal assistance is delivered in a targeted, integrated manner. The Secretary shall establish an Interagency Community Assistance Working Group to assist in coordinating the Federal response.

A community affected by trade may develop a strategic plan for the community's economic adjustment and submit the plan to the Secretary. The plan should be developed, to the extent possible, with participation from local, county, and State governments, local firms, local workforce investment boards, labor organizations, and educational institutions. The plan should include an analysis of the economic development challenges facing the community and the community's capacity to achieve economic adjustment to these challenges; an assessment of the community's long-term commitment to the plan and the participation of community members; a description of projects to be undertaken by the community; a description of educational opportunities and future employment needs in the community; and an assessment of the funding required to implement the strategic plan.

Of the funds appropriated, the Secretary of Commerce may award up to $25 million in grants to assist the community in developing a strategic plan.

The provision authorizes $150 million in discretionary grants to be awarded by the Secretary of Commerce. An eligible community may apply for a grant from the Secretary to implement a project or program included in the community's strategic plan. Grants may not exceed $5 million. The Federal share of the grant may not exceed 95 percent of the cost of the project and the community's share is an amount not less than 5 percent. Priority shall be given to grant applications submitted by small and medium-sized communities.

Educational institutions may also apply for Community College and Career Training grants from the Secretary of Labor. Grant proposals must include information regarding (1) the manner in which the grant will be used to develop or improve an education or training program suited to workers eligible for the TAA for Workers program; (2) the extent to which the program will meet the needs of the workers in the community; (3) the extent to which the proposal fits into a community's strategic plan or relates to a Sector Partnership Grant received by the community; and (4) any previous experience of the institution in providing programs to workers eligible for TAA. Educational institutions applying for a grant must also reach out to employers in the community to assess current deficiencies in training and the future employment opportunities in the community.

The provision authorizes $40 million in discretionary grants to be awarded by the Secretary of Labor for the Community College and Career Training Grant program. Priority shall be given to grant applications submitted by eligible institutions that serve communities that the Secretary of Commerce has certified under section 273.

The provision also establishes a Sector Partnership Grant program that allows the Secretary of Labor to award industry or sector partnership grants to facilitate efforts of the partnership to strengthen and revitalize industries. The partnerships shall consist of representatives of an industry sector; local county, or State government; multiple firms in the industry sector; local workforce investment boards established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832); local labor organizations, including State labor federations and labor-management initiatives, representing workers in the community; and educational institutions.

The provision authorizes $40 million in discretionary grants to be awarded by the Secretary of Labor for the Sector Partnership Grant program. The Sector Partnership Grants may be used to help the partnerships identify the skill needs of the targeted industry or sector and any gaps in the available supply of skilled workers in the community impacted by trade; develop strategies for filling the gaps; assist firms, especially small- and medium-sized firms, in the targeted industry or sector increase their productivity and the productivity of their workers; and assist such firms to retain incumbent workers.

REASONS FOR CHANGE

The TAA for Workers program provides assistance to individual workers who lose their jobs because of trade with foreign countries. The program does not, however, provide broader assistance when the closure or downsizing of a key industry, company, or plant creates severe economic challenges for an entire community impacted by trade. The proponents believe there is a need for additional programs and incentives to assist such communities. Accordingly, the provision creates a TAA for Communities program to provide a coordinated Federal response to eligible communities by identifying Federal, State and local resources and helping such communities to access available Federal assistance.

The provision does not establish precise criteria for determining when a particular community is impacted by trade. In the view of the proponents, this determination is better left to the discretion of the Secretary of Commerce, who can evaluate specific facts in specific cases. As a general matter, the proponents believe the Secretary should review the underlying certification(s) that provide a basis for a community's application and evaluate the potential impact of the job losses (or threat thereof) associated with such certification(s) on the broader community, given the community's overall economic situation. The proponents intend for the Secretary to focus grants on communities facing the most difficult hardships, to the extent practicable.

The proponents believe small- and medium-sized communities, and in particular, those in rural areas where the manufacturing sector has historically been a significant employer, would benefit from the technical assistance and grants available through this program. Such communities have been disproportionately impacted by the adverse effects of trade, where some lumber mills, factories and call centers, for instance, have scaled back operations or closed entirely in response to increased trade and globalization.

The proponents do not intend for the preference for such communities to result in all grants, or the majority of grants, going to such communities to the exclusion of other impacted communities.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90-day period beginning on the date of enactment of this Act.

Authorization of Appropriations for Trade Adjustment Assistance for Communities (Section 1772)

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision authorizes $150,000,000 to the Secretary of Commerce for each of fiscal years 2009 and 2010, and $37,500,000 for the period beginning October 1, 2010 through December 31, 2010 to carry out the TAA for Communities program.

The provision authorizes $40,000,000 to the Secretary of Labor for each of fiscal years 2009 and 2010, and $10,000,000 for the period beginning October 1, 2010 through December 31, 2010 to carry out the Community College and Career Training Grant Program.

The provision authorizes $40,000,000 to the Secretary of Labor for each of fiscal years 2009 and 2010, and $10,000,000 for the period beginning October 1, 2010 through December 31, 2010 to carry out the Sector Partnership Grant Program.

EFFECTIVE DATE

The provision goes into effect on the date of enactment of this Act.

D. PART IV—TRADE ADJUSTMENT ASSISTANCE FOR FARMERS

Trade Adjustment Assistance for Farmers (Section 1781–1786 (amending sections 291, 292, 293, 296 and 297 of the Trade Act of 1974))

PRESENT LAW

A group of agricultural producers or their representative may file a petition for certification with the Secretary of Agriculture. Upon receipt of the petition, the Secretary shall publish a notice in the Federal Register that the petition has been received and is being investigated. The petitioner, or anyone else with a substantial interest, may request a public hearing concerning the petition.

To be certified to receive TAA benefits under this chapter, the group of producers must show (1) that the national average price of the agricultural commodity in the most recent marketing year is less than 80 percent of the national average price for the commodity for the 5 previous marketing years, and (2) that increased imports of articles like or directly competitive with the commodity contributed importantly to the decline in price.

A group of producers certified under Section 291 has one year to receive TAA benefits, but may apply to be re-certified for a second year of benefits if the group can show a further 20 percent price decline in the national average price of the commodity, and that imports continued to contribute importantly to that decline.

To qualify to receive benefits, individual agricultural producers that are covered by a certified petition must show (1) that the individual producer produced the qualified commodity; and (2) the net income of the producer has decreased. Producers meeting these criteria are eligible to participate in an initial technical assistance course, and to receive cash benefits, not to exceed $10,000, based on their production and the decline in price for the commodity. Where available,

the producer may also attend more intensive technical assistance.

EXPLANATION OF PROVISION

The provision defines an agricultural commodity producer, for the purpose of the TAA for Farmers program, to include fishermen, as well as farmers.

The provision allows a group of producers to petition the Secretary based on a 15 percent decline in price, value of production, quantity of production, or cash receipts for the commodity, rather than a 20 percent decline in price. The provision shortens the look back period from an average of 5 years to an average of the national average price for the previous three year period. Petitioning producers must also show that imports contributed importantly to the decline in price, production, value of production, or cash receipts.

Once the Secretary certifies a group of commodity producers for TAA, individual producers can qualify for benefits if the producer shows (1) that they are producers of the commodity; and (2) that the price received, quantity of production, or value of production for the commodity has decreased.

Producers deemed eligible to receive benefits by the Secretary are eligible to receive initial technical assistance, and may opt to receive intensive technical assistance, which consists of a series of courses designed for producers of the certified commodity. Upon completion of the series of courses, the producer develops an initial business plan which (1) reflects the skills gained by the producer during the courses; and (2) demonstrates how the producer intends to apply these skills to the producer's farming or fishing operation. Upon approval by the Secretary of the business plan described above, the producer is entitled to receive up to $4,000 to implement the business plan or to assist in the development of a long-term business plan.

Producers who complete an initial business plan may choose to receive assistance to develop a long-term business adjustment plan. The Secretary must review the plan to ensure that it (1) will contribute to the economic adjustment of the producer; (2) considers the interests of the producer's employees, if any; and (3) demonstrates that the producer has sufficient resources to implement the plan. If the Secretary approves the plan, the producer is eligible to receive up to $8,000 to implement the long-term business plan.

Once a petition is certified for the group of producers, qualifying producers are eligible for benefits for a 36–month period. A producer may not receive more than $12,000 in any 36–month period to develop and implement business plans under the program.

The provision allows fishermen and aquaculture producers who are otherwise eligible to receive TAA benefits to demonstrate increased imports based on imports of farm-raised or wild-caught fish or seafood, or both.

REASONS FOR CHANGE

The proponents believe that the 20 percent price decline currently required for a group of producers to be certified under the TAA for Farmers program is too high, and creates an unnecessary barrier for producers to qualify for TAA benefits. Further, producers and the Department of Agriculture were concerned that the current five-year look back period was too long and burdensome for producers.

Additionally, since net farm income is a function of many factors, it has proven very difficult for producers to show the required decline in net income, even when the price for specific commodities had declined significantly. Several disputes regarding whether producers met the net income test were taken to the U.S. Court of International Trade, resulting in significant administrative expense for both the producers and the Department of Agriculture.

The proponents believe that demonstrating a decline in the production or price of the commodity facing import competition is a better measure of the impact of trade on the individual producer, rather than net income. The provision would allow farmers to demonstrate that either their production decisions or price received for the qualified commodity were affected.

The proponents also believe that the focus of the TAA for Farmers program should be adjustment assistance, rather than cash benefits. Under the current program, most producers received only initial technical assistance, with little opportunity for additional curricula. The proponents believe that all producers eligible for TAA benefits should receive more thorough technical assistance and the opportunity for individualized business planning, with financial assistance provided to help the producer implement the business plans.

Further, technical assistance should be provided by the Department of Agriculture through the National Institute on Food and Agriculture (''NIFA''), which may choose to make grants to land grant universities and other outside organizations to assist in the development and delivery of technical assistance. NIFA (formerly the Cooperative State Research, Education, and Extension Service) delivers technical assistance under the current Farmers program, and had successfully developed curricula to respond to producers' adjustment needs.

The proponents believe that the current one-year limit to obtain TAA benefits unnecessarily limits producers' ability to access technical assistance, particularly when farmers and fishermen must spend significant portions of each year in the fields or at sea. Extending the eligibility period to 36 months will allow producers to take advantage of all the benefits offered, and will eliminate the need for the current burdensome recertification process.

The proponents believe that fishermen and aquaculture producers who are otherwise eligible for TAA should be able to demonstrate an increase in imports of like or directly competitive products without regard to whether those imported products were wild-caught or farm-raised. Current law allows these producers to apply for benefits based on imports of farm raised fish and seafood only.

The proponents expect that the Department of Agriculture will fully fund and operate the TAA for Farmers and Fishermen program for the full duration of each fiscal year for which it is authorized.

EFFECTIVE DATE

The provision goes into effect upon expiration of the 90–day period beginning on the date of enactment of this Act, and applies to petitions filed on or after that date.

Extension of Authorization and Appropriation for Trade Adjustment Assistance for Farmers (Section 1787 (amending Section 298 of the Trade Act of 1974))

PRESENT LAW

The authorization and appropriation for the TAA for Farmers program expired on December 31, 2007. The program is currently authorized at $90 million per year.

EXPLANATION OF PROVISION

This provision reauthorizes the program through December 30, 2010, and maintains its funding at $90 million per year for fiscal years 2009 and 2010. The provision further provides funding on a prorated basis for the period beginning October 1, 2010, and ending December 31, 2010.

EFFECTIVE DATE

The provision goes into effect on the date of enactment of this Act.

E. PART V—GENERAL PROVISION

Government Accountability Office Report (Section 1793)

PRESENT LAW

There is no provision in present law.

EXPLANATION OF PROVISION

The provision requires the Comptroller General of the United States to prepare and submit a report to the Senate Finance Committee and the House Committee on Ways and Means on the operation and effectiveness of these amendments to chapters 2, 3, 4, and 6 of the Trade Act no later than September 30, 2012.

REASONS FOR CHANGE

It is critical that GAO review and evaluate the TAA program to assess the changes made by this legislation to ensure that they have improved the effectiveness, operation, and performance of the program.

EFFECTIVE DATE

The provision goes into effect on the date of enactment of this Act.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.)

Mr. BAUCUS. Mr. President, I yield 10 minutes to the distinguished chairman of the Appropriations Committee, Senator INOUYE of Hawaii.

Mr. INOUYE. Mr. President, I rise to restate my strong support for the American Recovery and Reinvestment Act of 2009. This measure will create more than 3.5 million jobs. It will provide billions of dollars to support our State and local governments. It will prevent tens of thousands of teachers, firemen, policemen, and other providers of essential services from being laid off at the worst possible time. It will provide tax cuts for working families. It will invest in the future of this Nation by rebuilding our roads, our sewers, mass transportation systems, and other essential infrastructure.

We must pass this bill immediately. According to the Labor Department, the United States has lost 3.6 million jobs since the recession began in December of 2007. Roughly half of those losses have occurred in the past 3 months. Our job losses are accelerating, and if the Federal Government does not take bold action immediately, these losses will only continue to worsen.

That is why this measure before us is focused first and foremost on creating jobs. Every job we create by investing in infrastructure, every job we save by providing extra funds to State and local governments, is one more American who will know their Government has done everything it can to help its citizens recover from this terrible economic crisis.

The total appropriations in the amended bill are $290 billion. Some have suggested that we in the Senate have paid too high a price in our efforts to reach a bipartisan solution. As the chairman of the Appropriations Committee, I am keenly aware of the adjustments that have been made to this legislation in order to secure the 60

votes we need. Nonetheless, I know that $290 billion is far superior to nothing, which is what we would have if we do not garner 60 votes. This remains a very strong bill that will make a difference in the lives of millions of Americans.

As I stated before, nothing is more important than the more than 3.5 million jobs that will be created or preserved through this measure. Our goal is to find ways to stimulate the private sector through the public sector spending. We have no interest in expanding or growing the Federal bureaucracy. In fact, this bill will create fewer than 5,000 new Federal jobs. That is three-tenths of 1 percent—hardly a vast growth in our Government.

We are focused on jump-starting necessary projects that will get this economy back on track as quickly as possible. In fact, preliminary CBO and Joint Tax scoring shows that for the bill as a whole, including spending and tax cuts, 78 percent of the funds will be spent in fiscal years 2009 and 2010.

Some of the opponents of this measure have complained that it has too much wasteful spending. Helping States deal with long-term investments such as health, education, and science is not wasteful spending. These are programs that will directly touch millions of Americans and will improve the quality of their lives. Let me say again that there are no earmarks in this bill.

As for some of the other charges leveled by opponents of the bill, I can only say that the facts speak for themselves. Despite claims that this recovery package contains $150 million for honeybee insurance, there is not and there never has been, any language with regard to honeybees contained in this legislation.

There is no funding for prevention of sexually transmitted diseases, nor for smoking cessation programs, nor for resodding the National Mall. As I have already stated, this bill will create fewer than 5,000 new Federal jobs, which is well short of the 600,000 new Federal jobs that some have suggested and predicted.

The facts speak for themselves. We face a grave economic crisis. We have a nation that stood up 3 months ago and voted for change, not for more of the same policies that got us into the crisis in the first place.

This legislation is not perfect, but it absolutely represents the change that millions of Americans voted for on November 4 last year, and I hope my colleagues will join me in giving our citizens the change they demanded and vote yes on the American Recovery and Reinvestment Act.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BAUCUS. Mr. President, I ask unanimous consent that the time consumed during the quorum calls this morning be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, I wish now to talk about a package of amendments that hasn't been added to the legislation but has merit. I want to put my colleagues on notice that I will be asking unanimous consent that this package be added to the legislation.

On a piece of legislation this large, it is difficult to process every amendment that is filed. In fact, over 600 amendments have been filed to this bill. We have processed 30 of these, but that leaves about 500 not yet voted on.

The same was true in the Finance Committee, before we took up the bill and before it came to the floor. In the committee we had over 200 amendments filed and we couldn't vote on every one of those. On a number of them, I asked Senators to withhold from offering them. For some, we were not sure how much they would cost, and for others we needed more time to analyze the proposal because they came to us pretty quickly and we didn't know what it meant. I asked Senators to hold off for a while to figure out what it means, and maybe we can work it out, but it would be best to take it to the floor. Many Senators did that. I pledged to the Senators I would work with them on the floor.

We were able to work out many of the amendments. Senator GRASSLEY and I reached an agreement on a number of tax and health amendments, and they are reflected in an amendment that has been filed. As our staffs looked at these amendments, we worked out an agreement on a lot of these amendments and they are contained in the managers' amendment I am talking about. Some were technical in nature. We have several, for example, health-related provisions that clarify the legislative language to make sure it reflects what the Finance Committee voted to report to the Senate.

Other provisions are modifications of provisions in the underlying bill. For example, one of the provisions makes sure military personnel can receive the Making Work Pay credit even if their spouse is not a U.S. citizen. Another provision expands on a proposal included in the Finance Committee to help companies deleverage and buy back some of their debt.

Other provisions are new, but they are good ideas and simply didn't get a vote. Ms. SNOWE, for example, has proposed reducing the estimated taxes that small businesses have to pay quarterly, since most of them will have fewer or no profits this year. That provision is also included in the managers' package.

While I believe adding these proposals will improve the bill, it is my understanding there is likely to be an objection to my request. We could not include every amendment in the package. We have done the best we can. I think it would improve upon the bill if this package were adopted.

Mr. President, I ask unanimous consent that I be allowed to call up my amendment No. 572, the so-called managers' amendment; that the amendment be adopted, and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Mr. President, I must object. Before I do so, I will make this little statement. Obviously, the chairman, in keeping his word to me, has gone on to deliver on that word by working out arrangements on some amendments I wanted. It might look confusing to the public at large as to why on this side we are objecting. As we do things in the Senate on unanimous consent, any one person can object.

We have asked a lot of Members on our side what they thought about this particular UC request because we knew about it ahead of time. On behalf of a number of Members on our side of the aisle, acting for them, I must and do reluctantly object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. Mr. President, if I may have the floor, I wish to make some remarks about the stimulus bill generally and about an upcoming vote we have in the Senate that we call waiving the Budget Act.

Today, the Senate will consider whether we should apply budget discipline to this bill before us. Yesterday, there was a lot of revision, or perhaps editing, of recent budget history, and I come to the floor to speak about it in an intellectually honest way. Even our President alluded to it. I agree with the President that there is a lot of revisionism in the debate. The revisionist history basically boils down to two conclusions:

One, that all of the ''good'' fiscal history of the 1990s was derived from a partisan tax increase of 1993; and, two, that all of the ''bad'' fiscal history of this decade we are in now is attributable to the bipartisan tax relief plans of 2001 and 2003, and maybe some lesser tax bills.

Not surprisingly, nearly all of the revisionists who spoke generally oppose tax relief, and somehow always seem to support tax increases. The same crew generally supports spending increases and, not oddly, opposes spending cuts.

In the debate so far on this bill, called the stimulus package, many on this side have pointed out some key undeniable facts. The bill before us, with interest included, increases the deficit by over $1 trillion. The bill before us is a heavy stew of spending increases and refundable tax credits, seasoned with small pieces of tax relief.

The bill before us has new temporary spending that, if made permanent, will burden future budget deficits by over $1 trillion.

That antirecessionary spending, together with lower tax receipts, plus the TARP activities, has set a fiscal table of a deficit of $1.2 trillion. That is the highest deficit, as a percentage of the economy, in post-World War II history.

It is not a pretty fiscal picture, and it is going to get a lot uglier as a result of this bill. So for the folks who see this bill as an opportunity to recover America, with Government taking a larger share of the economy over the long term, I say congratulations. That is where the revisionist history comes from. It is a strategy to divert, through a twisted blame game, from the facts before us.

How is history revisionist? I want to take each conclusion, one by one.

The first conclusion is that all of the good fiscal history was derived from that 1993 tax increase. To knock down this canard, all you have to do is look at this chart I put up.

This chart was not produced by a bunch of Republicans. This chart was produced by the Clinton administration. We can see down in the right corner, the ''Office of Management and Budget.''

The much ballyhooed 1993 partisan tax increase accounts for 13 percent of deficit reduction in the 1990s. We can see in green the 1993 tax increase that has been ballyhooed about the floor of this body several times did not have as much to do with deficit reduction as we are led to believe.

What is more, fiscal revisionist historians in this body tend to forget who the players were. They are correct that there was a Democratic President in the White House, but they conveniently forget that Republicans controlled the Congress for the period where the deficit came down and actually turned into a surplus. They tend to forget that they fought the principle of a balanced budget that was the centerpiece of my party's fiscal policy.

Remember the Government shutdown of 1995? I want the people on the other side of the aisle to remember that, remember what it was all about. It was about a plan to balance the budget. Republicans paid a political price for forcing the issue. But in 1997, President Clinton agreed.

Recall as well all through the 1990s what the yearend battles were about. On one side, congressional Democrats and the Clinton administration pushed for more spending. On the other side, congressional Republicans were pushing for tax relief. In the end, both sides compromised. That is what our Government and Constitution forces, and a lot of that is done because in the Senate we have rules that do not allow one party to push something through.

That is the real fiscal history of the 1990s.

Now let's turn to the other conclusion of the revisionist fiscal historians. That conclusion is that in this decade, since the year 2000, all fiscal problems are attributable to the widespread tax relief enacted in 2001, 2003, 2004, and 2006.

In 2001, President Bush came into office. Just last night, we heard on television about all of the problems today are the result of the last 8 years. Let's take a look at that.

President Bush inherited an economy that was careening downhill. Investments started to go flat in 2000. Do you know NASDAQ lost 50 percent of its value in the year 2000, not in the year 2001 and beyond? Then came the economic shocks of the 9/11 terrorist attacks. I might add, we had 40 or more months of downturn in the manufacturing index that started in February 2000, also before President Bush became President. And then we add in the corporate scandals to that economic environment. We had the 9/11 terrorist attacks.

It is true, as the fiscal year 2001 came to a close, the projected surplus turned into a deficit. I have a chart that shows the start of this decade's fiscal history right here. As we can see, in just the right time, the 2001 tax relief plan started to kick in. The deficit grew smaller. This pattern continued through 2007.

I have another chart that compares the tax receipts for the 4 years after the much ballyhooed 1993 tax increase and the 4-year period after the 2003 tax cuts. If we go to the tax increase, the blue line, we can see there was some uptick, but it stayed flat. Look at tax relief coming, the red line, what that has done for income into the Federal Treasury.

On a year-after-year basis, this chart compares the change in revenues as a percentage of GDP. In 1993, the Clinton tax increase brought in more revenue as compared to the 2003 tax cut. But that trend reversed as both policies moved along. We can see how the extra revenue went up over time relative to the flat line of the 1993 tax increase.

So let's get the fiscal history right. The progrowth tax-and-trade policies of the 1990s, along with a peace dividend, had a lot more to do with the deficit reduction in the 1990s than the 1993 tax increase did. In this decade, deficits went down after tax relief plans were put into full effect.

That is the past. We need to make sure we understand it. But what is most important is the future. All I can say is that my President, President Obama, talked about the future all during the campaign. Why Members of his party have been talking about the last 8 years and not about the future, I don't know. We need to talk about the future. People in our States send us here to deal with the future. They do not send us here to flog one another like partisan cartoon cutout characters and to do it over past policy. They do not send us here to endlessly point fingers of blame around.

Now let's focus on the fiscal consequences of the bill in front of us. That is what the vote in less than an hour is all about.

President Obama rightly focused us on the future with his eloquence during that campaign, as I have already referred to. But I would like to be more specific and paraphrase a quote from the President's nomination acceptance speech: We need a President who can face the threats of the future, not grasping at the ideas of the past.

My President was right. We need a President—and I would like to add Congressmen and Senators—who spends all the time facing the threats of the future. This bill, as currently written, poses considerable threats to our fiscal future. Senator MCCAIN's spending trigger amendment showed us the way. We can rewrite this bill to retain its stimulative effect but turn off the spending when the recovery occurs.

Grasping at ideas of the past or playing the partisan blame game will not deal with the threats to our fiscal future. With a vote to sustain the budget point of order against this bill, I say to my fellow Senators, we can start to deal with threats to the fiscal future in the way Senator MCCAIN would or the way other people might bring good ideas forth.

According to the Senate Finance Republican tax staff analysis of the Joint Committee on Taxation's revenue estimate of the Nelson-Collins substitute amendment, less than $6 billion is provided in that amendment in tax relief for small businesses. Let me be clear, small business tax relief makes up less than 1 percent of the bill. I think that is truly outrageous. Small businesses create approximately three-fourths of the new jobs in our economy. So if this bill is all about jobs, certainly more tax relief would have been provided to small businesses because they are the job-creating engines of our economy.

Less than 1 percent of the bill going to small business tax relief is a puny amount. For example, according to Senator NELSON's Web site summary of this bill, here are just some of the provisions that the Senate Democratic leadership has spent more money on than small business tax relief.

The Senate Democratic leadership is putting your money where their mouth isn't and saying that these items are a higher priority to them than small business tax relief is. Some of these items are: $7 billion for Federal buildings fund, $6.4 billion for State and Tribal assistance EPA grants, and $13.9 billion for Pell grants. While some of the provisions in the bill are worthy of being done in regular order, certainly none should get higher funding than small business tax relief because this is supposedly a stimulus bill that is about creating jobs.

Mr. President, in remarks a few minutes ago, the senior Senator from New York referred to my amendment on the current year's alternative minimum tax, AMT, hold-harmless or patch. He was correct that I pushed for the patch very early in the stimulus discussions.

I mentioned it at before and after our bipartisan Finance Committee Members' meeting. I filed it at the Finance Committee markup. To be fair, so did Senator MENENDEZ. The committee adopted the AMT patch amendment.

If I heard the Senator from New York correctly, he agreed with me on the merits of adding the AMT pacth. His point seemed to be to say I, and others who oppose the bill in its present form, we are taking an inconsistent bill.

Let me repeat what we, on this side, have been saying about the need for this bill. We agree there needs to be a stimulus. But we need to do it right. Including the AMT pacth improves what is an otherwise poorly designed bill.

The patch does not remedy the outyear spending problem. It does not eliminate the rest of new broad entitlement spending.

I am hopeful that, in conference, the senior Senator from New York, and other members of the Democratic leadership, will fight for the Senate position on the AMT patch. There are 124,000 Iowa families who could face an average tax increase of $2,300 per family if the AMT patch is not enacted. I am looking out for them. I hope the Democratic leadership is looking out for them too.

I urge my colleagues to vote for budget discipline, sustaining the point of order.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RISCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RISCH. Mr. President and fellow Senators, I came today to make a few remarks regarding the vote we are about to have, in about half an hour, on the so-called ''stimulus'' package. I think everyone who is a Member of this body agrees with the magnitude of the problem. I have heard my colleagues on the other side and my colleagues on this side speak with great clarity and sometimes with great passion about the problem. Clearly, the American economy is in dire straits. Everyone agrees with that. The amount of passion that one speaks with neither raises nor lowers that level.

I heard the President of the United States last night say there were some people who thought there should be no action taken by our Federal Government. I am not aware of those people. I am sure there are some around, but I think most people agree the main responsibility of the Government of the United States is to protect its people, but closely behind that is to regulate monetary policy and economic policy. Nations have been doing both of those things for many years. My problem with the discussion we have had over recent weeks has been with the focus of the solution, and I believe the focus is misfocused.

The President agrees, we agree, and most economists agree that economic recovery will require a three-path solution. The first is attention to the banking sector, and that comprises two different parts. No. 1 is continued viability of our bank system; and No. 2, and most importantly, reestablishing credit flow, which is badly impaired at this time.

The second path is the housing sector. Most economists agree it was the housing sector that led us into this difficulty and it is going to be the housing sector that leads us out or, if it does not lead us out, at least it has to recover before we will see any decent movement in the economy.

And third is the Government expenditure item. That particular item has received all the ink, all the publicity, and all the discussion in recent weeks. The focus should not be on Government spending. The focus of the solution should be on credit flow and on the housing market, and it is not. To that, I object.

When the President very kindly came to the Republican conference, we had a spirited discussion on these matters. I was delighted to see that he agreed it was going to take a three-path solution to get us out of this. I was disappointed that his enthusiasm continued to be for the spending side, which of course is a very easy thing to do and something which this town is particularly adept at. Again, my problem is the focus. Spending by the Government is not going to resolve this problem.

This proposal has some job creation—that is the so-called ''stimulus'' package—and for that I am grateful. The best example of that is roads and bridges. However, if you take a percentage of the amount of money we are talking about, that is only about 3 percent of the bill. There are lots of parts of this bill that do not do anything to stimulate the economy, and I am not going to spend time on that this morning, because they have been well publicized, and I have no doubt will be publicized more in the future.

The other difficulty with the bill, if you take the number of jobs the President is attempting to create or to protect, the cost is in the hundreds of thousands of dollars per job. That, as much as anything, shows how difficult it is for the Government to get us out of this by spending. It is a futile effort. We have between 7 and 8 percent unemployment in this country, which means over 92 percent of Americans are employed. What happens if unemployment continues to accelerate? The Federal Government cannot borrow or print enough money to salvage all those jobs at the cost of several hundred thousand dollars per job. The Federal Government simply can't do it.

Now, there is an entity that can do it. There is an entity that can create enough jobs and protect enough jobs. That entity is called the free market system. It is entrepreneurs, it is risk takers, it is capitalists. Those people and those entities created these jobs to begin with. They can do it again. That entity, the free market system, has created the most successful culture in the history of the world. For the free market system to operate, there must be free-flowing credit, and of course that does depend upon Government policy. That is why I come down on the side of needing to focus more on that particular aspect of this problem.

I listened to the President last night, and he talked about the $800 billion number. He said he did not reach up in the air and pull that number out of the air. I wish I knew where that number came from. I have yet to see the formula that was devised, either by the President or, more likely, his advisers who came up with this $800 billion figure. Indeed, that formula has a lot of value. If that formula could be put on paper, every economy in the world, every country in the world, would be very interested in that valuable commodity. Because if indeed you can simply take that formula and come up with a number and then borrow enough money and spend that money to get the economy moving again, this is very simple.

Here is the problem with all of this. That $800 billion number, or whatever number it turns out to be—and of course when you add interest in, it will be well over a trillion dollars, or somewhere in the neighborhood of $1.2 trillion—that money has got to come from somewhere. It is not free money. The way America is going to get that money is it is going to go out and borrow it. We all know what happens when America goes out and borrows money. Who provides us with that money? The major contributor of purchasing our debt is the Chinese Government and the Chinese people. There is no plan for repayment of that debt. What business in America, what entity in America would think of borrowing any amount, let alone an amount this size, without a clear and cogent plan for repaying that money?

Keynesian economics teaches us we can spend our way out of a problem. Keynesian economics has been proven over and over again to be a great theory, a wonderful theory, a source of hope, but it has been a total failure. It didn't work for the Japanese in the 1990s, it didn't work for this country back in the Great Depression, and it didn't even work last year, when everyone was given $600. It didn't even put a blip on the screen in trying to get us back to prosperity. Keynesian economics—government spending—to get us back on track, has never worked before and it will not work again. If it does work, it will be the first time in history, and it will defy uniform history that has shown us in the past that it won't work.

I hope when we go home during the recess time that this economy is moving in a different direction. I truly

hope that is the case. And I hope we can be arguing on this floor whether it was this enormous spending package that did it or whether it was the vagaries of an undulating world economy, or whether it was economic policy dealing with the banking sector and the housing sector that turned it around.

I am encouraged by the fact the President has committed that he will turn his attention to the other two paths in this three-path system, the banking sector and the housing sector, after this package is passed.

The title of this bill, the ''economic stimulus'' bill, is truly a giant fraud on the American people. It is not a stimulus package. It is a giant spending package. Admittedly, there are parts of it that one could argue are stimulus, but it is so de minimis that one cannot call this an economic stimulus package.

Like everyone on this floor, I am concerned about the future of our children and our grandchildren. Borrowing $800 billion-plus, mostly from the Chinese Government and the Chinese people, and indenturing our children, our grandchildren, and our great-grandchildren to work to repay the Chinese Government and the Chinese people so we can spend that money today I believe is fundamentally wrong. I don't believe we should indenture future generations of Americans, and for that reason this Senator will be casting his vote ''no'' on behalf of the people of the great State of Idaho.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, we had an opportunity to hear the initial or, as we call it, the maiden speech of the new Senator from Idaho, and I wanted to be on the floor to listen to his words. This is a great opportunity to welcome him to the Senate and to encourage all our colleagues to read what he had to say about this massive spending bill we have before us.

I think his views were right on target, and I congratulate him on his first speech.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I also congratulate the Senator from Idaho, my neighbor. It is a wonderful opportunity to hear the Senator from Idaho give his first speech, and it is also great that he is, as I say, my neighbor. I deeply appreciate the shared values we have in our part of the country. I might say to my good friend that although I don't agree with the conclusions he has reached, there will be many opportunities for us to work together on issues that affect our part of the country.

I might also say that—and I think all economists agree with this point—every dollar spent is stimulative—every dollar. Every single dollar in this bill is stimulative—every dollar. All economists would say that—all economists.

Now, it is true that some dollars are more stimulative than other dollars. Basically, economists say that dollars spent on roads and bridges and infrastructure and so forth are more stimulative than dollars spent on tax reductions. They all agree on that. In fact, the Joint Committee on Taxation and the CBO sent a letter recently—actually, the Congressional Budget Office, the CBO, sent a letter to this Senate recently—making that very point, and they categorized how stimulative each dollar spent is. The more it is taxes, the less stimulative it is. But it does stimulate the economy, no doubt about it. The more it is not taxes, the more it is bridges and roads and infrastructure, the more it stimulates the economy. There is no doubt about that. And then there is a middle category, which focuses on unemployment benefits, Medicaid, and food stamps. That is very stimulative, because those are the lower income people who spend the money. To say the dollars in this bill are not stimulative is flatly not true. Every dollar spent is stimulative.

Second, analysis of CBO and Joint Tax, the Congressional Budget Office, and the Joint Committee on Taxation, shows that 99 percent of all the dollars in the Finance Committee bill are spent in the first 2 years. There is nothing permanent about this. I have heard Senators on the other side say this is permanent. It is not permanent; 79 percent of all the dollars in this bill, according to the CBO and Joint Committee on Tax, are spent in the first 2 years—about four-fifths, 80 percent, in the first 2 years. That is not permanent; that is spent in the first 2 years.

No. 1, every dollar spent is stimulative. Some is more stimulative—roads and bridges more than taxes. No. 2, this is temporary; 79 percent of the whole bill is spent in the first 2 years. No. 3, again, this is not permanent, but it is all going to be spent, four-fifths, 80 percent in the first 2 years.

I am a little surprised Senators say we should not spend money here. That is exactly what the Government did back in the 1930s. That is the Hoover approach. Don't spend money, don't borrow money because that is going to add to the deficit, add to the debt. That was what was said back then and look what happened. Every economist says that was a mistake, the Government should have gotten involved, we should have done something, we should have spent the money. And that is what we are doing.

Also, what is the alternative to not spending. What is the alternative to not passing this bill? The alternative is conditions are much worse. This bill is going to create or save 3.4 million jobs. No bill, 3 to 4 million jobs, more jobs lost than currently. This is a no-brainer.

Some Senators try to get us sidetracked. Lawyers call it red herrings, one theory or another, which is not the heart of the problem. The heart of the problem is people are losing jobs by massive numbers. We have to do something, we have to do something big. I, frankly, think in this Congress not much of anything happens most of the time unless one of two conditions occurs. One is a crisis. Then Congress acts and does something—Pearl Harbor, Sputnik, Depression. Another is if there is extraordinary political leadership.

I say we certainly have a crisis, and we certainly have an extraordinary President. Combined—the President wants this, this is a crisis we have to deal with—let's stand and do what the American people want us to do and not haggle, not bicker, not get partisan. This is pretty simple stuff. It is a big problem and requires a big solution. This solution is a good solution. I strongly urge my colleagues to support it because it is the right thing to do.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I think the Congressional Budget Office, our top adviser, advises us there will be some stimulus in the next 2 to 3 years. But over a 10-year period, our own budget office says the crowding out of private people being able to borrow money because the Government has already borrowed it, and the substantial interest payment on the economy as a result of taking out this debt, will result in a net negative growth in GDP over 10 years. We are talking about a short-term gain for a long-term negative and certainly in the next 10 years the stimulus is long since gone then, and we will have that debt burden every year thereafter because there is no plan to pay it back.

Mr. Gary Becker, Nobel Prize winner in economics, the University of Chicago, in the Wall Street Journal today raised this question:

> How much will the stimulus package moving in the Congress really stimulate the economy?

That is what he asked. The evaluations to date have been incomplete. This is what he says his conclusion is:

> So our conclusion is that the net stimulus to the short-term GDP will not be zero—

Certainly $800-plus billion cannot be zero. He goes on to say—

> and will be positive, but the stimulus is likely to be modest in magnitude. Some economists have assumed that every $1 billion spent by the government through the stimulus package would raise short-term GDP by $1.5 billion. Or, in economics jargon, that the multiplier is 1.5.
>
> That seems too optimistic, given the nature of the spending programs being proposed. We believe a multiplier well below one seems much more likely.

He goes on to make some other points and raise questions about the nature of this package.

We have a budget process in this Congress. In the Senate, and the Budget Committee of which I am a Member—meeting right now, I just left the committee—we set a spending limit for America each year. That limit is supposed to be complied with unless we declare an emergency. When we declare

an emergency, then we can spend over the budget. I wish to say, first, we are getting in too much of a habit of declaring emergencies, tacking all kinds of spending programs onto those emergency programs and, as a result, we are collapsing the power and effectiveness of the budget process.

For example, we had over $100 billion on Katrina. A lot of that was needed, but all kinds of things not related to Katrina were added because if you add it onto an emergency spending bill you don't have to account for it. It does not have to compete with any other national spending priority. Otherwise, you have to go in through your committees and argue that this spending is justified.

I think when you look at other things such as the TARP spending last fall, $700 billion we authorized, and then authorized the second half of it earlier this year, that was outside the budget process. We are going to see that this stimulus, every penny of it, is on top of the largest debt we have ever had in America. The Congressional Budget Office scores the debt this year to be $1.2 trillion, without the stimulus. Last year, at $455 billion, we hit the highest deficit in the history of the country. So this is more than twice that added to it.

Then we are going to have another financial Wall Street bailout package presumably presented to us soon. It will also be spending outside the budget.

I wish to repeat: Every penny of the $1.2 trillion of the stimulus package will add to the U.S. Government debt. The debt burden is so high that CBO projects the gross domestic product 10 years from now will be even lower as a result of the passage of this legislation than if we did not pass it, over a 10-year period.

I do not believe we can continue to spend such large sums of money without knowing that the money is well spent, without having the kind of oversight and hearings we need. We are rushing programs through in great numbers. Senator CONRAD, the chairman of the Budget Committee, our Democratic colleague, estimates there is $125 billion in what he calls bow wave money that will increase the spending permanently out of this bill; at least 125. Another one of our Senators says it will be $300 billion that will be continued and not be temporary. So there are seven budget points of order that will lie against this legislation. I expect to offer that.

It would mean we would have to vote 60 votes and those 60 votes would say we understand it violates the budget, but we want to spend it anyway. That is what the effort will be about.

Let me briefly point out the significance of the legislation. Everybody wants to do something. I understand that. We need to do some things. But we have to ask ourselves responsibly what has happened.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. I thank the Chair and I yield the floor.

Mr. REID. Mr. President, the distinguished Senator from Montana has 1 minute?

The PRESIDING OFFICER. The Senator is correct. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, since this recession began, 3.6 million mothers, fathers, sisters and brothers, wives and husbands have lost their jobs. On the Senate floor today, we have the power to keep 3 to 4 million more Americans from losing their jobs. We have crafted this bill to accomplish this end. Ninety-nine percent of the Finance Committee's legislation will take effect in the first 2 years and 79 percent of the total bill's fiscal effects will take place in the first 2 years.

The question is merely whether we will act. Our duty is clear. Let us reject half measures. Let us reject delay. Let us not be found on the wrong side of history. Let us rise to the economic challenge of our generation. Let us preserve millions of American jobs and let us pass this bill today.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, in 1844, a man came to Washington recognizing the country had been in a deep recession in 1837 and it spilled over a number of years. He came to Washington with an idea. He came to Congress with an idea. What he wanted to do was build some power poles, put some wire on them, and he said if he did that, this infrastructure—and he had money to do it—would revolutionize communications in America.

This man, Samuel Morse, convinced Congress to do that. They appropriated $40,000. In that day that was a huge amount of money. The Federal Government appropriated that money and a telegraph line was built between Washington, DC, and Baltimore, MD. The rest is history. It changed America. It changed the world. The first telegraph line revolutionized communications. It was so significant.

Some opposed funding for the new invention that Morse was talking about, but once the wires connecting the two cities were laid, our country's communication structure, as I mentioned, was changed forever. What started as a government investment became a major private sector enterprise, creating thousands of jobs and new opportunities to connect people and ideas. If that sounds familiar, it is exactly what created one of the greatest economic opportunities of our lifetime—not only of our lifetime but ever—the Internet.

Throughout our history the Federal Government has catalyzed good ideas, invested in the ingenuity and entrepreneurship of the American people, and let the private sector flourish—Samuel Morse, the Internet. Faced with an economic crisis today, we have an opportunity to make similar investments that will help our country prosper in the years to come.

Last night, President Obama brought his case of economic recovery directly to the American people. He clearly explained that no new President relishes the thought of starting an administration with a major investment of public funds to clean up the economic mess left by the previous administration. But he had no choice, as he explained so well in Elkhart, IN, yesterday and last night to the American people.

Not one Member of Congress or one single American family relishes the difficult choices left for us to make. But with a growing likelihood that this crisis will grow into what the President has termed a ''possible catastrophe,'' the worst decision would be indecision.

The President, as I mentioned, spoke in the city of Elkhart, IN, a place where unemployment has risen in a short period of time from 4 percent to over 15 percent. But some say the unemployment in Elkhart is truly over 20 percent.

In Nevada the latest figures have surpassed 9 percent unemployment, with no sign of retreat in sight. The people of Elkhart understand our economy will not turn around overnight. Reno and Carson City and Las Vegas have patience for the tough choices in the hard days to come. The American people understand that. But the American people have no patience for a Congress that points fingers, drags its feet or fails to act.

It is not common—in fact, try to think of the last time the National Association of Manufacturers—NAM, the United States Chamber of Commerce, and the AFL–CIO joined in support of legislation, any legislation. But they have in this legislation before us. Each of these organizations understands how important it is for us to pass this bill and to get it to the President's desk.

Yesterday, the Senate took a major step toward doing so by voting 61 to 36 to lift a filibuster and move forward to a vote. Now we move to final passage of President Obama's economic recovery plan, but our work doesn't end there. We must move swiftly with our colleagues in the House to complete work on the legislation and send it to the President's desk as soon as possible. The time for debate on this legislation was productive but it is over.

With common sense as our compass, we must now answer the urgent call of the American people for action.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I believe we need to exceed the budget and to expend targeted, temporary money that can improve the economy and will make some positive steps. Gary Becker, a Nobel Prize winner, today said he does not believe this is an effective way to do so. Others have said the same. I believe greater jobs can be created at substantially less funding.

I make a point of order that the pending amendment offered by the Senators from Nebraska and Maine,

Mr. NELSON and Ms. COLLINS, would increase the on-budget deficit for the sum of the years 2009 through 2013 and the sum of the years 2009 through 2018. Therefore, I raise a point of order against the amendment pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

Mr. REID. Mr. President, it is my understanding the order before the Senate takes into consideration the move to waive that; is that true?

The PRESIDING OFFICER. If the Senator from Nevada will suspend briefly, under the previous order, the motion to waive is considered made.

Mr. REID. So the only thing left is the yeas and nays; is that correct?

The PRESIDING OFFICER. The Senator from Nevada is correct.

Is there a sufficient second?

It appears there is.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from New Hampshire (Mr. GREGG).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 61, nays 37, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—61

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kennedy	Sanders
Brown	Kerry	Schumer
Burris	Klobuchar	Shaheen
Byrd	Kohl	Snowe
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feingold	Mikulski	
Feinstein	Murray	

NAYS—37

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Thune
Coburn	Isakson	Vitter
Cochran	Johanns	Voinovich
Corker	Kyl	Wicker
Cornyn	Lugar	
Crapo	Martinez	

NOT VOTING—1

Gregg

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 37. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. CARDIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, amendment No. 570, offered by the Senator from Maine, Ms. COLLINS, and the Senator from Nebraska, Mr. NELSON, is agreed to, and the motion to reconsider is considered made and laid upon the table.

The question in on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. BUNNING. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from New Hampshire (Mr. GREGG).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 37, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—61

Akaka	Gillibrand	Nelson (FL)
Baucus	Hagan	Nelson (NE)
Bayh	Harkin	Pryor
Begich	Inouye	Reed
Bennet	Johnson	Reid
Bingaman	Kaufman	Rockefeller
Boxer	Kennedy	Sanders
Brown	Kerry	Schumer
Burris	Klobuchar	Shaheen
Byrd	Kohl	Snowe
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feingold	Mikulski	
Feinstein	Murray	

NAYS—37

Alexander	DeMint	McCain
Barrasso	Ensign	McConnell
Bennett	Enzi	Murkowski
Bond	Graham	Risch
Brownback	Grassley	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Thune
Coburn	Isakson	Vitter
Cochran	Johanns	Voinovich
Corker	Kyl	Wicker
Cornyn	Lugar	
Crapo	Martinez	

NOT VOTING—1

Gregg

The bill (H.R. 1), as amended, was passed.

Mr. DURBIN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment and requests a conference with the House on the disagreeing votes of the two Houses.

The Acting President pro tempore appointed Mr. INOUYE, Mr. BAUCUS, Mr. REID of Nevada, Mr. COCHRAN, and Mr. GRASSLEY conferees on the part of the Senate.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. today.

Thereupon, at 12:44 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. Mr. President, there will be no more rollcall votes today.

I ask unanimous consent that the Senate now 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.

ORDER OF BUSINESS

Mr. REID. Mr. President, further, we have the Lynn nomination, which has been talked about for several weeks now. We are going to try to work out an arrangement with the Republicans to do the debate tomorrow and have a vote on Mr. Lynn tomorrow.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

STIMULUS PACKAGE

Mr. KYL. Mr. President, I want to speak for a moment about our hope that in the so-called stimulus package that will be the subject of a conference committee between the Members of the Senate and the House of Representatives, significant changes can be made, changes that will permit more people to support this package than only those who have supported it in the past.

I want to begin by identifying the two key areas that most Republicans have concerns with in this package and begin by noting that it is not a choice between doing nothing on the one hand and doing only this bill on the other hand. I think it has been presented by some as a false choice.

The President, for example, last night said: Now, there are those who would do nothing about this crisis. I don't know of anybody who wants to do

nothing. Certainly, all of my Republican colleagues have voted for doing lots of things. This past week there were many amendments about doing various things to address this problem, and Republicans voted for a lot of them and Democrats voted for a lot of others. So it is not the case that there are those who want to do nothing. That presents a false choice. The fact is, there are those who want to do this particular bill, and there are those who would do things somewhat differently because they have legitimate and strong differences about what the effect of this bill will be. That is why I hope there could be changes made in the conference committee when the bill is to some extent rewritten.

There are two key things that Republicans, as I said, have focused on that we would like to change. The first is, we believe the bill spends far too much money; second, that it doesn't do enough good, that is to say it doesn't do enough to stimulate the economy—to create jobs, for example.

On the spending too much money part, we have seen that the so-called deal that was struck in the Senate now, according to the majority leader just a few moments ago, is up to $840 billion. CBO scored it at a little under $839 billion. That is substantially above the House-passed bill.

The question is, Is the cost of this bill going to increase even more when the bill goes to conference committee, and is all of that spending necessary? The President had spoken about stripping the earmarks from the bill. Frankly, I had thought, because earmarks can be somewhat embarrassing and we can achieve the objectives without having individual earmarks by individual Congressmen in the bill—the President had been rightly critical of that process as well—I had thought they would be stripped out by now.

It turns out there are pages of specific earmarks still in the legislation. These are the kinds of things I hope the conference committee would strike. Let me just highlight a few.

Some of these earmarks could well create jobs. But I submit, if one Senator or one Congressman gets to have the special project in his State slipped into this bill, that maybe each of us could identify something in our own State that we were pretty sure would create jobs and we could put it in the bill. That is the problem with earmarks. All Senators are equal except some are more equal than others when it comes to slipping things in bills. So it could well be that some of the earmarks are job creators, but shouldn't they go through the regular process where these projects are vetted by the Appropriations Committee? They set the priorities, some make it through, some do not make it through, but at least they all fall within the budgeted amount.

Since all of the spending in this bill is emergency spending; that is to say, it is not paid for in tax revenues or offset by spending reductions, it is all borrowed money. I think we need to be careful about how the money is spent.

Others of the earmarks are dubious in terms of job creation. These are projects that may well be worthwhile, but it is hard to imagine they would create very many jobs, and it seems to me they clearly fall into the category of bills that should be considered in the regular appropriations process.

Having run for election now several times and having looked at polls and tried to understand what my constituents think and what most Americans think, I have reached some conclusions. Americans do not mind paying their fair share of taxes. They don't like it; they like to have their taxes cut, but they are willing to pay what they think is necessary to support Government. And they believe a certain amount of Government spending is necessary. They all understand why Government needs to spend money on certain things.

What drives them crazy is wasteful Washington spending, when their hard-earned money comes back and they think we do not spend it right. By the way, they have an idea that a lot of what we do ends up being wasted, maybe even more than what we actually do, but because of their concerns about that I would think we would be especially careful in a bill that spends over $1 trillion to be careful we don't waste money.

The Congressional Budget Office has said it is very difficult to spend the kind of money we are talking about in the relatively short timeframe we are talking about without wasting a lot of it. It is a phenomenon we are all well aware of here. When you try to spend a lot of money in a short period of time, you are going to waste money. Our constituents instinctively appreciate that. So it seems to people that in order for this legislation to have credibility, we can at least start by excising those matters that may be good projects in and of themselves, may actually in some cases create jobs, but are clearly earmarks or special interest projects that should go through the regular appropriations process.

I don't mean to pick on anybody or anything in particular, but let me just mention a few of these. There is a $2 billion earmark for a powerplant in Mattoon, IL. If this is actually the building of a powerplant, depending on how soon it could be built, that might create jobs. If it is a typical powerplant, it is going to be a long time in construction, so it is probably not really stimulative right now. But that is an earmark.

There is $200 million in the bill for workplace safety in the Department of Agriculture facilities. I have not been told how that is going to create jobs.

There is $200 million for public computer centers at community colleges and libraries. It sounds like a good idea. I just don't understand how it is going to create a lot of jobs.

We have been critical of this all along. The transition to digital television has taken longer than anticipated so the Government has come up with the bright idea that we will spend $650 million in giving people coupons so they can transition from their existing television set to DTV. Maybe that is a good deal. I would rather that one go through the appropriations process. I am not sure I would vote for that, but that is not a job creator.

Here is one I like, $10 million to fight Mexican gunrunners. I don't know who is doing the fighting. Maybe we would have to hire them and create some jobs. It doesn't belong in a stimulus bill. There is $10 million for urban canals. It may be a good idea. Who knows? And $198 million to design and furnish the DHS headquarters—quite possibly they need to spruce up the headquarters at DHS. Maybe some jobs would be created in the process, but we are not told in this bill. This is a very specific earmarked item. There is $500 million for State and local fire offices, and I can tell you, and I know the Presiding Officer would agree, everybody would like to have money to build a fire station. There is always another fire station to be built, especially in my State where we have a lot of growth.

That is something normally we would pay for ourselves, and I am not sure why someone in Vermont should pay for a fire station in Arizona. In any event it doesn't belong in this bill, it seems to me.

In terms of job creation, I find it interesting that we are going to spend $160 million for volunteers—these are not people who are paid, these are volunteers—at the Corporation for National and Community Service. As I said, there are many more we could talk about, and I do not mean to pick anybody out and pick on anyone.

The bottom line is when you are spending $1 trillion and you are bound to waste a lot of it—at least that part which has been identified as earmarks, you ought to be able to get that out, at least. That is something that can be accomplished in this conference committee.

I also noted it is not just a matter of the amount of money and the fact that a lot of it is wasted, but the fact that we believe it will not be efficient and effective at creating jobs. Why is that? Here is a good statistic to keep in mind. We all know if the object is to create jobs, we might want to start with those entities that create most of the jobs in the country. Small businesses in the United States of America create about 80 percent of the jobs. So you would think that naturally there would be a lot of money in this stimulus package to help small businesses create jobs.

Right? No, actually, not right. Eight-tenths of 1 percent of the—it is a tax title of the bill that can actually go to small businesses to help them hire people, help them buy equipment and so

on which would require them to hire more people—eight-tenths of 1 percent is dedicated to small businesses. So the very group of people who are the quickest at creating jobs—big businesses are still laying people off when small businesses, one by one around the country, are starting to hire people. Small businesses cumulatively account for a far greater percentage of employment than our big businesses do.

If you look at the businesses with under 500 employees, you find that obviously those, the small businesses—and most of them have less than 200 employees—as I say, those are the businesses that could really create the jobs in this country. Republicans had an idea, a plan to reduce their tax rate just by 7 percentage points, similar to the way we did it for manufacturing corporations a few years ago. We believed that would help them hire more people. You would think that for the group that hires 80 percent of the workers, we could find a way to provide a little bit more help to in the legislation. Sadly, that is not the case.

If you take all businesses combined, less than 3 percent of the funding in the legislation provides some kind of tax deduction or credit or benefit which would enable them, then, to hire more people.

In terms of the legislation to create jobs, we do not think it is approaching the subject in the right way. One of my colleagues said $1 trillion is a terrible thing to waste. That is kind of catchy, but he went on to make an important point.

I think of this because this morning on television I heard several people saying: Sure, this is a gamble. No one knows for sure whether it is going to work. Newscasters obviously asked proponents, can you guarantee this is going to work. No, nobody can guarantee it is going to work, and I don't hold anybody to that standard. Proponents don't have to guarantee this is going to work. But if we were spending $2 or $300 million, I would say: If it is a gamble and you think you can roll the dice and this might work, take a shot. But we are talking about over $1 trillion of borrowed money. When you are gambling that much, you cannot afford to be wrong.

Let's assume that it is only half wrong. The effect of a $500 billion mistake is horrendous on the economy in the medium and longer term. CBO, in scoring the legislation, actually says there will be a short-term stimulus. But they also say in the long-term, talking 10 years, there will be a reduction in gross domestic product of between 1 and 1.3 percent because of the crowdout effect of investment. There is so much Federal Government money being absorbed into the borrowing market, as a result of putting a trillion dollars in borrowed money out there, that it crowds out private investment. That will have a negative impact on GDP. We know in advance the amount of money we are talking about will have a detrimental effect on GDP. If we are wrong about the positive benefits of the legislation, it could have a very detrimental effect.

That is not even to discuss the impact on the value of the dollar and the value of U.S. debt that other countries have in the past been willing to buy but in the future may well not be willing to buy. In that event, this becomes a much more expensive proposition for the taxpayer. It is for my children and my grandchildren and all the rest of the younger generation who will have to suffer the consequences of that borrowing, either through a lower standard of living, a lower GDP or increased taxes or inflation that robs everybody of what they earn and is particularly tough on people who are retired and have relied on savings for their livelihood.

The impacts of being wrong could be significant. It isn't the case that just because we spend money, it is a good thing, that just because we spend money, jobs will be created. Some will, no question. Some will be saved. But is it the most efficient and effective way to do it when you are talking about this much money? We should not be willing to just throw the dice and hope that we don't make a mistake.

I urge my colleagues, those who will be participating in the conference committee, to recall the words of one of the people who was involved in the compromise legislation, who criticized the House bill as a Christmas tree upon which every Member had virtually his or her favorite project. It was bloated, expensive, and ineffective. Those were her words. She is correct. That was the House bill at $827 billion. The Senate bill is now $839 billion, more than the House bill. The earmarks are still in there. The inefficiencies are still there. The wasteful spending is still there. At some point if this bill is going to be improved, all of that has to come out.

I challenge those who will be in the conference committee: Be brave, be courageous. Don't feel you have to stick with what passed the House or Senate. Consider what the President said originally with respect to how this legislation should be created and be willing to improve on it. You will not only do something the American people will very much appreciate, you will be doing something good for the country and certainly for future generations. I urge my colleagues to consider strongly the Republican suggestions. Because at the end of the day, it is not a choice between doing nothing and only this bill. A billion dollars a page is spent in this bill. Surely, there are ways to improve it. For anyone who says this is a choice between those who want to do nothing and those who support this legislation, no, that is not true. It is a choice between those of us who want to do this intelligently and those who have a challenge in front of them as to whether they want to improve the bill.

I hope they will join some of us in trying to see to it that this legislation is less expensive, less wasteful, more efficient, and will actually stimulate the economy.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAUFMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Mr. President, I rise today to add my voice to those who feel the urgency of our economic crisis.

I don't need to repeat all of the arguments that have been made this week and last. All Senators can see with their own eyes that this is the greatest economic challenge we have faced since the Depression.

But we have the advantage of history. History shows us that in times of crisis, government must act decisively.

Where Herbert Hoover didn't, jobs and livelihoods crumbled. Where Franklin Roosevelt did, American families got a new chance at the security and dignity of work.

Now, once more, we must act.

This economic crisis is enormously complicated, and no economist can truthfully claim to know the full measure of our challenges. But, in a sense, it is simple.

Consumer spending makes up two-thirds of our economy.

With falling home prices, plummeting retirement accounts, and vanishing jobs, American consumers have less and less to spend. As the consumer economy shrinks, workers are laid off and savings accounts dwindle, causing those consumers to spend even less.

Consumers have stopped spending, banks have stopped lending, businesses are laying off workers. The private sector is shrinking.

Only the Federal Government can fill the gap. Only the Federal Government has the ability to put enough money back into the economy to turn our economy around. Only the Federal Government is big enough.

This is no excuse for wasteful and careless spending, and that is why I have pushed for more accountability in how we spend this money.

I supported increasing funding for our inspectors general and conducting a review of how well they are doing their job.

I have worked to make State spending more accountable and to restore reason to compensation for executives whose companies the taxpayers have kept afloat.

The American people have a right to know where all this money is going, and we in the Congress have a duty to do all we can to crack down on fraud and abuse.

I also remind my colleagues that we need to act quickly.

The longer we delay, the more families lose their livelihoods, their health care, their sense of security. The

longer we wait, the deeper this hole gets, and the harder it will be to get out of it.

As the President so eloquently reminded us last night, job losses are accelerating. In the last year, we have lost 3.6 million jobs—and half of those were in the last 3 months. In January, we lost 20,000 a day.

The longer we wait, the worse things will get. The longer we wait, the more it will take to turn our economy around. We can't afford to wait any longer.

I support the American Recovery and Reinvestment Act, because I believe we need to act soon. It will create 4 million jobs, and that is what this package should be about: jobs, jobs, jobs.

I believe that this is a good bill, but I wish to offer a couple of thoughts about how we could make it better.

As we go forward on conference negotiations with the House, I urge my colleagues to restore the education and State stabilization funding that was removed from the bill.

Because of the collapsing economy, my State of Delaware is facing a budget shortfall of $600 million, 20 percent of the State budget. The new Governor, Jack Markell, is staring at tremendous budget cuts if we do not act, when fully a third of the State budget goes to education.

That is why I hope my colleagues will find a way to restore the education funding and State stabilization funding that was removed. I hope they will help Governor Markell and the 49 other Governors. Both the education funding and the State stabilization funding affect the ability of states to keep teachers in the classroom and to repair, renovate, and construct schools. These school construction projects not only create—and save—jobs, but are also good long-term investments for our children and grandchildren.

For too long, I have heard stories of children in crumbling schools, with outdated textbooks and outdated computers, if they have any. To give our children a fair chance, to compete with the rest of the world, to keep America's economic future bright, we must make a downpayment now.

And in education, we have a downpayment that can create jobs now. In my State of Delaware alone, $68 million of shovel-ready school construction projects are awaiting our help.

I will close, Mr. President, with this thought. Our children, if they could speak with one voice, want only what all Americans want: a fair shot, a fighting chance, an equal opportunity.

The people I talk to in Delaware just want a chance. They are willing to work hard, and they have. They are willing to play by the rules, and they have. They want to save for tomorrow. In return, all they ask is a job they can rely on, a home for their families, and a government that will help them out when they need a hand.

The Senate bill focuses on keeping and restoring jobs. It will begin the task of slowing and reversing our economic troubles, and I hope we can get a final bill to the President soon.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:13 p.m., recessed subject to the call of the Chair, and reassembled at 4:48 p.m. when called to order by the Presiding Officer (Mr. BEGICH).

HONORING OUR ARMED FORCES

SERGEANT EZRA DAWSON

Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the life of SGT Ezra Dawson from Las Vegas, NV. Ezra was thirty-one years old when he lost his life on January 17, 2009, from injuries sustained from a helicopter crash in Konar Province, Afghanistan.

Today, I join Ezra's family and friends in mourning his death. Ezra will forever be remembered as a loving brother, son, and friend to many. Ezra is survived by his devoted wife Starlia Dorsey-Dawson of Las Vegas, NV; his stepdaughter Diamond Dorsey, also of Las Vegas, NV; his mother Eva Davenport, of Indianapolis, IN; his sister Atarah Wright, of Oklahoma City, OK; and a host of other friends and relatives.

Ezra joined the Battalion Reconnaissance Platoon, Headquarters and Headquarters Company, 1st Battalion, 26th Infantry Regiment, of Fort Hood, TX, in January 2008. He served as a junior scout and sniper team member, and as a leader for a reconnaissance team in the Korengal Valley.

For his valiant service, Ezra was awarded the Bronze Star, Purple Heart, Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, Korea Defense Service Medal, NATO Medal, Army Service Ribbon, Overseas Service Ribbon and Combat Infantry Badge.

While we struggle to express our sorrow over this loss, we can take pride in the example Ezra set as both a soldier and a father. Today and always, he will be remembered by family and friends as a true American hero, and we cherish the legacy of his service and his life.

It is my sad duty to enter the name of Ezra Dawson in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy and peace. I pray that Ezra's family can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Ezra.

MONEY LAUNDERING CONTROL ENHANCEMENT ACT OF 2009

Mr. BAYH. Mr. President, yesterday I joined with Senator GRAHAM in introducing the Money Laundering Control Enhancement Act of 2009. This bill would clarify congressional intent and ensure that federal prosecutors are able to more effectively fight money laundering and terrorism financing.

In particular, this bill would overturn the Supreme Court's narrow and confusing decision in United States v. Santos and clarify that, as used in the Money Laundering Control Act, the term ''proceeds'' refers to the total receipts—not simply the profits—of an illegal activity. To interpret this statute differently, as the Santos decision suggests we should, would create needless problems of proof and unfairly burden prosecutors. In a world where criminals and terrorists are constantly developing new and more sophisticated ways to hide and launder dirty money, it does not make sense to require prosecutors to prove that these dangerous criminals generated a profit from their illegal activities. Alternatively, interpreting the term ''proceeds'' in a way that encompasses all of the funds received by these individuals would ensure that federal law is consistent with the United Nations Convention Against Transnational Organized Crime, the Model Money Laundering Act, and money laundering statutes in the fourteen states that use and define the word ''proceeds.''

At a time when both our economic and national security are being threatened, it would be a grave mistake to underestimate the threat posed by money laundering. The most recent National Money Laundering Strategy, which was developed jointly by the Departments of Treasury, Justice, and Homeland Security, states that ''Money Laundering, in its own right, is a serious threat to our national and economic security. Integrating illicit proceeds into the financial system, enables organized crime, fuels corruption, and erodes confidence in the rule of law.'' In the face of such a threat, we must provide our hard-working law enforcement officials with the tools they need to bring these criminals to justice.

I have great respect for our Supreme Court. But sometimes, as in the case

before us, they misinterpret congressional intent. In those situations, particularly when important issues like money laundering are involved, it is incumbent upon Congress to take corrective action. I hope that my colleagues will join me in supporting this legislation.

BLACK HISTORY MONTH

Mr. FEINGOLD. Mr. President, this year's Black History Month comes at a remarkable time that will be marked in the history books for generations to come. The inauguration of our Nation's first African-American President, Barack Obama, and confirmation of the first African-American Attorney General, Eric Holder, demonstrate our Nation's boundless capacity to change. All Americans have great cause to celebrate during this year's Black History Month our groundbreaking progress.

As Civil rights icon Representative John Lewis observed, ''When he [President Obama] was born, people of color couldn't register to vote in many quarters of the deep South.'' Now, an African-American holds the most distinguished elected position in our country—President of the United States of America. This month is a time to reflect on the distance we have traveled, and the civil rights we have successfully fought for, in just one generation.

But it is also not a time to become complacent. Americans still encounter injustices solely because of their background or the color of their skin. There still exist large and unacceptable disparities in the opportunities afforded many Americans for good education, health care, employment, and more. Black History Month provides an opportunity for Congress to remember that addressing these injustices and disparities must be an important goal for Congress in the years ahead.

So this month let us reflect on our past triumphs, take note of this significant historical moment for our Nation, and look forward to an even brighter future as we continue working to ensure equality for all Americans.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

In response to your request for personal experience with the rising energy costs, I write not to whine, but to share concern. I live in Caldwell and work in Boise, near the airport, which quickly adds up to well over 400 driving miles a week just in commuting and equates to one full tank of gas, if I am lucky. I have done the research: public transportation is not an option from Caldwell or Nampa into Boise to our off-the-beaten-path work location. I work in non-profit, assisting others in worse situations than myself, which does keep rising energy costs ''in perspective,'' however, concern is fast approaching.

Because I work in non-profit, I cannot afford to live any nearer to work, though. I really do not make that little of money—13.46/hr., which is, of course, much higher than the minimum wage. The problem for me is realizing how much is going out in taxes. My paycheck for 80 hours is $1,077, which is quite doable for a single resident, but my gross wage is $796. That is $562 every month; a lot of money that could either go toward the rising food, utility or gas costs or allow me to live closer to where I work.

People looking to the government for more handouts will only continue to cripple the system. There are so many agencies with waiting, open arms to assist people in need of finding work or housing—like my agency. Cut taxes—help the working, taxpaying citizens stay on their feet and out of homeless shelters and local food pantries.

JEN, *Boise*.

Thank you for taking the time to hear my concerns regarding the impacts of higher fuel and energy costs on me. As fuel prices have risen, I have had to start thinking about where I need to go and what my routine will be for the day before getting in the truck. Gone are the days when I would drive 15 miles to the next town to have lunch with someone. Nowadays, I have started riding my bike to work, bought a motorcycle, and even took a different job closer to my house; all in an effort to reduce my fuel expenses. The motorcycle even gets 5x the MPG that my truck does. As a result of all of this, I now drive my truck less than 10K miles per year and have lost 15 lbs just this spring/summer alone. I go to bed earlier, watch less TV, wake up earlier, and generally am happier and have more energy due to the added exercise that I am getting.

I feel horrible for not driving my truck everywhere, but I just cannot afford it. I do hope that that does not make me any less patriotic. I applaud your efforts at trying to get Congress to understand that the only way back to cheap gas (at least for 10 years or so) is to start drilling and pumping crude in Alaska, Utah, Colorado, Montana, Idaho, and any other state that might have some oil under the earth. We need to get every last drop of oil we can from under our own country. We should leave no patch of earth untapped. We must get it all. We need it. It is the only way to protect my right to $1.20/gallon gasoline prices and continue my God-given way of life here in America.

Thanks again for doing a great job.

GREG.

Thank you so much for taking an interest in our energy problems. My husband and I spend $700–$800 per month in fuel cost. In addition to that our home is heated by heating oil. This winter our oil bill was about $250 per month. If prices keep rising our heating costs this winter may soar to $350 per month. My husband and I are doing our best to commute when possible. However, our work schedule only allows for this twice a week. I have a son with medical problems that make it difficult for me to take the commuting van as I may have to get home at odd times for him.

I am not educated enough on our fuel issues. However, I feel that there must be answers and solutions. The fuel is affecting the costs of everything. We are headed for a recession unless something is done quickly. I believe that drilling for oil within our own nation is a must. That will not solve our immediate problems, but we need to be looking long term, too. I think that the oil companies need to be held to a level of profits when it comes to increasing prices. I also feel that the Treasure Valley must have some sort of public transportation system. This needs to be started soon. Not only will this help with our energy costs, but also with air quality. That would be a system I could use as I would be able to access it any time. I realize that a lot of these solutions require large amounts of money, but the federal government needs to step in.

Thank you, again, for taking time for public comments. I appreciate all you do for the citizens of Idaho.

WENDY.

''Gas prices are too high'' is a response not worthy of your staff's time and energy. We already know that. The question I have is, ''why''? I think several things are going on here.

First, speculation/profit taking. People are trying to make exorbitant profits at the expense of not just Americans, but everyone whose fuel ticket is written by the cartels. The oil companies are making record profits on top of record profits. Where is the re-investment in refining capability, exploration, and improved distribution? Americans are feeling like these companies are thumbing their collective corporate noses at us, the customer. All the while, prices on everything affected by the cost of a barrel of oil keep increasing.

Second, we are a society built on cheap energy. That is clear. It is unreasonable to expect that to continue indefinitely. At the same time the process of weaning us away from these cartels' stranglehold is forced upon us. I think that we are placing our very existence as Americans into someone else's control.

We need to do what we can here to mitigate this immediate and forced situation. We can become energy independent, but that is going to take time. In the meantime, we need to explore other avenues to keep us an independent nation, and get us out from under the foot of countries whose only concern for America is that we keep buying their oil so that they can remain rich and expand their interests. Some of these countries are, at the core, anti-American.

How did we get here? Greed. Across the board! Let us not let the lobbies dictate what they think is best for this nation, unless it is. And our governmental branches need to get a handle on this, or this brink of crisis position we find ourselves in is going to result in some very difficult times for a long, long, time. For some families, it already is dire right now. I would also like to say that predicating our future actions on the basis of some ''environmental catastrophe'' where there is not good science to back it up, is, at the very least, foolhardy. Again, too few people are making bad policy for this nation,

and in many cases our elected leadership is listening to, and falling for it. Enough.

Last, but certainly not least, we need to begin looking at all of our sources of energy, and not ruling any out at this point. An energy policy that is coherent, supportable, and that makes sense for the short and long haul are absolutely necessary. We can get to more environmentally sanctioned energy sources, but this is a time of transition. It is not the time for dawdling, and that option has long since passed. Throwing money at this is not the answer either. This whole situation is approaching critical proportions, and if we do not start to do some forward-thinking, our economy, security and future existence are potentially at risk. Let us not let that happen. We are standing before the slippery slope. What are we going to do? I am afraid that the executive branch for the next few years is not going to help this situation either. So it falls back to the people and those who represent them. We have you there because we believe that you are in a position to make the hard calls that will make the United States a better nation in the long run, and protect her interests. You and all of the others in Congress have taken oaths to support, protect, and defend this nation. I believe, at this juncture, that you still want to do that. Make Idahoans proud of your initiatives and just do what is right. God, help us all.

BYRON, *Mountain Home AFB.*

I am late with this response. I feel we need to build more refineries in this country. Access to oil is not as much of a problem as being able to refine it for our uses. They try and tell us it costs too much to get it out of the ground. What is better self reliance or dependency on others?

Our elected officials have too many fingers in the pie, and we need to get rid of all lobbyists and let the voters decide what is best for our country's welfare. There is no quick fix for the troubles we are in, except for bringing control of our self sufficiency back to our country instead of relying on other countries. We have what we need here. Two problems: government and greed.

RAY.

Disabled Vietnam vet. Have to spend most of my time sitting at home, cannot afford to go anywhere. Price of food getting so high, cannot afford to eat what I want.

When are we going to start charging OPEC higher prices for what they need to survive? [Perhaps] halt their supply of food for a few months. Get their loaf of bread up to our price of gas, and make them scream ''uncle.''

JERRY, *Athol.*

I am the Sheriff of Payette County. I was given this e-mail address to write concerning the high fuel costs and the impact it has on our community safety.

The Payette County Sheriff's Office has approximately 20 cars in the fleet, most of them being patrol vehicles. I budgeted $62,000 for fuel this fiscal year. I determined this amount using $3.25 per gallon of gasoline and the average amount of fuel we use monthly/yearly. The average fuel bill for the fleet was $3,500 a month. Since the soaring of fuel prices, it is approximately $5,000 a month and still climbing. I have asked for $95,000 to cover FY2009.

I have made some minor changes to patrol procedures by limiting the amount of miles put on the cars in a shift. Handling ''calls for service'' by telephone if possible, rather than driving a patrol car to the complainant's residence, etc. There are still more limitations I may implement if need be.

Obviously, this affects the safety of the community if deputies are not able to actively patrol and deter criminal activity. Since taking office in 2005, our crime rate has gone down and our solve rate has gone up. These statistics prove we are doing a better job at being proactive and taking criminals off the street. I worry about the safety of this community and my statutory duty to protect and serve.

I am in support of expanding our domestic production of petroleum. We need some relief ASAP. The support from your office is greatly appreciated.

CHAD, *Payette.*

I am like a lot of Americans, I have to drive. Carpooling, mass transit, bicycles or skateboards are not going to help me. I am a sales rep, and I have to drive as does everyone else in my office. This is a crisis that did not have to happen. The environmentalists got their way and have damaged the economy and security of this country. Let us drill now. Just announcing that we are going to drill and build nuclear plants will drop the price of crude. No one believes we will. Get this done. It is critical.

TOM.

If we are serious about saving gas, we need to do two things: (1) Slow down. . .driving 55–60 mph rather than 70–80 mph will save gas and substantially reduce demand, and (2) Better regulate speculation of oil futures. There are about 10,000 offshore drilling permits that have been issued but that are currently not being used, so the oil companies obviously aren't highly motivated to explore. We all have hardship stories. What we need is action at your level.

CHUCK, *Boise.*

My family and I have had to curtail some of our planned and/or camping trips this summer because of the cost of fuel. I had planned on going camping this summer for a few days but now I have to change my plans so I will have enough fuel to get back and forth to work.

I am a retired (credited with 38 years service) and a disabled military veteran. I was injured in Vietnam and then again in Desert Storm. I do not get much from my retirement ($501) after they take my disability and taxes from it so I have to keep working along with my wife so that we can afford to have a home and be able to eat.

I agree with the President that we have to drill off the coast and in ANWR along with coming up with alternate fuel.

JOHN.

Just a short message—thank you for your attention to this matter, Senator Crapo. This whole thing is a big lie. We are one of the richest nations in energy and reserves. We do have the resources and there is no shortage. It is all there and it has been proven and everyone knows it, so what are not we tapping into it?

Other countries are controlling us because we depend on them. And the other thing is that a few tree huggers here are able to shut us down as far as tapping into our own reserves. That is just not right and has to stop now.

This problem has not happened overnight and cannot be fixed overnight, but changes can be made and should be made now, so we can start heading in the right direction. It will take time but it needs to start now. The government needs to step up to the plate now and so does each state, including Idaho, and put a stop to this wrong that is being done to each of us.

Thank you for your time and attention and please be a doer and not just a hearer.

LYLE, *Meridian.*

I live in Nampa, where the price of gas has not yet $4.50. I know in other parts of the country it is well above that. While it may be a good idea to have alternative flue sources, that is still a long while coming. The immediate solution is to drill for our own oil. Both in ANWR, and in the Gulf of Mexico. I mean if the Chinese are going to drill for it in the gulf we might as well to. Better that we get some of that oil than none.

Bottom line we have our own oil why are we buying it from others at outrageous prices?

ERIC, *Nampa.*

My suggestion to help save energy is to bring back the Amtrak line from Salt Lake City to Portland.

LORI, *Nampa.*

This is a response to your email soliciting ''stories'' about the effects of the high price of gasoline on Idahoans.

I lived and worked in Colorado from 1969–77, and in Los Angeles from 1977–2004. I began visiting Idaho around 1979, and moved to Hailey in 2004—in large part, because it reminded me of Colorado in the 1970s: a beautiful natural landscape, appreciated by many locals and visitors.

This country has been on a gas–guzzling binge for fifty years. I am sick and tired of hearing people complain about the cost of gas, driving solo in their inefficient cars, and unwilling to carpool or contribute towards mass transit options.

We do not need to expand domestic petroleum production. We need to learn conservation and seek alternative energy sources. The ''God–given right'' to tear up the landscape for oil and selfish–use is at the heart of what is wrong with people and their mind–set on a global scale.

Wake up and smell the coffee.

I dare you to share this email (uncensored) with your Senate colleagues.

MARK, *Hailey.*

I have been commuting to Boise from Caldwell since 1988. I now spend approximately $400 per month on gas. I drive a mid–sized car and am unable to carpool because of my work hours, which vary. I never know if I am going to have to work late or not. There are no other options for me. So, because of the fuel prices, all I buy are groceries and gas. The US should look into more nuclear power, alternative fuel sources such as hydrogen and increase drilling in this country. For years, I worked in the Utah area where they drilled and capped numerous wells. As far as I know, those wells are still capped. Why aren't we using more domestic oil? Alaska is supposed to contain lots of oil, but we do not drill there. I believe that in this day and age, it would be possible to drill without excessive damage to the environment.

KATHY.

I understand you are seeking a response to the energy issue. We the people of the U.S. and Idaho have a responsible to make sure that when we obtain our natural resources we make sure it is done environmentally proper or as best as possible as the times dictate.

We should drill domestically offshore and on land, with the addition of building refineries to coup with the domestic demands. We should conduct other alternatives as well while we are drilling as well. The U.S. government should have incentives in place for developers, manufacturers and consumers for the alternative energy, i.e. tax credits that we have for hybrid auto.

Thanks for taking time in reading this note.

JOSEPH, *Eagle.*

As a resident of the outlying area of Clearwater County, the price of gas is wreaking havoc. The prices on goods in Orofino have risen dramatically. People go to Lewiston a lot to shop, but that has become prohibitive also. The economy in general is taking a hit because it is costing the timber companies an arm and leg to haul logs, therefore it is trickling down to the other businesses. Recreation is being hit because people cannot afford the fuel. Something has to be done. As a country we need to band together to help conserve energy, and reduce our dependence on foreign oil sources. It seems to be yet another case of the rich getting richer, and the poor getting poorer. What would happen to this nation if for one week, nothing moved? No food was hauled, no freight was moved, no gasoline was purchased. For the first time in my lifetime, I fear that a depression is nearing. I have to wonder if anyone has the power to fight this, or are we too late?

CRISTINE, *Orofino*.

ADDITIONAL STATEMENTS

REMEMBERING LANI SILVER

• Mrs. BOXER. Mr. President, it is with a heavy heart that I ask my colleagues to join me today in honoring the memory of a remarkable woman, Lani Silver. Lani was a passionate activist, oral historian, journalist, filmmaker, speaker, and artist who passed away January 28, 2009.

Lani was born on March 28, 1948, in Lynn, MA. Shortly after she was born, her family moved to San Francisco. When she was 19, Lani traveled to South Africa, where she observed the awful impacts of apartheid. Lani was profoundly affected by this experience, and when she returned to San Francisco she began what was to become a lifetime commitment to progressive causes.

In 1981, Lani founded the Holocaust Oral History Project. Over the next 20 years she recorded over 1,700 oral histories, with over 1,400 Holocaust survivors and witnesses. Lani also served as a consultant to Steven Speilberg's Shoah Foundation, which recorded 53,000 Holocaust survivor oral histories. Thanks to Lani's vision and determination, these valuable stories were not lost forever.

Lani's commitment to social justice took many forms. In 2006 she cowrote and produced an opera about Yukiko Sugihara, a Japanese diplomat in Lithuania who, during World War II rescued thousands of Jews during the Holocaust by hand-writing visas against the orders of the Japanese Government. Lani also organized events, exhibits, and media campaigns around the world to honor Sugihara and make sure his important story would not be forgotten.

In 2000, Lani founded the James Byrd Jr. Racism Oral History Project, in honor of James Byrd, Jr., who was brutally murdered in Jasper, TX, in 1998 by three White supremacists. The project has recorded 2,500 oral histories on racism in America with participants from the San Francisco Bay area, Jasper, and Houston, TX.

Lani's many contributions have not gone unrecognized. In 1996, Lani received the Woman of the Year award from KQED public television and radio, and in 2003 she received the Alumni of the Year award from the City College of San Francisco.

Lani stood out as a driven activist who cared for her community deeply and will be remembered by friends and colleagues as earnest, humble, and dedicated to the ongoing fight for equality and fairness. Her optimism, dedication, and courage are reflected by the thousands of individuals whose lives she has enriched and improved. We will always be grateful for Lani's example of passionate activism.

Lani is survived by sisters Lori Silver and Lynn Jacobs; nieces Sara Silver Jacobs, Brette Silver Jacobs, and Lauren Shaber; nephews Jose Jacobs and Justin Shaber, and brother-in-law Syd Shaber. Our hearts go out to Lani's family and friends during this difficult time.•

MESSAGE FROM THE HOUSE

At 2:16 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. 912. An act to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 912. An act to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–560. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Exemption From Registration for Certain Firms With Regulation 30.10 Relief'' (RIN3038-AC26) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–561. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Department's 2009 Report on Foreign Policy-Based Export Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–562. A communication from the Director, Federal Housing Finance Agency, transmitting, pursuant to law, an annual report relative to competitive sourcing activities during fiscal year 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–563. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Rules for Nationally Recognized Statistical Rating Organizations'' (RIN3235-AK14) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–564. A communication from the General Counsel, Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Capital Classifications and Critical Capital Levels for the Federal Home Loan Banks'' (RIN2590-AA21) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–565. A communication from the General Counsel, Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Portfolio Holdings'' (RIN2590-AA22) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–566. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report entitled ''Report on the Taxation of Social Security and Railroad Retirement Benefits in Calendar Years 1997 through 2004''; to the Committee on Finance.

EC–567. A communication from the Deputy Assistant Secretary, Human Capital, Performance, and Partnerships, Department of the Interior, transmitting, pursuant to law, an annual report relative to the Department's competitive sourcing activities during fiscal year 2008; to the Committee on Finance.

EC–568. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Geographic Variation in Drug Prices and Spending in the Part D Program''; to the Committee on Finance.

EC–569. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Immigrants under the Immigration and Nationality Act, as Amended: Electronic Petition for Diversity Immigrant Status'' (RIN1400-AB84) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Foreign Relations.

EC–570. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, a report relative to the designation of countries of particular concern and a Memorandum of Justification; to the Committee on Foreign Relations.

EC–571. A communication from the Executive Secretary, U.S. Agency for International Development, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Assistant Administrator for the Bureau of Economic Growth, Agriculture & Trade, received in the Office of the President of the Senate on February 9, 2009; to the Committee on Foreign Relations.

EC–572. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Family Violence Prevention and Services Program for fiscal years 2005–2006; to the Committee on Health, Education, Labor, and Pensions.

EC–573. A communication from the Deputy Director of the Office of Labor-Management Standards, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled

''Labor Organization Annual Financial Reports'' (RIN1215-AB62) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–574. A communication from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, an annual report relative to the Commission's competitive sourcing activities during fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–575. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–576. A communication from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a report relative to mileage reimbursement rates for Federal employees who use privately owned vehicles while on official travel; to the Committee on Homeland Security and Governmental Affairs.

EC–577. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Status of Telework in the Federal Government''; to the Committee on Homeland Security and Governmental Affairs.

EC–578. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2008''; to the Committee on Homeland Security and Governmental Affairs.

EC–579. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Security Privacy Office; to the Committee on Homeland Security and Governmental Affairs.

EC–580. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, an addendum to the United States Department of Homeland Security Other Transaction Authority Report to Congress, Fiscal Years 2004–2007; to the Committee on Homeland Security and Governmental Affairs.

EC–581. A communication from the Acting Senior Procurement Executive, Office of the Chief Acquisition Officer, General Services Administration, Department of Defense, and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005-29'' (FAC 2005-29, Amendment-2) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–582. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–524, ''Title 22 Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–583. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–536, ''Firearms Control Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–584. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–576, ''Property and Casualty Actuarial Opinion Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–585. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–577, ''Benning-Stoddert Recreation Center Property Lease Approval Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–586. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–578, ''Contract No. DCAM–2007–C–0092 Change Orders Approval and Payment Authorization Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–587. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–579, ''New Town Boundary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–588. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–580, ''Rhode Island Avenue Metro Plaza Revenue Bonds Approval Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–589. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–581, ''New Convention Center Hotel Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–590. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–582, ''Real Property Tax Benefits Revision Temporary Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–591. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–583, ''SOME, Inc. Technical Amendments Temporary Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–592. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–584, ''Adoption and Safe Families Continuing Compliance Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–593. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–585, ''Neighborhood Supermarket Tax Relief Clarification Temporary Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–594. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–586, ''Washington Metropolitan Area Transit Commission District of Columbia Commissioner Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–595. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–588, ''Fiscal Year 2009 Children and Youth Investment Trust Corporation Allowable Administrative Costs Increase Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–596. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–589, ''Utility Line Temporary Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–597. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–590, ''University of the District of Columbia Board of Trustees Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–598. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–591, ''Vehicle Towing, Storage, and Conveyance Fee Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–599. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–592, ''Protection of Students with Disabilities Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–600. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–605, ''Ward 4 Neighborhood Investment Fund Boundary Expansion Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–601. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–606, ''Pharmacy Practice Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–602. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–607, ''Close Up Foundation Sales Tax Exemption Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–603. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–608, ''Adverse Event Reporting Requirement Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–604. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 17–609, ''Closing of a Portion of a Public Alley in Square 1872, S.O. 05–2617, Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–605. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–610, ''Closing of a Public Alley in Square 375, S.O. 06–656, Clarification Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–606. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–611, ''Inclusionary Zoning Final Rulemaking Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–607. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–612, ''Veterans Appreciation Scholarship Fund Establishment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–608. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–613, ''Smoke and Carbon Monoxide Detector Program Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–609. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–618, ''Anti-Littering Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–610. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–619, ''Historic Motor Vehicle Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–611. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–620, ''Insurance Coverage for Emergency Department HIV Testing Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–612. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–621, ''Debris Removal Mutual Aid Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–613. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–622, ''Washington Metropolitan Area Transit Commission Composition Amendment Act 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–614. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–623, ''Abatement of Nuisance Properties and Tenant Receivership Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–615. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–624, ''School Safety and Security Contracting Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–616. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–625, ''Retired Police Annuity Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–617. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–626, ''Solid Waste Disposal Fee Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–618. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–627, ''Langston Hughes Way Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–619. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–629, ''Targeted Ward 4 Single Sales Moratorium and Neighborhood Grocery Retailer Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–620. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–630, ''Public Schools Hearing Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–621. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–631, ''Fiscal Year 2009 Balanced Budget Support Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–622. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–632, ''Boys and Girls Clubs of Greater Washington Plan Repeal Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–623. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–634, ''Juvenile Speedy Trial Equity Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–624. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–635, ''Duke Ellington Way, Chuck Brown Way, and Cathy Hughes Way at the Howard Theater Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–625. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–636, ''Reverend Dr. Luke Mitchell, Jr. Way Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–626. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–637, ''Dr. Ethel Percy Andrus Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–627. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–638, ''Taxation Without Representation Street Renaming Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–628. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–639, ''Dr. Purvis J. Williams Auditorium and Athletic Field Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–629. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–640, ''Hal Gordon Way Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–630. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–641, ''Appointment of the Chief Medical Examiner Temporary Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–631. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–642, ''Day Care and Senior Services Temporary Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–632. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–655, ''Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–633. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–656, ''Bolling Air Force Base Military Housing Real Property Tax Exemption and Equitable Tax Relief Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–634. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on

D.C. Act 17–657, ''New Convention Center Hotel Technical Amendments Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–635. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–658, ''Asbury United Methodist Church Equitable Real Property Tax Relief Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–636. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–659, ''Closing of a Public Alley in Square 617, S.O. 07–9709, Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–637. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–660, ''Rhode Island Avenue Metro Plaza Revenue Bonds Approval Amendment Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–638. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–661, ''Bud Doggett Way Designation Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–639. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–662, ''Closing of a Public Alley and Extinguishment of a Public-Alley Easement in Square 749, S.O. 07–8916, Act of 2008'' received in the Office of the President of the Senate on February 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–640. A communication from the Chairman, National Indian Gaming Commission, transmitting, pursuant to law, a report entitled ''Strategic Plan for Fiscal Years 2009–2014''; to the Committee on Indian Affairs.

EC–641. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report of action on a nomination for the position of Director of National Intelligence, received in the Office of the President of the Senate on February 9, 2009; to the Select Committee on Intelligence.

EC–642. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report entitled ''Report to the Congress on the Refugee Resettlement Program''; to the Committee on the Judiciary.

EC–643. A communication from the Senior Counsel, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''National Motor Vehicle Title Information System (NMVTIS)'' (RIN1110–AA30) received in the Office of the President of the Senate on February 9, 2009; to the Committee on the Judiciary.

EC–644. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Combat Methamphetamine Epidemic Act of 2005: Fee for Self-Certification for Regulated Sellers of Scheduled Listed Chemical Products'' (RIN1117–AB13) received in the Office of the President of the Senate on February 9, 2009; to the Committee on the Judiciary.

EC–645. A communication from the Deputy Under Secretary and Deputy Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Representation of Others Before the United States Patent and Trademark Office; Correcting Amendments'' (RIN0651–AB55) received in the Office of the President of the Senate on February 9, 2009; to the Committee on the Judiciary.

EC–646. A communication from the Deputy Under Secretary and Deputy Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes in Requirements for Signature of Documents, Recognition of Representatives, and Establishing and Changing the Correspondence Address in Trademark Cases'' (RIN0651–AC26) received in the Office of the President of the Senate on February 9, 2009; to the Committee on the Judiciary.

EC–647. A communication from the Deputy General Counsel, Office of Credit Risk Management, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Lender Oversight Program'' (RIN3245–AE14) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Small Business and Entrepreneurship.

EC–648. A communication from the Deputy General Counsel, Office of Portfolio Management Division, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Debt Collection; Clarification of Administrative Wage Garnishment Regulation and Reassignment of Hearing Official'' (RIN3245–AF72) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Small Business and Entrepreneurship.

EC–649. A communication from the Deputy General Counsel, Office of Policy and Strategic Planning, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Energy Efficiency Program'' (RIN3245–AF75) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Small Business and Entrepreneurship.

EC–650. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules Relating to Reparation Proceedings'' (RIN3038–AC59) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–651. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the Department's plan to conduct a streamlined A–76 competition of aircraft maintenance functions; to the Committee on Armed Services.

EC–652. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost for the VH–71 Presidential Helicopter Replacement Program; to the Committee on Armed Services.

EC–653. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, a report relative to the Commission's competitions in fiscal year 2008 and 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–654. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Public Housing Operating Fund Program: Increased Terms of Energy Performance Contracts'' (RIN2577–AC66) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–655. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Assistant Secretary for Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Prohibition on Use of Indian Community Development Block Grant Assistance for Employment Relocation Activities; Final Rule'' (RIN2577–AC78) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–656. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Civil Money Penalties: Certain Prohibited Conduct'' (RIN2501–AD23) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–657. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Real Estate Settlement Procedures Act (RESPA): Rule To Simplify and Improve the Process of Obtaining Mortgages and Reduce Consumer Settlement Costs; Deferred Applicability Date for the Revised Definition of 'Required Use' '' (RIN2502–AI61) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–658. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments'' ((Docket No. 30646)(Amendment No. 3303)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–659. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''2008 Rates for Pilotage on the Great Lakes'' (RIN1625–AB23) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–660. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Saugus River, Lynn, MA'' ((RIN1625–AA00)(Docket No. USCG–2008–1026)) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–661. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations;

Clovis, New Mexico'' (MB Docket No. 08–132) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–662. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2009 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts'' (RIN0648–XM48) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–663. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XM32) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–664. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2009 Bering Sea Pollock Total Allowable Catch Amount; Correction'' (RIN0648–XM47) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–665. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendments to the Spiny Lobster Fishery Management Plans for the Caribbean and Gulf of Mexico and South Atlantic'' (RIN0648–AV61) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–666. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 14'' (RIN0648–AU28) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–667. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; Revisions to Regulations for Vessels Authorized to Fish for Tuna and Tuna-like Species in the Eastern Tropical Pacific Ocean and to Requirements for the Submission of Fisheries Certificates of Origin'' (RIN0648–AV37) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–668. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the NET 911 Improvement Act of 2008'' (WC Docket No. 08–171) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–669. A communication from the Deputy Associate Director of Energy, Science, and Water, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the Island Creek Local Protection Project at Logan, West Virginia; to the Committee on Environment and Public Works.

EC–670. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to ecosystem restoration in the vicinity of East St. Louis, Illinois; to the Committee on Environment and Public Works.

EC–671. A communication from the Deputy Inspector General, Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Annual Superfund Report to Congress for Fiscal Year 2008''; to the Committee on Environment and Public Works.

EC–672. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions'' (RIN2020–AA48) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–673. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL–8767–9) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–674. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Prevention; Non-Transportation Related Onshore Facilities; Spill Prevention, Control, and Countermeasure Rule—Final Amendments'' (FRL–8770–7) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–675. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Endangered Status for Black Abalone'' (RIN0648–AW32) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Environment and Public Works.

EC–676. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Corporations Whose Instruments Are Acquired By The Treasury Department Under Certain Programs Pursuant To The Emergency Economic Stabilization Act of 2008'' (Notice 2009–14) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–677. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Premiums and Cost Sharing'' (RIN0938–AO47) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–678. A communication from the Program Manager of the Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Programs; State Flexibility for Medicaid Benefit Packages: Delay of Effective Date'' (RIN0938–AO48) received in the Office of the President of the Senate on February 9, 2009; to the Committee on Finance.

EC–679. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2009–9—2009–12); to the Committee on Foreign Relations.

EC–680. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to assistance given to Eurasia during fiscal year 2008; to the Committee on Foreign Relations.

EC–681. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a report relative to the Corporation's employment category rating system activities for fiscal year 2008; to the Committee on Foreign Relations.

EC–682. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, a report relative to competitive sourcing activities for fiscal year 2008; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself, Mr. BAUCUS, Mrs. LINCOLN, Mr. BURR, and Ms. COLLINS):

S. 402. A bill to improve the lives of our Nation's veterans and their families and provide them with the opportunity to achieve the American dream; to the Committee on Veterans' Affairs.

By Mr. LEVIN:

S. 403. A bill for the relief of Ibrahim Parlak; to the Committee on the Judiciary.

By Mr. AKAKA (for himself and Mr. BURRIS):

S. 404. A bill 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; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. BENNETT, Mr. BAYH, Mrs. BOXER, Mr. BROWN, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mr. JOHNSON, Mr. KENNEDY, Mr. SANDERS, Mr. SCHUMER, and Mr. WHITEHOUSE):

S. 405. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 406. A bill to amend title XIX of the Social Security Act to provide Medicaid coverage of drugs prescribed for certain research

study child participants; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. WEBB, Mr. TESTER, Mr. BEGICH, Mr. BURRIS, Mr. SPECTER, Mr. ISAKSON, Mr. WICKER, Mr. JOHANNS, and Mr. GRAHAM):

S. 407. A bill to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INOUYE (for himself, Mr. HATCH, Mr. KENNEDY, Mr. CONRAD, Mr. DORGAN, and Mr. AKAKA):

S. 408. A bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. DODD):

S.J. Res. 8. A joint resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. DODD):

S.J. Res. 9. A joint resolution providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 213

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 213, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 332

At the request of Mr. BROWNBACK, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 371

At the request of Mr. THUNE, the name of the Senator from Colorado (Mr. BENNET) was withdrawn as a cosponsor of S. 371, a bill to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State.

S. 388

At the request of Ms. MIKULSKI, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. THUNE), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 388, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself, Mr. BAUCUS, Mrs. LINCOLN, Mr. BURR, and Ms. COLLINS):

S. 402. A bill to improve the lives of our Nation's veterans and their families and provide them with the opportunity to achieve the American dream; to the Committee on Veterans' Affairs.

Ms. SNOWE. Mr. President, I rise today with Senator BAUCUS, Senator LINCOLN, Senator BURR, and Senator COLLINS to introduce the Keeping Our Promise to America's Military Veterans Act. Quite simply, my colleagues and I strongly believe that Congress must remain focused on fully supporting our veterans and their families in the 111th Congress. As we begin this new Congress, our legislative priorities should reflect the unending gratitude of the American people for the sacrifices of our veterans and their families in defending the Nation and our way of life.

To date, the war on terrorism has already generated nearly 1 million discharged veterans and their ranks will grow with nearly 300,000 new veterans per year. The Congress must not waver in our commitment of support for their service, as well as the service and sacrifices of each of our citizens who have taken that extra step and donned the uniform of this great Nation. The bill that we are introducing would express the sense of Congress that legislation should be enacted in the 111th Congress to improve the lives of our Nation's veterans and their families and provide them with the opportunity to achieve the American dream, including legislation to assure funding for medical care and for timely and accurate adjudication of all benefit claims, to assure accesses to high quality treatment for PTSD and TBI conditions, and to assure a seamless transition for veterans and their families from military to civilian life.

As we consider legislation for this Congress, I point out, for example, the problem of providing the VA health care system with funding in a timely and predictable manner. With the exception of last year, VA appropriations have historically not met this simple standard. To correct this problem, I have supported, and will continue to support measures to make VA appropriations mandatory, or to provide advance appropriations to the VA. Neither are new budget concepts, but rather a means of achieving timely, predictable, and sufficient funding of VA health care via the current annual appropriations process. I joined with a number of senators in the last Congress, including then-Senator Barack Obama, on legislation to provide advance appropriations to the VA, and will continue to work to this end in the 111th.

Of the many challenges on which this Congress must act in the weeks and months ahead, we believe that it is imperative that we not waver in our support for our Nation's veterans and their families. I sincerely hope that my colleagues will join Senator BAUCUS, Senator LINCOLN, Senator BURR, Senator COLLINS, and me and offer their support for this important legislation.

By Mr. AKAKA (for himself and Mr. BURRIS):

S. 404. A bill 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; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce legislation to correct a deficiency in the law governing health care for veterans. Under current law, originally enacted on November 30, 1999, a veteran who is enrolled in VA's health care system can be reimbursed for emergency treatment received at a non-VA hospital. However, the statute only permits such VA reimbursement if the veteran has no other outside health insurance, no matter how limited that other coverage might be.

This sole payor provision means that a veteran who has any insurance is not entitled to reimbursement from VA for emergency medical treatment received at a non-VA facility. This is true even if the veteran's insurance policy does not cover the full amount owed.

The bill I am introducing would amend current law so that a veteran who has outside insurance would be eligible for reimbursement in the event that any outside insurance does not cover the full amount of the emergency care. VA would be authorized to cover the difference between the amount the veteran's insurance will pay and the total cost of care. In essence, VA would become the payor of last resort in such cases. This would keep the veteran from being burdened by exorbitant medical fees with no insurance with which to pay them.

In addition to amending current law in a prospective manner, this legislation would also allow the Secretary of Veterans Affairs to retroactively apply this law to emergency treatment received between the effective date of the current law and the date of enactment of the legislation I am introducing today.

One example of the sort of case to which this discretionary authority might apply is one that came to the Committee's attention involving a disabled Vietnam veteran who was in a serious motorcycle accident which led to a medical bill for emergency room care of over $100,000. This veteran, who lived in Illinois, had state mandated auto insurance which included a medical benefit of $10,000. Since he had this other insurance, VA was precluded from paying for his care and the veteran was personally responsible for the difference between the amount covered by his state-required policy and the total charge for his care. Had this veteran

had no insurance at all, VA would have paid the entire amount.

I urge our colleagues to cosponsor this legislation and to work with me and the other members of the Veterans' Affairs Committee to address this gap in VA benefits.

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. 404

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' Emergency Care Fairness Act of 2009''.

SEC. 2. EXPANSION OF VETERAN ELIGIBILITY FOR REIMBURSEMENT BY SECRETARY OF VETERANS AFFAIRS FOR EMERGENCY TREATMENT FURNISHED IN A NON-DEPARTMENT FACILITY.

(a) EXPANSION OF ELIGIBILITY.—Subsection (b)(3)(C) of section 1725 of title 38, United States Code, is amended by striking '', in whole or in part,''.

(b) LIMITATIONS ON REIMBURSEMENT.—Such section 1725 is further amended—

(1) in subsection (c), by adding at the end the following new paragraph:

''(4)(A) If the veteran has contractual or legal recourse against a third party that would, in part, extinguish the veteran's liability to the provider of the emergency treatment and payment for the treatment may be made both under subsection (a) and by the third party, the amount payable for such treatment under such subsection shall be the amount by which the costs for the emergency treatment exceed the amount payable or paid by the third party, except that the amount payable may not exceed the maximum amount payable established under paragraph (1)(A).

''(B) In any case in which a third party is financially responsible for part of the veteran's emergency treatment expenses, the Secretary shall be the secondary payer.

''(C) A payment in the amount payable under subparagraph (A) shall be considered payment in full and shall extinguish the veteran's liability to the provider.

''(D) The Secretary may not reimburse a veteran under this section for any copayment or similar payment that the veteran owes the third party or for which the veteran is responsible under a health-plan contract.''; and

(2) in subsection (f)(3)—

(A) in subparagraph (A), by inserting before the period at the end the following: '', including the Secretary of Health and Human Services with respect to the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.)''; and

(B) in subparagraph (B), by inserting before the period at the end the following: '', including a State Medicaid agency with respect to payments made under a State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to emergency treatment furnished on or after the date of the enactment of this Act.

(2) REIMBURSEMENT FOR TREATMENT BEFORE EFFECTIVE DATE.—The Secretary may provide reimbursement under section 1725 of title 38, United States Code, as amended by subsection (a) and (b) for emergency treatment furnished before the date of the enactment of this Act if the Secretary determines that, under the circumstances applicable with respect to the veteran, it is appropriate to do so.

By Mr. LEAHY (for himself, Mr. BENNETT, Mr. BAYH, Mrs. BOXER, Mr. BROWN, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mr. JOHNSON, Mr. KENNEDY, Mr. SANDERS, Mr. SCHUMER, and Mr. WHITEHOUSE):

S. 405. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

Mr. LEAHY. Mr. President, today we reintroduce the Artist-Museum Partnership Act, and once again, I am pleased to be joined in this effort by my good friend Senator BENNETT from Utah.

This bipartisan legislation would enable our country to keep cherished art works in the United States and to preserve them in our public institutions. At the same time, this legislation will erase an inequity in our tax code that currently serves as a disincentive for artists to donate their works to museums and libraries. We have introduced this same bill in each of the past five Congresses, and I am hopeful that this will be our year. In the past, our bill has been included in the Senate-passed version of the 2001 tax reconciliation bill, the Senate-passed version of the 2003 Charity Aid, Recovery, and Empowerment Act, and the Senate-passed version of the 2005 tax reconciliation bill. I would like to thank Senators BAYH, BOXER, BROWN, COCHRAN, DODD, DURBIN, JOHNSON, KENNEDY, SANDERS, SCHUMER, and WHITEHOUSE for cosponsoring this non-partisan bill.

Our bill is sensible and straightforward. It would allow artists, writers, and composers to take a tax deduction equal to the fair market value of the works they donate to museums and libraries. This is something that collectors who make similar donations are already able to do. Under current law, artists who donate self-created works are only able to deduct the cost of supplies such as canvas, pen, paper and ink, which does not even come close to their true value. This is unfair to artists, and it hurts museums and libraries large and small that are dedicated to preserving works for posterity. If we as a nation want to ensure that works of art created by living artists are available to the public in the future for study and for pleasure this is something that artists should be allowed to do.

In my State of Vermont, we are incredibly proud of the great works produced by hundreds of local artists who choose to live and work in the Green Mountain State. Displaying their creations in museums and libraries helps develop a sense of pride among Vermonters, and strengthens a bond with Vermont, its landscape, its beauty, and its cultural heritage. Anyone who has contemplated a painting in a museum or examined an original manuscript or composition, and has gained a greater understanding of both the artist and the subject as a result, knows the tremendous value of these works. I would like to see more of them, not fewer, preserved in Vermont and across the country.

Prior to 1969, artists and collectors alike were able to take a deduction equivalent to the fair market value of a work, but Congress changed the law with respect to artists in the Tax Reform Act of 1969. Since then, fewer and fewer artists have donated their works to museums and cultural institutions. For example, prior to the enactment of the 1969 law, Igor Stravinsky planned to donate his papers to the Music Division of the Library of Congress. But after the law passed, his papers were sold instead to a private foundation in Switzerland. We can no longer afford this massive loss to our cultural heritage. Losses to the public like this are an unintended consequence of the 1969 tax bill that should be corrected.

Congress changed the law for artists more than 30 years ago in response to the perception that some taxpayers were taking advantage of the law by inflating the market value of self-created works. Since that time, however, the government has cut down significantly on the abuse of fair market value determinations.

Under our legislation, artists who donate their own paintings, manuscripts, compositions, or scholarly compositions would be subject to the same new rules that all taxpayer/collectors who donate such works must now follow. This includes providing relevant information as to the value of the gift, providing appraisals by qualified appraisers, and, in some cases, subjecting them to review by the Internal Revenue Service's Art Advisory Panel.

In addition, donated works must be accepted by museums and libraries, which often have strict criteria in place for works they intend to display. The institution must certify that it intends to put the work to a use that is related to the institution's tax exempt status. For example, a painting contributed to an educational institution must be used by that organization for educational purposes and could not be sold by the institution for profit. Similarly, a work could not be donated to a hospital or other charitable institution that did not intend to use the work in a manner related to the function constituting the recipient's exemption under Section 501 of the tax code. Finally, the fair market value of the work could only be deducted from the portion of the artist's income that has come from the sale of similar works or related activities.

This bill would also correct another disparity in the tax treatment of self-created works—how the same work is treated before and after an artist's death. While living artists may only deduct the material costs of donations, donations of those same works after death are deductible from estate taxes at the fair market value of the work. In addition, when an artist dies, works that are part of his or her estate are taxed on the fair market value.

I want to thank my colleagues again for cosponsoring this bipartisan legislation. The time has come for us to correct an unintended consequence of the 1969 law and encourage rather than discourage the donations of art works by their creators. This bill will make a crucial difference in an artist's decision to donate his or her work, rather than sell it to a private party where it may become lost to the public forever.

Mr. President, I ask unanimous cnsent 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. 405

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 ''Artist-Museum Partnership Act''.

SEC. 2. CHARITABLE CONTRIBUTIONS OF CERTAIN ITEMS CREATED BY THE TAXPAYER.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

''(8) SPECIAL RULE FOR CERTAIN CONTRIBUTIONS OF LITERARY, MUSICAL, OR ARTISTIC COMPOSITIONS.—

''(A) IN GENERAL.—In the case of a qualified artistic charitable contribution—

''(i) the amount of such contribution shall be the fair market value of the property contributed (determined at the time of such contribution), and

''(ii) no reduction in the amount of such contribution shall be made under paragraph (1).

''(B) QUALIFIED ARTISTIC CHARITABLE CONTRIBUTION.—For purposes of this paragraph, the term 'qualified artistic charitable contribution' means a charitable contribution of any literary, musical, artistic, or scholarly composition, or similar property, or the copyright thereon (or both), but only if—

''(i) such property was created by the personal efforts of the taxpayer making such contribution no less than 18 months prior to such contribution,

''(ii) the taxpayer—

''(I) has received a qualified appraisal of the fair market value of such property in accordance with the regulations under this section, and

''(II) attaches to the taxpayer's income tax return for the taxable year in which such contribution was made a copy of such appraisal,

''(iii) the donee is an organization described in subsection (b)(1)(A),

''(iv) the use of such property by the donee is related to the purpose or function constituting the basis for the donee's exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described under subsection (c)),

''(v) the taxpayer receives from the donee a written statement representing that the donee's use of the property will be in accordance with the provisions of clause (iv), and

''(vi) the written appraisal referred to in clause (ii) includes evidence of the extent (if any) to which property created by the personal efforts of the taxpayer and of the same type as the donated property is or has been—

''(I) owned, maintained, and displayed by organizations described in subsection (b)(1)(A), and

''(II) sold to or exchanged by persons other than the taxpayer, donee, or any related person (as defined in section 465(b)(3)(C)).

''(C) MAXIMUM DOLLAR LIMITATION; NO CARRYOVER OF INCREASED DEDUCTION.—The increase in the deduction under this section by reason of this paragraph for any taxable year—

''(i) shall not exceed the artistic adjusted gross income of the taxpayer for such taxable year, and

''(ii) shall not be taken into account in determining the amount which may be carried from such taxable year under subsection (d).

''(D) ARTISTIC ADJUSTED GROSS INCOME.—For purposes of this paragraph, the term 'artistic adjusted gross income' means that portion of the adjusted gross income of the taxpayer for the taxable year attributable to—

''(i) income from the sale or use of property created by the personal efforts of the taxpayer which is of the same type as the donated property, and

''(ii) income from teaching, lecturing, performing, or similar activity with respect to property described in clause (i).

''(E) PARAGRAPH NOT TO APPLY TO CERTAIN CONTRIBUTIONS.—Subparagraph (A) shall not apply to any charitable contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while the individual is an officer or employee of any person (including any government agency or instrumentality) unless such letter, memorandum, or similar property is entirely personal.

''(F) COPYRIGHT TREATED AS SEPARATE PROPERTY FOR PARTIAL INTEREST RULE.—In the case of a qualified artistic charitable contribution, the tangible literary, musical, artistic, or scholarly composition, or similar property and the copyright on such work shall be treated as separate properties for purposes of this paragraph and subsection (f)(3).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act in taxable years ending after such date.

Mr. BENNETT. Mr. President, I am proud to join the Senator from Vermont today to introduce the Artist-Museum Partnership Act. He and I have introduced this legislation in the past, and we hope that our colleagues will see this bill for what it is: a reasonable solution to an unintentional inequity in our Tax Code.

This legislation would allow living artists to deduct the fair-market value of their art work when they contribute their work to museums or other public institutions. As the Tax Code is currently written, art collectors are able to deduct the fair market value of any piece of art they donate to a museum, but the artist who created the work is only able to deduct the material cost, which may be nothing more than a canvas, a tube of paint, and a wooden frame, if he or she donated their art to a museum. Thus, there exists a disincentive for artists to donate their work to museums. The solution is simple: treat collectors and artists the same way. This bill would do just that.

Certainly, this bill would benefit artists, but more importantly, the beneficiaries would be the museums that would receive the artwork and the general public who would be able to view it in a timely manner. This change in the Tax Code would increase the number of original pieces donated to public institutions, giving scholars greater access to an artist's work during the lifetime of that artist, as well as provide for an increase in the public display of such work.

I would like to thank Senator LEAHY for his work on this bill. I urge my colleagues to support this commonsense legislation. The benefit of the Artist-Museum Partnership Act to our Nation's cultural and artistic heritage cannot be overstated. This minor correction to the Tax Code is long overdue, and the Senate should act on this legislation to remedy the problem.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 406. A bill to amend title XIX of the Social Security Act to provide Medicaid coverage of drugs prescribed for certain research study child participants; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition today to introduce Nino's Act, to provide for the continuance of successful treatment for children who are required to leave National Institutes of Health, NIH, research studies. The NIH provides the greatest medical research in the world on innumerable diseases, including cancer, Alzheimer's, Parkinson's. The NIH also conducts excellent research on diseases that affect children. To conduct that research many brave children must partake in research studies including observational, or natural history, studies and clinical trials to test experimental therapies. This participation is critical to understanding diseases and ultimately finding cures at the NIH.

To participate in the trials and studies, children and their families often make considerable sacrifices. Families will travel great distances to receive treatment that may provide relief from the child's illness. In many cases, parents and doctors will have tried many treatments for the child's disease about which little may be known or understood. The NIH studies represent an opportunity for both the medical community to learn more about the disease and the child to be studied and potentially treated by the best researchers in the world.

When the experimental treatments are successful, it is cause for great celebration for the child. The joy, however, can end quickly as the studies come to end but the children who have been part of them continue to be stricken by these terrible illnesses.

Nino's Act seeks to transition children out of the NIH studies as they end so they don't experience a gap in their important treatment. This legislation continues the successful treatment initiated in NIH studies by providing access to the same prescription drugs for children who are required to leave NIH clinical studies due to the studies ending, researcher leaving, or other reason. Often drugs that are used successfully in these studies have not yet been approved by the Food and Drug Administration or have not been approved for treatment of the child's specific disease. As such, it is nearly impossible for children to get access or insurance coverage for these drugs. This bill makes that access possible by requiring Medicaid to cover the cost of treatment in the event that the children's health insurance does not.

On occasion, insurers will cover the cost of the treatment for these children if they have adequate insurance and the FDA has approved the drug for off-label uses. More often than not, however, children do not have health insurance, or have insufficient insurance to obtain these drugs. As a result, children suffer their diseases without relief from the treatment as established in the clinical NIH studies. To ensure that these children have access to successful care post-study, Nino's Act requires Medicaid to cover the cost of treatment for these children. While Medicaid access is traditionally based on income, due to the importance of these drugs to the child's well-being the income component will be waived. To ensure Medicaid is not unnecessarily covering medication, Nino's Act requires the physicians participating in the research to certify the treatment as successful and essential.

This important issue was introduced to me by Lori Todaro of Newville, PA. Lori's son Nino suffers from Undifferentiated Auto-Inflammatory Periodic Fever Syndrome. This disease takes a devastating toll on those who suffer from it. The auto-inflammatory disease can cause joint inflammation arthritis, Crohns, colitis, irritable bowel syndrome, and cyclical high fevers. Treatment for Periodic Fever Syndrome is experimental at best; Lori and Nino have visited a number of doctors and tried many medications in an effort to control the disease.

In 2003, Nino was fortunate to be selected to take part in an observational study at NIH in Bethesda, Maryland for Undifferentiated Auto-Inflammatory Periodic Fever Syndrome. During the course of the study, Nino was given a new medication and his condition greatly improved. Before he participated in the study he was being fitted for wheelchairs and was home schooled because his symptoms were so disruptive and unpredictable. The NIH treatment allowed him to resume a normal life and enabled him to attend school and play soccer. While Nino's treatment was successful he could not remain part of the study indefinitely and was encouraged to seek coverage for his treatments through his private insurer. Initially, the Todaro's insurer would not agree to cover the cost of the experimental drug and only after an intense lobbying effort by Lori, did the insurer agree to cover Nino's prescriptions.

Nino's story is a successful one, but also serves to highlight the issue that children and their families are facing as they transition out of NIH studies. For many, NIH trials are a source of hope for relief from the worst diseases known to man. The excellent doctors and research teams at NIH make invaluable contributions to our understanding of complex and debilitating diseases. This legislation seeks to amplify the NIH's contributions by allowing America's sickest children to continue their successful treatment under Medicaid coverage. I encourage my colleagues to work with Senator CASEY and me to move this legislation forward promptly.

By Mr. AKAKA (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. WEBB, Mr. TESTER, Mr. BEGICH, Mr. BURRIS, Mr. SPECTER, Mr. ISAKSON, Mr. WICKER, Mr. JOHANNS, and Mr. GRAHAM):

S. 407. A bill to increase, effective as of December 1, 2009, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I introduce the Veterans' Compensation Cost-of-Living Adjustment Act of 2009. This measure would direct the Secretary of Veterans Affairs to increase, effective December 1, 2009, the rates of veterans' compensation to keep pace with the rising cost-of-living in this country. The rate adjustment is equal to that provided on an annual basis to Social Security recipients and is based on the Consumer Price Index.

All of my colleagues on the Committee on Veterans' Affairs, including Senators BURR, ROCKEFELLER, MURRAY, SANDERS, BROWN, WEBB, TESTER, BEGICH, BURRIS, SPECTER, ISAKSON, WICKER, JOHANNS, and GRAHAM join me in introducing this important legislation. I appreciate their continued support of our nation's veterans.

Congress regularly enacts an annual cost-of-living adjustment for veterans' compensation in order to ensure that inflation does not erode the purchasing power of the veterans and their families who depend upon this income to meet their daily needs. This past year Congress passed, and the President signed into law, Public Law 110–324, which resulted in a COLA increase of 5.8 percent for 2009. The 2010 COLA has not yet been determined.

The COLA affects, among other benefits, veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. Many of the more than 3 million recipients of those benefits depend upon these tax-free payments not only to provide for their own basic needs, but those of their spouses and children as well. Without an annual COLA increase, these veterans and their families would see the value of their hard-earned benefits slowly diminish, and we, as a Congress, would be neglecting our duty to ensure that those who sacrificed so much for this country receive the benefits and services to which they are entitled.

It is important that we view veterans' compensation, including the annual COLA, and indeed all benefits earned by veterans, as a continuing cost of war. It is clear that the ongoing conflicts in Iraq and Afghanistan will continue to result in injuries and disabilities that will yield an increase in claims for compensation. Currently, there are nearly 3 million veterans in receipt of VA disability compensation.

Disbursement of disability compensation to our nation's veterans constitutes one of the central missions of the Department of Veterans Affairs. It is a necessary measure of appreciation afforded to those veterans whose lives were forever altered by their service to this country.

I urge our colleagues to support passage of this COLA increase. I also ask our colleagues for their continued support for our nation's veterans.

Mr. BURR. Mr. President, I rise today to talk about the Veterans' Compensation Cost-of-Living Adjustment Act of 2009. As the Ranking Member of the Senate Committee on Veterans' Affairs, I am pleased to join the Chairman of the Committee, Senator AKAKA, and all of the Committee's members in introducing this important bill.

As part of its mission to ''care for him who shall have borne the battle, and for his widow, and his orphan,'' the Department of Veterans Affairs, VA, provides a range of benefits to veterans and their families. These benefits include disability compensation for veterans who suffer from disabilities incurred in or aggravated by their military service and dependency and indemnity compensation for the spouses or children of disabled or deceased veterans. Although we can never fully repay them for their service or sacrifices, these payments may help ease their financial burdens and improve the quality of their lives.

The bill we are introducing today will ensure that more than 3 million veterans and their family members—including more than 130,000 in my home state of North Carolina—will receive a cost-of-living increase in their VA benefits this year. These annual increases help ensure that the value of the benefits provided by a grateful nation will not decline over time as a result of inflation.

Last year, I was proud to support the enactment of the Veterans' Compensation Cost-of-Living Adjustment Act of 2008, which resulted in a 5.8 percent increase in VA benefits. Under this bill, the amount of the increase for 2009 would be the same as that provided to Social Security recipients, which will be announced later this year.

By Mr. INOUYE (for himself, Mr. HATCH, Mr. KENNEDY, Mr. CONRAD, Mr. DORGAN, and Mr. AKAKA):

S. 408. A bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children; to the committee on Health, Education, Labor, and Pensions.

Mr. INOUYE. Mr. President. Today, along with my colleagues, Senators HATCH, KENNEDY, CONRAD, DORGAN, and AKAKA, I introduce The Wakefield Act, also known as the Emergency Medical Services for Children Act of 2009. Since Senator HATCH and I worked toward authorization of EMSC in 1984, this program has become the impetus for improving children's emergency services nationwide. From specialized training for emergency care providers to ensuring ambulances and emergency departments have state-of-the-art pediatric sized equipment, EMSC has served as the vehicle for improving survival of our smallest and most vulnerable citizens when accidents or medical emergencies threatened their lives.

It remains no secret that children present unique anatomic, physiologic, emotional and developmental challenges to our primarily adult-oriented emergency medical system. As has been said many times before, children are not little adults. Evaluation and treatment must take into account their special needs, or we risk letting them fall through the gap between adult and pediatric care. The EMSC has bridged that gap while fostering collaborative relationships among emergency medical technicians, paramedics, nurses, emergency physicians, surgeons, and pediatricians.

The Institute of Medicine's recently released study on Emergency Care for Children indicated that our Nation is not as well prepared as once we thought. Only 6 percent of all emergency departments have the essential pediatric supplies and equipment necessary to manage pediatric emergencies. Many of the providers of emergency care have received fragmented and limited training in the skills necessary to resuscitate this specialized population. Even our disaster preparedness plans have not fully addressed the unique needs posed by children injured in such events.

EMSC remains the only federal program dedicated to examining the best ways to deliver various forms of care to children in emergency settings. Reauthorization of EMSC will ensure that children's needs will be given the due attention they deserve and that coordination and expansion of services for victims of life-threatening illnesses and injuries will be available throughout the United States.

I look forward to reauthorization of this important legislation and the continued advances in our emergency healthcare delivery system.

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 placed in the Record, as follows:

S. 408

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 ''Wakefield Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) There are 31,000,000 child and adolescent visits to the Nation's emergency departments every year.

(2) Over 90 percent of children requiring emergency care are seen in general hospitals, not in free-standing children's hospitals, with one-quarter to one-third of the patients being children in the typical general hospital emergency department.

(3) Severe asthma and respiratory distress are the most common emergencies for pediatric patients, representing nearly one-third of all hospitalizations among children under the age of 15 years, while seizures, shock, and airway obstruction are the other common pediatric emergencies, followed by cardiac arrest and severe trauma.

(4) Up to 20 percent of children needing emergency care have underlying medical conditions such as asthma, diabetes, sickle-cell disease, low birth weight, and bronchopulmonary dysplasia.

(5) Significant gaps remain in emergency medical care delivered to children. Only about 6 percent of hospitals have available all the pediatric supplies deemed essential by the American Academy of Pediatrics and the American College of Emergency Physicians for managing pediatric emergencies, while about half of hospitals have at least 85 percent of those supplies.

(6) Providers must be educated and trained to manage children's unique physical and psychological needs in emergency situations, and emergency systems must be equipped with the resources needed to care for this especially vulnerable population.

(7) Systems of care must be continually maintained, updated, and improved to ensure that research is translated into practice, best practices are adopted, training is current, and standards and protocols are appropriate.

(8) The Emergency Medical Services for Children (EMSC) Program under section 1910 of the Public Health Service Act (42 U.S.C. 300w–9) is the only Federal program that focuses specifically on improving the pediatric components of emergency medical care.

(9) The EMSC Program promotes the nationwide exchange of pediatric emergency medical care knowledge and collaboration by those with an interest in such care and is depended upon by Federal agencies and national organizations to ensure that this exchange of knowledge and collaboration takes place.

(10) The EMSC Program also supports a multi-institutional network for research in pediatric emergency medicine, thus allowing providers to rely on evidence rather than anecdotal experience when treating ill or injured children.

(11) The Institute of Medicine stated in its 2006 report, ''Emergency Care for Children: Growing Pains'', that the EMSC Program ''boasts many accomplishments ... and the work of the program continues to be relevant and vital''.

(12) The EMSC Program is celebrating its 25th anniversary, marking a quarter-century of driving key improvements in emergency medical services to children, and should continue its mission to reduce child and youth morbidity and mortality by supporting improvements in the quality of all emergency medical and emergency surgical care children receive.

(b) PURPOSE.—It is the purpose of this Act to reduce child and youth morbidity and mortality by supporting improvements in the quality of all emergency medical care children receive.

SEC. 3. REAUTHORIZATION OF EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM.

Section 1910 of the Public Health Service Act (42 U.S.C. 300w–9) is amended—

(1) in subsection (a), by striking ''3-year period (with an optional 4th year'' and inserting ''4-year period (with an optional 5th year''; and

(2) in subsection (d)—

(A) by striking ''and such sums'' and inserting ''such sums''; and

(B) by inserting before the period the following: '', $25,000,000 for fiscal year 2010, $26,250,000 for fiscal year 2011, $27,562,500 for fiscal year 2012, $28,940,625 for fiscal year 2013, and $30,387,656 for fiscal year 2014''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 572. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 570 proposed by Mr. REID (for Ms. COLLINS (for herself and Mr. NELSON of Nebraska)) to the bill H.R. 1, making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 572. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 570 proposed by Mr. REID (for Ms. COLLINS (for herself and Mr. NELSON of Nebraska)) to the bill H.R. 1, making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 421, line 16, strike all through page 422, line 13, and insert the following:

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) ELIGIBLE INDIVIDUAL.—

''(A) IN GENERAL.—The term 'eligible individual' means any individual other than—

''(i) any nonresident alien individual,

''(ii) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

''(iii) an estate or trust.

''(B) IDENTIFICATION REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), such term shall not include any individual unless the requirements of section 32(c)(1)(E) are met with respect to such individual.

''(ii) SPECIAL RULES FOR MARRIED INDIVIDUALS.—In the case of—

''(I) a married individual (within the meaning of section 7703) filing a separate return, the requirements of clause (i) with respect to such return shall not apply to the individual's spouse, and

''(II) clause (i) shall not apply to a joint return where at least 1 spouse was a member of the Armed Forces of the United States at any time during the taxable year.

''(2) EARNED INCOME.—The term 'earned income' has the meaning given such term by section 32(c)(2), except that such term shall not include net earnings from self-employment which are not taken into account in computing taxable income. For purposes of the preceding sentence, any amount excluded from gross income by reason of section 112 shall be treated as earned income which is taken into account in computing taxable income for the taxable year.

''(3) SPECIAL RULE FOR CERTAIN ELIGIBLE INDIVIDUALS.—In the case of any taxable year beginning in 2009, if an eligible individual receives any amount as a pension or annuity for service performed in the employ of the United States or any State, or any instrumentality thereof, which is not considered employment for purposes of chapter 21, the amount of the credit allowed under subsection (a) (determined without regard to subsection (c)) with respect to such eligible individual shall be equal to the greater of—

''(A) the amount of the credit determined without regard to this paragraph or subsection (c), or

''(B) $300 ($600 in the case of a joint return where both spouses are eligible individuals described in this paragraph).

If the amount of the credit is determined under subparagraph (B) with respect to any eligible individual, the modified adjusted gross income limitation under subsection (b) shall not apply to such credit.

On page 484, strike line 3 and insert the following:

(c) SPECIAL RULE FOR CERTAIN TREES AND VINES.—Section 168(k) is amended by adding at the end the following new paragraph:

''(5) SPECIAL RULE FOR CERTAIN TREES AND VINES.—For purposes of this subsection, in the case of any qualified property which is a tree or vine producing fruit, nuts, or other crops, such property shall be treated as placed in service in the year in which it is planted.''.

(d) EFFECTIVE DATES.—

On page 485, line 21, strike ''(II)'' and insert ''(I)''.

On page 490, line 4, strike ''172(k)'' and insert ''172(b)(1)(H)''.

On page 490, strike lines 15 through 17, and insert the following:

SEC. 1212. ELECTION TO RETROACTIVELY REVOKE S CORPORATION STATUS.

(a) IN GENERAL.—If an applicable small business corporation elects under this section to revoke its election under section 1362 of the Internal Revenue Code of 1986 to be an S corporation, then, notwithstanding section 1362(d)(1)(C) of such Code and subject to the provisions of this section—

(1) such revocation shall be effective as of the first day of the first taxable year for which such corporation was treated as an S corporation, and

(2) such Code shall be applied and administered for all taxable years in the S corporation period as if such corporation had not been an S corporation.

(b) EFFECTS OF APPLICATION OF SECTION.—

(1) IN GENERAL.—If a small business corporation elects to have this section apply, the corporation and each person who has been a shareholder of such corporation during the S corporation period—

(A) shall recompute their liability for tax imposed by chapter 1 of the Internal Revenue Code of 1986 for each taxable year in the S corporation period as if the corporation had been a C corporation, and

(B) shall make such adjustments (consistent with the treatment of the corporation as a C corporation) to basis, carryovers of credits and losses, and any other item as may be required by the Secretary with respect to such period.

(2) RESTRICTION ON FUTURE S CORPORATION ELECTIONS.—For purposes of section 1362(g) of such Code, the taxable year in which the election under this section is made shall be treated as the taxable year for which the termination of S corporation status is effective.

(3) CERTAIN ADJUSTMENTS NOT REVERSED.—If an applicable small business company was a C corporation for any taxable year before it became an S corporation, subsection (a)(2) shall not apply to abate any tax imposed (or reverse any other adjustment made) solely by reason of the conversion of the corporation from C corporation status to S corporation status.

(c) RULES RELATING TO RECOMPUTED TAX LIABILITY.—

(1) WAIVER OF LIMITATIONS.—

(A) IN GENERAL.—Notwithstanding the operation of any law or rule of law (including res judicata), the period of limitations for assessment or collection, or credit or refund, of any tax imposed on any taxpayer by chapter 1 of the Internal Revenue Code of 1986 (including any interest or penalty) for any taxable year in the S corporation period for which a recomputation of tax liability is required under subsection (b)(1) shall not expire before the close of the 3-year period beginning on the date the election is made under this section.

(B) NET OPERATING LOSSES.—Notwithstanding subparagraph (A), solely for purposes of determining the taxable years from and to which any net operating loss arising in a taxable year in the S corporation period may be carried, section 6511(d)(2) of such Code shall be applied without regard to any extensions, including any extensions under section 6511(c) of such Code.

(2) UNDERPAYMENT OF TAX.—If, for 1 or more taxable years in the S corporation period—

(A) the tax determined under chapter 1 of such Code for such taxable year with respect to any taxpayer, determined after application of this section, exceeds

(B) the tax determined under chapter 1 of such Code for such taxable year with respect to the taxpayer, determined without regard to this section,

the taxpayer shall include with the election to have this section apply payment of such amount, together with interest on such amount (determined using the underpayment rate under section 6621 of such Code for the period beginning on the due date (without regard to extensions) for filing the return of such tax imposed for such taxable year and ending on the date of the election).

(d) ELECTION.—

(1) IN GENERAL.—An election under this section to revoke an applicable small business corporation election under section 1362 of the Internal Revenue Code of 1986—

(A) may only be made during the period beginning on the date of the enactment of this Act and ending on December 31, 2009, and

(B) shall be made in such manner as the Secretary of the Treasury or the Secretary's delegate prescribes.

(2) CONDITIONS.—An election under this section shall not be effective unless the applicable small business corporation and all persons who are, or who have been, shareholders of such corporation during the S corporation period consent to—

(A) such election,

(B) the extension of the period of limitations for assessment and collection under subsection (c)(1)(A), and

(C) the application of rules relating to net operating loss carryovers under subsection (c)(1)(B).

(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) APPLICABLE SMALL BUSINESS CORPORATION.—The term ''applicable small business corporation'' means any small business corporation which—

(A) elected to be an S corporation under section 1362 of the Internal Revenue Code of 1986 at any time during the 5-year period ending on the date of the enactment of this Act, and

(B) had no more than 2 shareholders (determined without regard to any aggregation rules under section 1361(c) of such Code) at all times during such period during which the corporation was an S corporation,

(2) S CORPORATION PERIOD.—The term ''S corporation period'' means, with respect to any applicable small business corporation, the period of taxable years for which the election under section 1362 of such Code to be an S corporation was in effect before the application of this section.

(3) OTHER DEFINITIONS.—The terms ''S corporation'' and ''C corporation'' shall have the same meaning as when used in such Code.

SEC. 1213. EXCEPTION FOR TARP RECIPIENTS.

The provisions of , and amendments made by, this part shall not apply to—

On page 493, beginning with line 13, strike all through page 495, line 11, and insert the following:

PART IV—RULES RELATING TO DEBT INSTRUMENTS

SEC. 1231. DEFERRAL AND RATABLE INCLUSION OF INCOME ARISING FROM INDEBTEDNESS DISCHARGED BY THE REACQUISITION OF A DEBT INSTRUMENT.

(a) IN GENERAL.—Section 108 (relating to income from discharge of indebtedness) is amended by adding at the end the following new subsection:

''(i) DEFERRAL AND RATABLE INCLUSION OF INCOME ARISING FROM INDEBTEDNESS DISCHARGED BY THE REACQUISITION OF A DEBT INSTRUMENT.—

''(1) IN GENERAL.—At the election of the taxpayer, income from the discharge of indebtedness in connection with the reacquisition of a debt instrument after December 31, 2008, and before January 1, 2011, shall be includible in gross income ratably over the 5-taxable-year period beginning with—

''(A) in the case of a reacquisition occurring in 2009, the fifth taxable year following the taxable year in which the reacquisition occurs, and

''(B) in the case of a reacquisition occurring in 2010, the fourth taxable year following the taxable year in which the reacquisition occurs.

''(2) DEFERRAL OF DEDUCTION FOR ORIGINAL ISSUE DISCOUNT IN DEBT FOR DEBT EXCHANGES.—

''(A) IN GENERAL.—If, as part of a reacquisition to which paragraph (1) applies, any debt instrument is issued for the debt instrument being reacquired (or is treated as so issued under subsection (e)(4) and the regulations thereunder) and there is any original issue discount determined under subpart A of part V of subchapter P of this chapter with respect to the debt instrument so issued—

''(i) except as provided in clause (ii), no deduction otherwise allowable under this chapter shall be allowed to the issuer of such debt instrument with respect to the portion of such original issue discount which—

''(I) accrues before the 1st taxable year in the 5-taxable-year period in which income from the discharge of indebtedness attributable to the reacquisition of the debt instrument is includible under paragraph (1), and

''(II) does not exceed the income from the discharge of indebtedness with respect to the debt instrument being reacquired, and

''(ii) the aggregate amount of deductions disallowed under clause (i) shall be allowed as a deduction ratably over the 5-taxable-year period described in clause (i)(I).

If the amount of the original issue discount accruing before such 1st taxable year exceeds the income from the discharge of indebtedness with respect to the debt instrument being reacquired, the deductions shall be disallowed in the order in which the original issue discount is accrued.

''(B) DEEMED DEBT FOR DEBT EXCHANGES.—For purposes of subparagraph (A), if any debt instrument is issued by an issuer and the proceeds of such debt instrument are used directly or indirectly by the issuer to reacquire a debt instrument of the issuer, the debt instrument so issued shall be treated as issued for the debt instrument being reacquired. If only a portion of the proceeds from a debt instrument are so used, the rules of subparagraph (A) shall apply to the portion of any original issue discount on the newly issued debt instrument which is equal to the portion of the proceeds from such instrument used to reacquire the outstanding instrument.

''(3) DEBT INSTRUMENT.—For purposes of this subsection, the term 'debt instrument' means a bond, debenture, note, certificate, or any other instrument or contractual arrangement constituting indebtedness (within the meaning of section 1275(a)(1)).

''(4) REACQUISITION.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'reacquisition' means, with respect to any debt instrument, any acquisition of the debt instrument by—

''(i) the debtor which issued (or is otherwise the obligor under) the debt instrument, or

''(ii) any person related to such debtor.

Such term shall also include the complete forgiveness of the indebtedness by the holder of the debt instrument.

''(B) ACQUISITION.—The term 'acquisition' shall, with respect to any debt instrument, include an acquisition of the debt instrument for cash, the exchange of the debt instrument for another debt instrument (including an exchange resulting from a modification of the debt instrument), the exchange of the debt instrument for corporate stock or a partnership interest, and the contribution of the debt instrument to capital.

''(5) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) RELATED PERSON.—The determination of whether a person is related to another person shall be made in the same manner as under subsection (e)(4).

''(B) ELECTION.—

''(i) IN GENERAL.—An issuer of a debt instrument shall make the election under this subsection with respect to any debt instrument by clearly identifying such debt instrument on the issuer's records as an instrument to which the election applies before the close of the day on which the reacquisition of the debt instrument occurs (or such other time as the Secretary may prescribe). Such election, once made, is irrevocable.

''(ii) PASS THROUGH ENTITIES.—In the case of a partnership, S corporation, or other pass through entity, the election under this subsection shall be made by the partnership, the S corporation, or other entity involved.

''(C) COORDINATION WITH OTHER EXCLUSIONS.—If a taxpayer elects to have this subsection apply to a debt instrument, subparagraphs (A), (B), (C), (D), and (E) of subsection (a)(1) shall not apply to the income from the discharge of such indebtedness for the taxable year of the election or any subsequent taxable year.

''(D) ACCELERATION OF DEFERRED ITEMS.—In the case of the death of the taxpayer, the liquidation or sale of substantially all the assets of the taxpayer (including in a title 11 or similar case), the cessation of business by the taxpayer, or similar circumstances, any item of income or deduction which is deferred under this subsection (and has not previously been taken into account) shall be taken into account in the taxable year in which such event occurs (or in the case of a title 11 case, the day before the petition is filed).

''(6) AUTHORITY TO PRESCRIBE REGULATIONS.—The Secretary may prescribe such rules and regulations as may be necessary or appropriate for purposes of applying this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges in taxable years ending after December 31, 2008.

SEC. 1232. MODIFICATIONS OF RULES FOR ORIGINAL ISSUE DISCOUNT ON CERTAIN HIGH YIELD OBLIGATIONS.

(a) SUSPENSION OF SPECIAL RULES.—Section 163(e)(5) (relating to special rules for original issue discount on certain high yield obligations) is amended by redesignating subparagraph (F) as subparagraph (G) and by inserting after subparagraph (E) the following new subparagraph:

''(F) SUSPENSION OF APPLICATION OF PARAGRAPH.—

''(i) TEMPORARY SUSPENSION.—

''(I) IN GENERAL.—This paragraph shall not apply to any applicable high yield discount obligation issued after August 31, 2008, and before January 1, 2010. The preceding sentence shall not apply to any obligation the interest on which is interest described in section 871(h)(4) (without regard to subparagraph (D) thereof) or to any obligation issued to a related person (within the meaning of section 108(e)(4)).

''(ii) SECRETARIAL AUTHORITY TO SUSPEND APPLICATION.—The Secretary may suspend the application of this paragraph with respect to debt instruments issued after December 31, 2009, if the Secretary determines that such suspension is appropriate in light of distressed conditions in the debt capital markets.''.

(b) INTEREST RATE USED IN DETERMINING HIGH YIELD OBLIGATIONS.—The last sentence of section 163(i)(1) is amended—

(1) by inserting ''(i)'' after ''regulation'', and

(2) by inserting '', or (ii) permit, on a temporary basis, a rate to be used with respect to any debt instrument which is higher than the applicable Federal rate if the Secretary determines that such rate is appropriate in light of distressed conditions in the debt capital markets'' before the period at the end.

(c) EFFECTIVE DATE.—

(1) SUSPENSION.—The amendments made by subsection (a) shall apply to obligations issued after August 30, 2008, in taxable years ending after such date.

(2) INTEREST RATE AUTHORITY.—The amendments made by subsection (b) shall apply to obligations issued after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 1233. MODIFICATION OF RULES RELATING TO CANCELLATION OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) INCLUSION OF ALL MORTGAGE INDEBTEDNESS.—Paragraph (2) of section 108(h) is amended by inserting ''and home equity indebtedness (within the meaning of section 163(h)(3)(C), applied by inserting 'as of the date such indebtedness was secured by such residence' after 'qualified residence' in clause (i)(I) thereof and by substituting '$250,000 ($125,000' for '$100,000 ($50,000' in clause (ii) thereof)'' before ''with respect to the principal residence of the taxpayer''.

(b) SIMPLIFICATION OF RULES RELATING TO CERTAIN DISCHARGES.—Paragraph (3) of section 108(h) is amended—

(1) by striking ''or any other factor'' and all that follows and inserting ''or is in any other way compensation or in lieu of compensation.'', and

(2) by striking ''NOT RELATED TO TAXPAYER'S FINANCIAL CONDITION'' in the heading.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to discharges of indebtedness made on or after January 1, 2009.

On page 521, between lines 4 and 5, insert the following:

PART X—TREATMENT OF LIMITATIONS ON LOSSES AFTER CERTAIN OWNERSHIP CHANGES

SEC. 1291. TREATMENT OF CERTAIN OWNERSHIP CHANGES FOR PURPOSES OF LIMITATIONS ON NET OPERATING LOSS CARRYFORWARDS AND CERTAIN BUILT-IN LOSSES.

(a) IN GENERAL.—Section 382 is amended by adding at the end the following new subsection:

''(n) SPECIAL RULE FOR CERTAIN OWNERSHIP CHANGES.—

''(1) IN GENERAL.—The limitation contained in subsection (a) shall not apply in the case of an ownership change which—

''(A) is pursuant to a restructuring plan of a taxpayer required under a loan agreement or a commitment for a line of credit entered into with the Department of the Treasury under the Emergency Economic Stabilization Act of 2008, and

''(B) is intended to result in a rationalization of the costs, capitalization, and capacity with respect to the manufacturing workforce of, and suppliers to, the taxpayer and its subsidiaries.

''(2) SUBSEQUENT ACQUISITIONS.—Paragraph (1) shall not apply in the case of any subsequent ownership change unless such ownership change is described in such paragraph.

''(3) LIMITATION BASED ON CONTROL IN CORPORATION.—

''(A) IN GENERAL.—Paragraph (1) shall not apply in the case of any ownership change if, immediately after such ownership change, any person owns stock of the old loss corporation possessing 50 percent or more of the total combined voting power of all classes of stock entitled to vote, or of the total value of the stock of such corporation.

''(B) TREATMENT OF RELATED PERSONS.—

''(i) IN GENERAL.—Related persons shall be treated as a single person for purposes of this paragraph.

''(ii) RELATED PERSONS.—For purposes of clause (i), a person shall be treated as related to another person if—

''(I) such person bears a relationship to such other person described in section 267(b) or 707(b), or

''(II) such persons are members of a group of persons acting in concert.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to ownership changes after the date of the enactment of this Act.

Beginning on page 555, line 11, strike all through page 556, line 22, and insert the following:

SEC. 1503. TEMPORARY MODIFICATION OF ALTERNATIVE MINIMUM TAX LIMITATIONS ON TAX-EXEMPT BONDS.

(a) INTEREST ON PRIVATE ACTIVITY BONDS ISSUED DURING 2009 AND 2010 NOT TREATED AS TAX PREFERENCE ITEM.—Subparagraph (C) of section 57(a)(5) is amended by adding at the end a new clause:

''(vi) EXCEPTION FOR BONDS ISSUED IN 2009 AND 2010.—

''(I) IN GENERAL.—For purposes of clause (i), the term 'private activity bond' shall not include any bond issued after December 31, 2008, and before January 1, 2011.

''(II) TREATMENT OF REFUNDING BONDS.—For purposes of subclause (I), a refunding bond (whether a current or advance refunding) shall be treated as issued on the date of the issuance of the refunded bond (or in the case of a series of refundings, the original bond).

''(III) EXCEPTION FOR CERTAIN REFUNDING BONDS.—Subclause (II) shall not apply to any refunding bond which is issued to refund any bond which was issued after December 31, 2003, and before January 1, 2009.''.

(b) NO ADJUSTMENT TO ADJUSTED CURRENT EARNINGS FOR INTEREST ON TAX-EXEMPT BONDS ISSUED DURING 2009 AND 2010.—Subparagraph (B) of section 56(g)(4) is amended by adding at the end the following new clause:

''(iv) TAX EXEMPT INTEREST ON BONDS ISSUED IN 2009 AND 2010.—

''(I) IN GENERAL.—Clause (i) shall not apply in the case of any interest on a bond issued after December 31, 2008, and before January 1, 2011.

''(II) TREATMENT OF REFUNDING BONDS.—For purposes of subclause (I), a refunding bond (whether a current or advance refunding) shall be treated as issued on the date of the issuance of the refunded bond (or in the case of a series of refundings, the original bond).

''(III) EXCEPTION FOR CERTAIN REFUNDING BONDS.—Subclause (II) shall not apply to any refunding bond which is issued to refund any bond which was issued after December 31, 2003, and before January 1, 2009.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2008.

On page 587, after line 23, add the following:

SEC. 1904. DETERMINATION OF STANDARD MILEAGE RATE FOR CHARITABLE CONTRIBUTIONS DEDUCTION.

(a) IN GENERAL.—Subsection (i) of section 170 is amended to read as follows:

''(i) STANDARD MILEAGE RATE FOR USE OF PASSENGER AUTOMOBILE.—

''(1) IN GENERAL.—For purposes of computing the deduction under this section for use of a passenger automobile, the standard mileage rate shall be 14 cents per mile.

''(2) SPECIAL RULE FOR 2009 AND 2010.—For miles traveled after the date of the enactment of the American Recovery and Reinvestment Tax Act of 2009 and before January 1, 2011, the standard mileage rate shall be the rate determined by the Secretary, which rate shall not be less than the standard mileage rate used for purposes of section 213.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to miles traveled after the date of the enactment of this Act.

SEC. 1905. EXCLUSION FROM GROSS INCOME FOR CHARITABLE MILEAGE REIMBURSEMENTS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by adding at the end the following new section:

''SEC. 139C. CHARITABLE MILEAGE REIMBURSEMENT.

''(a) IN GENERAL.—In the case of an individual, gross income shall not include amounts received from an organization described in section 170(c)(2) as reimbursement of operating expenses with respect to the use of a passenger automobile for the benefit of such organization.

''(b) LIMITATION.—The amount excluded from gross income under subsection (a) shall not exceed the product of the standard mileage rate used for purposes of section 162 multiplied by the number of miles traveled for which such reimbursement is made.

''(c) APPLICATION TO VOLUNTEER SERVICES ONLY.—Subsection (a) shall not apply with respect to any expenses relating to the performance of services for compensation.

''(d) NO DOUBLE BENEFIT.—A taxpayer may not claim a deduction or credit under any other provision of this title with respect to reimbursements excluded from income under subsection (a).

''(e) EXEMPTION FROM REPORTING REQUIREMENTS.—Section 6041 shall not apply with respect to reimbursements excluded from income under subsection (a).

''(f) MAINTENANCE OF RECORDS.—For purposes of this section, no exclusion shall be allowed under subsection (a) for any reimbursement unless with respect to such reimbursement the taxpayer meets substantiation requirements similar to the requirements of section 274(d).

''(g) TERMINATION.—This section shall not apply to any miles traveled after December 31, 2010.''.

(b) CONFORMING AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by adding at the end the following new item:

''Sec. 139C. Charitable mileage reimbursement.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to miles traveled after the date of the enactment of this Act.

SEC. 1906. SPECIAL RULES FOR MODIFICATION OR DISPOSITION OF QUALIFIED MORTGAGES OR DISPOSITION OF FORECLOSURE PROPERTY BY REAL ESTATE MORTGAGE INVESTMENT CONDUITS.

(a) IN GENERAL.—If a REMIC (as defined in section 860D(a) of the Internal Revenue Code of 1986) modifies the terms of or disposes of a troubled asset under the Troubled Asset Relief Program established by the Secretary of the Treasury under section 101(a) of the Emergency Economic Stabilization Act of 2008—

(1) such modification or disposition shall not be treated as a prohibited transaction under section 860F(a)(2) of such Code, and

(2) for purposes of part IV of subchapter M of chapter 1 of such Code—

(A) an interest in the REMIC shall not fail to be treated as a regular interest (as defined in section 860G(a)(1) of such Code), nor shall such newly modified loan fail to be treated as a qualified mortgage solely because of such modification or disposition, and

(B) any proceeds resulting from such modification or disposition shall be treated as amounts received under qualified mortgages.

(b) EFFECTIVE DATE.—This section shall apply to modifications and dispositions after the date of the enactment of this Act, in taxable years ending on or after such date.

SEC. 1907. EXTENSION OF REDUCTION IN RATE OF TAX ON QUALIFIED TIMBER GAIN OF CORPORATIONS.

(a) IN GENERAL.—Section 1201(b)(1) is amended by striking ''1 year after such date'' and inserting ''3 years after such date''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 1201(b)(3) is amended by striking ''1 year after such date'' and inserting ''3 years after such date''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 1908. EXTENSION OF TIMBER REIT MODERNIZATION AND MODIFICATION OF PROHIBITED TRANSACTION RULES FOR TIMBER PROPERTY.

(a) IN GENERAL.—Paragraph (8) of section 856(c) is amended—

(1) by striking ''the taxpayer's first taxable year'' and inserting ''the taxpayer's third taxable year'', and

(2) by striking ''1 year after such date'' and inserting ''3 years after such date''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 1909. EXTENSION OF QUALIFICATION OF MINERAL ROYALTY INCOME FOR TIMBER REITS.

(a) IN GENERAL.—Section 856(c)(2)(I) is amended by inserting '', second, or third'' after ''the first''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 1910. FORMERLY HOMELESS YOUTH WHO ARE STUDENTS QUALIFIED FOR PURPOSES OF LOW INCOME HOUSING TAX CREDIT.

(a) IN GENERAL.—Clause (i) of section 42(i)(3)(D) is amended by redesignating subclauses (II) and (III) as subclauses (III) and (IV), respectively, and by inserting after subclause (I) the following new subclause:

''(II) a student who previously was a homeless child or youth (as defined by section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)),''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to determinations made before, on, or after the date of the enactment of this Act.

SEC. 1911. DECREASED REQUIRED ESTIMATED TAX PAYMENTS IN 2009 FOR CERTAIN SMALL BUSINESSES.

Paragraph (1) of section 6654(d) is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR 2009.—

''(i) IN GENERAL.—Notwithstanding subparagraph (C), in the case of any taxable year beginning in 2009, clause (ii) of subparagraph (B) shall be applied to any qualified individual by substituting '90 percent' for '100 percent'.

''(ii) QUALIFIED INDIVIDUAL.—For purposes of this subparagraph, the term 'qualified individual' means any individual if—

''(I) the adjusted gross income shown on the return of such individual for the preceding taxable year is less than $500,000, and

''(II) such individual certifies that more than 50 percent of the gross income shown on the return of such individual for the preceding taxable year was income from a small business.

A certification under subclause (II) shall be in such form and manner and filed at such time as the Secretary may by regulations prescribe.

''(iii) INCOME FROM A SMALL BUSINESS.—For purposes of clause (ii), income from a small business means, with respect to any individual, income from a trade or business the average number of employees of which was less than 500 employees for the calendar year ending with or within the preceding taxable year of the individual.

''(iv) SEPARATE RETURNS.—In the case of a married individual (within the meaning of section 7703) who files a separate return for the taxable year for which the amount of the installment is being determined, clause (ii)(I) shall be applied by substituting '$250,000' for '$500,000'.

''(v) ESTATES AND TRUSTS.—In the case of an estate or trust, adjusted gross income

shall be determined as provided in section 67(e).''.

SEC. 1912. AVIATION PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Federal Aviation Administration Extension Act of 2009''.

(b) EXTENSION OF AVIATION PROGRAMS FOR FY 2009.—

(1) EXTENSION OF AVIATION TAXES.—The Internal Revenue Code of 1986 is amended by striking ''March 31, 2009'' and inserting ''September 30, 2009'' each place it appears in each of the following sections:

(A) Section 4081(d)(2)(B).

(B) Section 4261(j)(1)(A)(ii).

(C) Section 4271(d)(1)(A)(ii).

(2) EXTENSION OF EXPENDITURE AUTHORITY.—

(A) Such Code is amended by striking ''April 1, 2009'' each place it appears and inserting ''October 1, 2009'' in each of the following sections:

(i) Section 9502(d)(1).

(ii) Section 9502(e)(2).

(B) Paragraph (1) of section 9502(d) of such Code is amended by inserting ''or the Federal Aviation Administration Extension Act of 2009'' before the semicolon at the end of subparagraph (A).

(3) EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.—

(A) Paragraph (6) of section 48103 of title 49, United States Code, is amended to read as follows:

''(6) $3,900,000,000 for fiscal year 2009.''.

(B) Section 47104(c) of such title is amended by striking ''March 31, 2009,'' and inserting ''September 30, 2009,''.

(4) EXTENSION OF EXPIRING AUTHORITIES.—

(A) Title 49, United States Code, is amended by striking the date specified in each of the following sections and inserting ''September 30, 2009'':

(i) Section 40117(l)(7).

(ii) Section 44303(b).

(iii) Section 47107(s)(3).

(iv) Section 47141(f).

(v) Section 49108.

(B) Section 44302(f)(1) of such title is amended—

(i) by striking ''March 31, 2009'' and inserting ''September 30, 2009''; and

(ii) by striking ''May 31, 2009'' and inserting ''December 31, 2009''.

(C) Section 47115(j) of such title is amended by striking ''2008, and the portion of fiscal year 2009 ending before April 1, 2009,'' and inserting ''2009,''.

(D) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking ''before April 1, 2009,''.

(E) Section 186(d) of such Act (117 Stat. 2518) is amended by striking ''2008, and for the portion of fiscal year 2009 ending before April 1, 2009,'' and inserting ''2009,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2009.

SEC. 1913. ENHANCED CONGRESSIONAL OVERSIGHT.

(a) PLAN.—Not later than 30 days after the date of enactment of this Act, each authorizing committee of the Senate with jurisdiction over spending included in this division and division A shall prepare and publicly post on their website a plan detailing—

(1) spending or programmatic language contained in this division and division A which falls under their jurisdiction; and

(2) plans for oversight of spending under the jurisdiction of the committee, including congressional hearings.

(b) IMPLEMENTATION REPORTS.—Not later than 6 months and 1 year after the date of enactment of his Act, each committee described in subsection (a) shall prepare and post on their website a progress report towards fulfilling components of their oversight plan required by subsection (a) as well as any modifications to that plan.

(c) JOINT ECONOMIC COMMITTEE.—Each Federal department or agency that receives and administers funding under this division and division A shall provide information and data on their implementation of this division and division A to each committee of the Senate with jurisdiction over such funding under this division and division A and to the Committee on Joint Economics.

SEC. 1914. EQUAL CREDIT AVAILABILITY.

Section 44(f) of the Federal Deposit Insurance Act (12 U.S.C. 1831u(f)) is amended by adding at the end the following:

''(3) EQUAL CREDIT AVAILABILITY.—In the case of a person or government entity (other than a depository institution that is subject to paragraph (1) or (2)) in that State, the maximum annual percentage rate of interest shall be the greater of—

''(A) the maximum annual percentage rate allowed by the laws of that State; or

''(B) 17 percent.''.

On page 601, line 6, insert '', except that such compensation is not required to be paid to an individual who is receiving stipends or other training allowances'' after ''1998''.

On page 601, line 17, insert ''less any deductible income as determined under State law'' after ''year''.

On page 619, line 13, insert ''(or another person pays on behalf of such individual)'' after ''pays''.

On page 692, between lines 7 and 8, insert the following:

(g) IMPACT ON TRUST FUNDS.—The Board of Trustees of the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) shall include in the annual report submitted in 2010 under subsection (b)(2) of such sections 1817 and 1841 a description of the estimated short-term and long-term impact that the provisions of, and amendments made by, this subtitle will have on such Trust Funds.

On page 707, between lines 21 and 22, insert the following:

''(D) For purposes of this paragraph, the term 'reporting period' means, with respect to a fiscal year, any period (or periods), with respect to the fiscal year, as specified by the Secretary.''.

On page 716, between lines 18 and 19, insert the following:

SEC. 4204A. CHANGE IN DATE OF ANNUAL MEDPAC REPORT.

(a) IN GENERAL.—Section 1805(b)(1)(C) of the Social Security Act (42 U.S.C. 1395b–6) is amended by striking ''March 1'' and inserting ''March 15''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on April 1, 2009, and applies to reports submitted for 2010 and calendar years thereafter.

On page 726, line 7, insert ''(or to an employer or facility to which such provider has assigned payments)'' after ''such provider''.

On page 737, line 18, insert ''and, for purposes of the application of this section to the District of Columbia, payments under such part shall be deemed to be made on the basis of the FMAP'' after ''et. seq.)''.

On page 738, line 11, insert ''(including as such standards were proposed to be in effect under a State law enacted but not effective as of such date or a State plan amendment or waiver request under title XIX of such Act that was pending approval on such date)'' after ''2008''.

On page 740, strike lines 6 through 12, and insert the following:

(ii) on the basis of a restriction that was directed to be made under State law as in effect on July 1, 2008, and would have been in effect as of such date, but for a delay in the effective date of a waiver under section 1115 of such Act with respect to such restriction.

On page 753, between lines 2 and 3, insert the following:

SEC. 5006. CHIP ALLOTMENT ADJUSTMENTS.

Effective as if included in the enactment of the Children's Health Insurance Program Reauthorization Act of 2009, section 2104(m) of the Social Security Act, as added by section 102 of the Children's Health Insurance Program Reauthorization Act of 2009, is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6), the following:

''(7) ADJUSTMENT OF FISCAL YEARS 2009 AND 2010 ALLOTMENTS TO ACCOUNT FOR CHANGES IN PROJECTED SPENDING FOR CERTAIN PREVIOUSLY APPROVED EXPANSION PROGRAMS.—In the case of one of the 50 States or the District of Columbia that has an approved State plan amendment effective January 1, 2006, to provide child health assistance through the provision of benefits under the State plan under title XIX for children from birth through age 5 whose family income does not exceed 200 percent of the poverty line, the Secretary shall increase the allotments otherwise determined for the State for fiscal years 2009 and 2010 under paragraphs (1) and (2)(A)(i) in order to take into account changes in the projected total Federal payments to the State under this title for such fiscal years that are attributable to the provision of such assistance to such children.''.

NOTICE OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, February 11, 2009, at 10:30 a.m., to conduct its organization meeting for the 111th Congress.

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee on 202–224–6352.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, February 12, 2009 at 9:30 a.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing to receive the U.S. Department of the Interior's views and priorities with regard to Indian Affairs related issues in the coming year.

Those wishing additional information may contact the Indian Affairs Committee at 202–224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. 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 February 10, 2009 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Tuesday, February 10, 2009, at 10 a.m., in room SD366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Executive Nominations'' on Tuesday, February 10, 2009, 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 10, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 10, 2009 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senator as Vice Chairman of the Senate Delegation to the Canada-U.S. Interparliamentary Group conference during the 111th Congress: the Honorable MICHAEL D. CRAPO of Idaho.

The Chair, on behalf of the Vice President, pursuant to Section 5 of Title I of Division H of Public Law 110–161, appoints the following Senator as Chairman of the U.S.-Japan Interparliamentary Group conference for the 111th Congress: the Honorable DANIEL K. INOUYE of Hawaii.

ORDERS FOR WEDNESDAY, FEBRUARY 11, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Wednesday, February 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period for the transaction of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, we are working on an agreement to vote on the confirmation of William J. Lynn to be Deputy Secretary of Defense. We hope to be able to do that tomorrow. Senators will be notified when a vote is scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 4:49 p.m., adjourned until Wednesday, February 11, 2009, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING COLLIN DOUGLAS EDWARDS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Collin Douglas Edwards of Kansas City, Missouri. Collin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Collin has been very active with his troop, participating in many scout activities. Over the many years Collin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Collin Douglas Edwards for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009

SPEECH OF

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 4, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, I strongly support H.R. 2, the Children's Health Insurance Program Reauthorization Act of 2009. I want to thank Representative PALLONE for introducing the bill, and Chairmen RANGEL, MILLER, and WAXMAN for moving it quickly to the floor.

Investing in children's health care is an investment in our future, which will help strengthen our next generation and save health care costs in the long run. With this legislation, we are saying that the phrase ''children are our most precious resource,'' is no longer just a cliche. We are putting our money where our mouths are. And we are doing it in a fiscally responsible way.

While we all want to balance budgets and control spending, skimping on children's health care simply makes no sense. That's why this small increase in the tobacco tax, about 62 cents a pack, is a smart thing to do. It will deter non-smokers from trying smoking, and it will ensure that we are not adding to our budget deficit.

The CHIP Reauthorization Act preserves the coverage for all 7.1 million children currently covered by CHIP and provides coverage for an additional 4.1 million uninsured children who are currently eligible for, but not enrolled in, CHIP and Medicaid.

Far too often, constituents contact me seeking help with their medical expenses because they have no health insurance. And the lack of health insurance is not for lack of trying. Sadly, even millions who have jobs in this troubled economy lack health insurance. This bill will help those families who should never have had to decide between putting food on the table and taking a sick child to the doctor.

While this bill will not ensure coverage for every single child in the nation, it is a great first start. This bill gives states the option of covering legal immigrant children during their first five years in the United States. Without this provision, parents of children with conditions from diabetes to scleroderma to scoliosis would have to continue to wait up to five years from the time they discovered the condition until they can afford treatment for their child.

Now, states like California can choose to prevent such heartbreaking situations. And I hope they do.

I am committed to working toward quality, affordable, and universal coverage for all in America. While that might seem an unattainable goal to some, the CHIP Reauthorization Act gives me hope that we are on our way.

As an expectant mother who is fortunate enough to have good healthcare coverage, I owe it to my constituents and to all in America to provide them with the same ability to care for themselves and their families. I urge my colleagues on both sides of the aisle to support this important bill.

A TRIBUTE TO PROFESSOR JIM KLONOSKI

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. DEFAZIO. Madam Speaker, James Richard Klonoski died on January 30, 2009, at the age of 83. It is impossible to summarize his life in a few words, but I offer this tribute.

Jim was a man of sound convictions who valued and respected opposing views. He was keenly interested and engaged in politics. He was a teacher who invited his students to explore the world and challenged them to think. He understood that good teaching is full of ideas and committed himself to 40 years of excellence at the University of Oregon. He was a generous mentor and a leader who helped shape Oregon politics and politicians.

Jim Klonoski believed in the future. A host of public officials in Oregon will tell you they were inspired by Professor Klonoski to hope for and to work like hell for change. His son, Jake, noted the historic inauguration of President Barack Obama was a joyous family celebration of his father's unshakable faith in a better future.

Jim Klonoski's family was the center of his universe. His life was infused with love and admiration for his wife and children. His students were frequently amused and sometimes amazed by stories about the children. He was equally devoted to his wife of 30 years, Ann Aiken, and Judge Aiken was a frequent guest in his political science classes.

No tribute to Jim is complete without mention of baseball. He was a fan and a fanatic. Legions of local baseball families remember Jim as a fixture at his sons' games, and area umpires no doubt recall the many tips he offered them in hopes of improving their officiating skills.

There is a Japanese proverb that says ''Better than a thousand days of diligent study is one day with a great teacher.'' All of us privileged to have had our day with Jim Klonoski are grieving his unexpected death.

HONORING JOALINE OLSON OF NAPA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. THOMPSON of California. Madam, Speaker, I rise today to recognize JoAline Olson, who is leaving after 12 years of invaluable service as the distinguished CEO of St. Helena Hospital. Mrs. Olson is to be commended for her incredible achievements and outstanding contributions to the well-being of the Napa Valley and beyond.

Mrs. Olson's career with St. Helena Hospital began over 23 years ago. Under her leadership, the hospital has been recognized as one of the top 100 cardiovascular hospitals in the country. The hospital was also named St. Helena Chamber of Commerce 2008 Family Friendly Business of the Year, among numerous other awards. Mrs. Olson personally was given the 2002 Adventist Community Life Award and named North Bay Businesswoman of the Year in 2001.

Mrs. Olson is known in the community for her commitment to quality, whole person care and the patient experience. She is responsible for starting Napa Valley Hospice, the first hospice program in Napa County for terminally ill patients. She also brought hospitals in St. Helena and Clearlake together under one governing board, improving coordination and quality of care for patients at both hospitals. She has been instrumental in raising $28 million to build a new regional cancer center that will offer communities access to state of the art cancer treatments.

Madam Speaker and colleagues, it is appropriate at this time that we thank JoAline Olson for her years of dedication and service on behalf of the residents of Napa and Lake counties. She has been a role model for anyone who strives to give back to his or her community. I join her husband David and their two daughters, Amanda and Monica, in thanking JoAline and wishing her the best of luck in her new position.

HONORING TIMOTHY ZACHARIAH HANNON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Timothy Zachariah Hannon of Gladstone, Missouri. Timothy is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Timothy has been very active with his troop, participating in many scout activities. Over the many years Timothy has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Timothy Zachariah Hannon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE FAMILY-FRIENDLY WORKPLACE ACT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mrs. McMORRIS RODGERS. Madam Speaker, I have tried come up with legislation that would give us more than 24 hours in a day—but I have not figured out how to do that. So for the time being, I am introducing the Family-Friendly Workplace Act that aims to give working people the opportunity to spend more time with their families.

Last week marked the 16th anniversary of the enactment of the Family and Medical Leave Act of 1993, FMLA, which provides important job protections for America's working families who take leave for the birth or adoption of a child or because of one's own serious health condition or that of a family member. The Family-Friendly Workplace Act would complement the FMLA by providing employees with an option to accrue paid time off, which could then be taken by the employee at a later date. Under the Family-Friendly Workplace Act, compensatory time, known as "comp time," belongs to the employee, and the employee can use it for any purpose, at any time. Hourly paid workers are often less able to take unpaid leave under FMLA. In contrast, comp time is directed specifically at hourly workers, giving hourly workers the opportunity to have the same flexibility that salaried workers, as well as workers in the public sector, already enjoy.

As we all know, time is one of our most precious resources. We all want more of it, and yet we only have 24 hours in a day. That means we have to figure out how to work a full day, run errands, pack lunches, make dinner, and spend quality time with our kids, spouse, or elderly parent.

One of the biggest struggles parents face is how to balance work and family. Being a new mom myself, I struggle with balancing these aspects every day. This bill will give people more flexibility so workers can put in the time they need to get the job done, but also make sure they can make the school play, stay home with a sick child, or care for an elderly parent.

The perception is that working mothers and parents have a greater desire for workplace flexibility than other workers; the reality is that men and women, parents and non-parents, younger and older workers alike place a high priority on increased flexibility at work.

A study by the Employment Family Foundation found that a significant majority, 75 percent, of workers prefer time off instead of overtime pay, and more than eight in ten women, 81 percent, prefer to have that benefit as well.

For many employers, flexible work arrangements are necessary to attract and retain quality employees. In return for offering employees alternative work arrangements and greater flexibility in work schedules, employers gain a workforce that is more productive, committed, and focused. For example, an insurance company in my home State of Washington saw per-employee revenue increase 70 percent over 5 years after implementing flexible work options.

In talking with Wayne Williams, president and CEO of Telect in Spokane, Washington, he told me that they are doing more to give their employees greater flexibility including personal days and utilizing technology to give them the flexibility to work from home.

This isn't just a workforce issue; it is also a community and family issue.

The bill I am introducing would allow private sector employers the option to offer employees additional time off in lieu of overtime pay. One of the greatest obstacles to flexibility in the workplace is the 1938 Fair Labor Standards Act, known as the "FLSA," which governs the work schedules and pay of millions of hourly workers. While the law may have been a good fit for the workforce in the 1930s, a lot has changed in 70 years, and FLSA is simply not relevant to the needs of modern families.

Our labor force isn't what it used to be. Between 1950 and 2000, the labor force participation rate of women between 25 and 55 years of age more than doubled. Today, more than 75 percent of these women are in the labor market. Less than 12 percent of mothers with children under the age of six were in the labor force in 1950. Today, more than 60 percent work outside the home.

The FLSA fails to address the needs and preferences of employees in the area of flexible work schedules. Although salaried employees typically have greater flexibility in their day-to-day schedules, hourly employees are much more restricted—due in large part to the outdated FLSA—in their ability to gain greater flexibility in their work schedules.

The goal of the Family-Friendly Workplace Act is simple: to reconcile the overtime requirements under the FLSA with employee demands for increased workplace flexibility. Specifically, the bill would give private sector employers the option of allowing their employees to voluntarily choose paid comp time off in lieu of overtime pay. Since 1985, public sector employees have been able to bank comp time hours in order to have additional time off for vacation or other family needs. There is no justification for denying private sector employees an option under the FLSA which, by most accounts, has been successful and immensely popular with public sector hourly employees for over 20 years.

To be clear, the Family-Friendly Workplace Act would not change the employer's obligation under the FLSA to pay overtime at the rate of one-and-one-half times an employee's regular rate of pay for any hours worked over 40 in a seven day period. The bill would simply allow overtime compensation to be given—at the employee's request—as paid comp time off, at the rate of one-and-one-half hours of comp time for each hour of overtime worked, provided the employee and the employer agree on that form of overtime compensation. The bill contains numerous protections to ensure that the choice and use of comp time is a decision made by the employee.

Since we can't do anything about adding more hours to the day, I hope my colleagues will join me in supporting something that gives us a little more flexibility in how we spend that time—the Family-Friendly Workplace Act. We need to respond to the growing needs of workers who want to better integrate work and family. Let's allow working women and men to decide for themselves whether paid time off or extra pay best fits their needs and that of their families.

HONORING THOMAS ALAN PRINSLOW

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Thomas Alan Prinslow of Kansas City, Missouri. Thomas is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Thomas has been very active with his troop, participating in many scout activities. Over the many years Thomas has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Thomas Alan Prinslow for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO IVO KRAMER, AUGLAIZE COUNTY COMMISSIONER

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. JORDAN of Ohio. Madam Speaker, it is my honor today to pay tribute to former Auglaize County Commissioner Ivo Kramer of Wapakoneta, Ohio. Ivo retired at the end of 2008 after twelve years of outstanding service to the people of Auglaize County.

Ivo was first elected to the Board of Commissioners in 1997 following a distinguished 40-year career with the United States Department of Agriculture's Soil Conservation Service (later renamed the Natural Resources

Conservation Service) and the Auglaize County Soil and Water Conservation District. He was recognized repeatedly for his dedicated efforts to preserve our natural resources, receiving outstanding performance awards from the SCS and The Ohio State University.

Ivo's colleagues recently paid tribute to his 52 years in public service, citing his longstanding support of economic growth and responsible land use practices throughout the county. The experience and knowhow he brought to bear on issues facing Auglaize County will not soon be replaced.

As is to be expected from such a dedicated public servant, Ivo looks forward to getting involved in volunteer work during his retirement. I know that his devotion to volunteerism will be an outstanding model and an inspiration to others.

I am proud to join the Auglaize County Board of Commissioners and the people of Auglaize County in congratulating Ivo on his distinguished public service career. We wish Ivo and his wife of 50 years, Camille, and their entire family every success as they move to a new chapter in their lives.

HONORING JOSEPH LAIRD RICHEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joseph Laird Richey of Parkville, Missouri. Joseph is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joseph Laird Richey for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JON RACHFORD

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. COSTA. Madam Speaker, I rise today to pay tribute and congratulate the distinguished public service of Mr. Jon Rachford. Jon Rachford was honored as ''Man of the Year'' by the community of Corcoran, California at a reception held by the Corcoran Chamber of Commerce on January 28, 2009.

Mr. Jon Rachford was born on July 5, 1939, and grew up in Lindsay, where he attended school through his junior year in high school. In 1956, Mr. Rachford moved to Hanford, California where he graduated from high school. Upon graduating from high school Jon received a National Reserves Officers Training Corps scholarship to Stanford University. Upon graduating from Stanford University with his bachelor of Science degree in Civil Engineering he moved on to serve a Regular Commission as a 2nd Lieutenant in the United States Marine Corps. Following Basic School he received Military Occupational Specialty as an infantry officer.

After six years of service in the Marine Corps, Jon and his wife Cathy moved to Corcoran where he was employed by the J.G. Boswell Company as a civil engineer. Between the years of 1972 and 1978, Jon worked in the Boswell Company in Los Angeles, California as an Administrative Assistant to Mr. Jim Fisher and Jim Boswell. During his time in Los Angeles he served as a Reserve Police Officer for the City of Pasadena, California as a Level 1 Officer. In 1978, Jon moved back to Corcoran and continued to work with the Boswell Company's processing office.

In 1984, Mr. Rachford received his final discharge from the Marine Corp reserves, retiring as a Major. Soon after that in 1986 Jon started a new career and went into business with Bob Lyman and Terrell DeVaney as Cal-Econ Consultants and Cal-Econ Realty. He also managed and had partnership interests at South Lake Farms and White Ranch.

In 1992, Jon started his public service when he was elected as a Councilman with the Corcoran City Council. While on the Corcoran City Council he also served on the board of the Kings Waste and Recycling Authority. He also worked with many other local residents to bring a second prison to the community of Corcoran. Jon was also involved with the Corcoran Rotary Club.

After eight short years Jon was elected to the Kings County Board of Supervisors. Jon also served on a couple of committees such as the Kings Waste and Recycling Authority, Tule and Kaweah River Enlargement Committee, where there was much success on bringing additional water storage to Terminus Dam. Jon is also a member of the board of the Corcoran Community Foundation, serves on the Foundation's Executive board as Treasurer and volunteers as a member of the finance committee. In 2001, Mr. Jon Rachford retired from his public service but still continues to stay active in his community.

Madam Speaker, I rise today to commend and congratulate Jon Rachford for his recognition as ''Man of the Year.'' Upon this very much deserved award, we thank him for his service and we wish him continued success and best of luck for the future.

HONORING ALEXANDER FRANK WILLIAMS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Alexander Frank Williams of Kansas City, Missouri. Alexander is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

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.

Madam Speaker, I proudly ask you to join me in commending Alexander Frank Williams for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO DR. MATTHEW ALLEN

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. McCAUL. Madam Speaker: I rise today to pay tribute to Dr. Matthew Allen, nuclear physicist from Sandia National Laboratories, for his outstanding service to the Nation. Matt has served with distinction as a Fellow these last two years on the House Committee on Homeland Security, and has worked closely with me for the Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology.

Matt has been instrumental in providing technical expertise to me on critical nuclear-related matters affecting the security of the homeland. He was an essential resource in the successful introduction and ultimately House passage of the ''Next Generation Radiation Detection Act of 2008.'' His oversight and legislative work on issues such as radiation detectors, national nuclear forensics capabilities, and the Securing the Cities program was thorough, well informed, and infused with good humor.

Always wanting to learn and to do, Matt took an interest in areas beyond his personal comfort zone, including biosecurity, cybersecurity, and the nuances of the legislative process. He took enormous pride not only in the details of his work, but in the concept that a laboratory scientist could be invited to serve the Congress in such a central capacity. He referred to his fellowship as a ''study abroad'' program, and, like an idealistic student, delighted in everything the Hill and Washington, DC had to offer.

I applaud Matt's service and hope, long after he has returned to the lab bench, for his continued engagement in policymaking.

HONORING JAMES TAYLOR SMITH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Taylor Smith of Platte City, Missouri. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending James Taylor Smith for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO WILLIAM J. BARRETT

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. BRADY of Pennsylvania. Madam Speaker, as Chairman of the Joint Committee on Printing, I rise to note the passing of William J. Barrett, of Alexandria, Virginia. Mr. Barrett died January 26, 2009, at age 81, following a distinguished career in Federal service that culminated at the Government Printing Office (GPO) in the senior positions of Superintendent of Documents, Deputy Public Printer, and finally as acting Public Printer.

Before transferring his flag to the GPO, Bill Barrett had a successful career in the Navy Department, where he climbed from the position of fiscal accounting clerk in 1949 to acting Administrative Officer of the Navy, reporting to the Undersecretary of the Navy. In 1971, Bill was appointed as the first administrative officer of the GPO. Within two years of his arrival at GPO, Bill became Deputy Assistant Public Printer—Superintendent of Documents.

By 1981, Bill was appointed Assistant Public Printer—Superintendent of Documents. In that position, Bill oversaw GPO's Federal Depository Library Program, which distributes government documents to depository libraries in every state of the Union. While there, Bill was instrumental in stemming financial losses then plaguing the agency's document sales program. In April 1982, Bill was appointed to Deputy Public Printer, the second highest position in the agency. When the Public Printer resigned in January 1984, Bill served as acting Public Printer until he retired from Federal service in the following December.

Madam Speaker, although I did not have the privilege to know and work with Bill Barrett, I am told that he was a genuine friend to the GPO and well respected by the Members and staff of the Congress. While serving, Bill traveled extensively to educate Americans about the GPO, its operations and the important missions it fulfills, and many consider him perhaps the best ''ambassador'' the GPO has ever had. His distinguished career reflected his dedication and devotion to the Federal service and the people we all serve. I commend Bill Barrett's record of service to the Nation, and on behalf of the Joint Committee on Printing, I offer our condolences to Betty, Bill's wife of 59 years, and to their six children and their families.

HONORING JOSHUA MICHAEL SHINER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua Michael Shiner of Platte City, Missouri. Joshua is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joshua Michael Shiner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING BRENDA LEE FOR RECEIVING THE GRAMMY ''LIFETIME ACHIEVEMENT AWARD''

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mrs. BLACKBURN. Madam Speaker, I rise to recognize the tremendous career and professional accomplishments of Brenda Lee, a legendary member of the Tennessee recording arts community and an international star, on the occasion of her receipt of the 2009 Grammy Lifetime Achievement Award on February 8, 2009.

The Grammy Lifetime Achievement Award is presented by the National Academy of Recording Arts and Science to performers who make significant contributions in the field of recording arts. Brenda Lee's career epitomizes the ideals established by the Recording Academy, and provides a benchmark for success that few artists worldwide can match.

Brenda sold over 100 million records during her career, and sold more records than any other woman in the history of recorded music. In doing so, she established a long-lasting connection with both American and international fans while holding the title of ''Most Programmed Female Vocalist'' for five consecutive years according to Billboard magazine, and three consecutive years according to Cashbox magazine. This standard of excellence yielded 29 gold records, international acclaim throughout the world, induction in the Country Music Hall of Fame in 1997, and induction in the Rock and Roll Hall of Fame in 2002.

More importantly, Brenda Lee remains an active community leader in Nashville, Tennessee where she and her husband Ronnie continue to make their home. Her charitable contributions include volunteer leadership in organizations spanning from the Kidney Foundation, the American Heart Association and the March of Dimes to the YWCA for Abused Women.

On behalf of constituents throughout Tennessee's 7th District and music fans around the world, I applaud Brenda Lee for her lifetime body of work, and congratulate her well-deserved acceptance of the 2009 Grammy Lifetime Achievement Award.

HONORING ELI SAMUEL EBER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Eli Samuel Eber of Kansas City, Missouri. Eli is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Eli has been very active with his troop, participating in many scout activities. Over the many years Eli has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Eli Samuel Eber for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO SOL ROSENBERG

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. ALEXANDER. Madam Speaker, I rise today to recognize and pay tribute to the late Sol Rosenberg. Rosenberg, who survived Nazi death camps to become a local titan in industry, philanthropy and civil affairs, died January 30, 2009, in Monroe, La., at the age of 82.

As a young teenager, Rosenberg lived in the Warsaw Ghetto under anti-Semitic law. He was imprisoned in four death camps, participated in the Warsaw Ghetto uprising, served as a slave laborer in two slave labor camps in Poland and survived the iniquitous Dachau Death March.

After escaping from the concentration camp at Treblinka and taking part in the courageous rebellion in Warsaw, Rosenberg was sent to Dachau, where he was finally liberated after the Allies defeated the Nazis.

In 1942, Nazis took the lives of his two sisters and both parents. He also lost his extended family of over 50 uncles, aunts and cousins to this devastating war.

For almost six years, Rosenberg endured and witnessed unimaginable horror. Yet, he outlasted his enemies, miraculously evading the harrowing fate of everyone he loved, and somehow emerged with his compassion and resolve to live still intact.

After World War II, Rosenberg met his wife, Tola, in a displaced persons camp in Germany. Tola was also a survivor of the war that took her entire family.

In 1949, they left Europe for a new life in Louisiana, with little more than the clothes on their backs and a rough grasp of the English language. The couple raised their five children in this state.

In the 1950s, Rosenberg founded Sol's Pipe and Steel in Monroe, which he ran for more than 50 years. Starting this business from scratch, Rosenberg eventually became a leading industrialist and community benefactor in northeastern Louisiana—another testament to his dedication and will to survive.

Rosenberg's involvement in community affairs was expansive, as were his charitable works. Schools, civic and service organizations and many other groups were the recipients of his kindness and charity.

I ask my colleagues to join me in honoring Mr. Sol Rosenberg—a friend and inspiration to many, and whose life was a true testament of the human strength and spirit.

IN RECOGNITION OF THE HISTORIC LIFE OF HERB HAMROL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Ms. SPEIER. Madam Speaker, on April 18th, 1906, our beloved city of San Francisco experienced an earthquake and fire that devastated all but a handful of buildings and resulted in the deaths of more than 3000. When the temblor struck, at 5:12 a.m. on that spring morning, Herbert Heimie Hamrol was just three years old. When he passed away last week at the age of 106, Mr. Hamrol had outlived all other male survivors.

Madam Speaker, Herb Hamrol was and continues to be a vital part of San Francisco's history. Every year, on the anniversary of the great quake, he would rise early and leave his Daly City home in time to gather at 5:12 a.m. at Lotta's Fountain with other survivors and well-wishers. While he remembered little of the actual quake—being just 3 years old when it happened—Herb was always generous with what memories he had.

''I remember my mother carrying me down the stairs,'' he told a reporter at last year's gathering. He also recalled camping in Golden Gate Park while ominous black smoke filled the skies and rubble lay in the streets.

Herb was not just known to the historic-minded. Many San Franciscans knew him as the kind and helpful clerk at Andronico's Market on Irving Street, not far from his home after the quake, Golden Gate Park.

Defying his advanced age, Herb Hamrol worked up until a week before his death. At 106 years old, he donned an apron and punched a timeclock forty years after many had chosen to retire.

Herb Hamrol was born in San Francisco on January 10, 1903. He left school after the 8th grade for a job delivering meat for a butcher. He later worked as a phone company clerk and owned his own business—Herbert's Food Shop at 16th and Geary—for forty years. In 1963, he joined Andronico's. Cecilia, the love of his life and wife for forty years, died in 1969. He told the Chronicle in 2003 that he kept a picture of her in his room and, ''Every morning I say 'good morning' to her.''

At last year's remembrance Mayor Gavin Newsom told the crowd of 350, ''There is no greater San Franciscan than Herb.''

Madam Speaker, our city, so many times blessed, was further endowed by the many years we were allowed to call Herb our own. Our condolences go to his large and loving family, including sons Burt and Bil Hamrol; daughter-in-law Carla; grandchildren Michele, Allison, Burt Jr., Jennifer and Cecilia; great-grandchildren Lauren, Dustin, Travis, Ceidric, Nicholas and Pamela; and great-great-grandchildren Alexis and Logan.

During Herb Hamrol's century-plus life, he witnessed two world wars; the invention of television and the computer; the struggle for civil rights, women's suffrage and greater equality for all; advancements in medicine and science that included heart transplants and wonder drugs and putting a man on the Moon. Yet, through it all, Herb kept his life—and his advice—simple. When asked by a reporter to share some of the wisdom gathered in so many years on Earth, he offered a nugget as true today as it was on the day he was born: ''Don't spend every dime you get.''

IN HONOR OF CONGRESSMAN JOHN D. DINGELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor of Congressman JOHN D. DINGELL and in recognition of his outstanding service to our country as the Representative for the 15th District of Michigan. On February 11, 2009, Congressman DINGELL will become the longest serving Member in the House of Representatives.

Congressman DINGELL was born in Colorado Springs, Colorado on July 18, 1926 and followed in the footsteps of his father when he succeeded him as a Representative in Congress for Michigan's 15th Congressional District. He joined the U.S. Army at the age of 18 and at one of the defining moments in modern world history, during World War Two. He served as a Second Lieutenant in the Army and completed his military service in 1946. Congressman DINGELL attended Georgetown University for both his undergraduate and graduate degrees, earning his bachelors degree in Chemistry and J.D. from the Law School, completing his studies in 1952. Prior to obtaining his seat in Congress, Representative DINGELL opened his own private law firm and served as both a forest ranger and attorney in Wayne County, Michigan. He became a Member of the House of Representatives in 1955 at the age of 29, following the death of his father, who was the incumbent Member of Congress.

Congressman DINGELL's accomplishments in the House of Representatives include writing groundbreaking legislation on the environment such as the Clean Air Act of 1990 as well as working to pass vital animal welfare laws such as the Endangered Species Act. As Chairman Emeritus of the Committee on Energy and Commerce, Representative DINGELL has addressed some of the most significant issues facing our Nation today, such as health care and national energy policy. He continues his father's legacy in Congress by introducing the same national health care legislation his father fought for during his tenure in Congress. Congressman DINGELL's leadership has served as an undeniable example and source of inspiration to our colleagues and to all those working toward national health care legislation and issues of environmental justice.

Madam Speaker and colleagues, please join me in honor of Congressman JOHN D. DINGELL and in recognition of his exceptional accomplishments during his tenure as the longest serving Member in the House of Representatives.

HONORING THE LIFE AND ACCOMPLISHMENTS OF JOSEPH ANTHONY ZANGER, SR.

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to honor the life and accomplishments of Mr. Joseph Anthony Zanger, Sr. whose business acumen, community service and family dedication are inspirational.

Joseph was born on December 28, 1927 in San Jose, California. In true American style, Joseph was a descendent of hard-working immigrant families. His ancestors initially worked in the agricultural trade, but went on to build the largest cannery and winery in Santa Clara Valley.

He attended St. Mary's Elementary School in San Jose, Bellarmine College Preparatory, and Santa Clara University, where he majored in economics. After attending college, Joseph moved to Pacheco Pass to help manage the family's orchard operations. In 1953, he married Kathleen Kelsch from Mandan, North Dakota. They raised their four children, Wendy, Allene, Joe, and Gretchen, on their ranch on Pacheco Pass.

For over 50 years, Joseph and his two brothers, George and Eugene, farmed over 600 acres of orchards and vineyards on Pacheco Pass. Joseph's economics major enabled him to develop a business marketing strategy for the California Prune Bargaining Association, which he helped found at the age of 19. For ten years, Joseph represented San Benito and Santa Clara counties on the California/Federal Prune Administrative Committee and on the California Prune Advisory Committee. He also served as the Director of the Santa Clara Valley Winegrowers Association and President of the San Benito County Farm Bureau.

The Zanger family founded Casa de Fruta to complement their farming business. Casa de Fruta started with a small cherry stand built in 1943 and grew in the following decades to include a large fruit stand, restaurant, RV park, lodge, wine tasting, gift shop, barnyard zoo, candy store, service station, and dried fruit mailing business. Joseph oversaw the construction of the buildings and landscaped Casa de Fruta with large rocks that he hauled from the Pacheco Pass tunnel.

Joseph constantly studied safety and economic issues related to the area's transportation system. In 1978, he served on the planning committee for completion of Interstate 5 from Stockton to Santa Nella/Highway 152. In 2005, he worked to establish a new route for Highway 152/156 to connect with Highway 101 south of Gilroy. Because of the large number of traffic accidents that had occurred on these highways, his work has benefitted the hundreds, if not thousands, of Californians who travel along those highways.

I have the pleasure of employing one of Joseph's grandchildren, Meggie, in my Washington, D.C. office and I join her in celebrating her grandfather's life and accomplishments. I thank the Zanger family for their contributions to our region in California and, on behalf of our community in California's 16th Congressional District, offer sincere condolences on Mr. Zanger's passing.

IN HONOR OF DENNIS PEHOTSKY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. KUCINICH. Madam Speaker and Colleagues, I rise today in honor and recognition of Dennis Pehotsky, upon the occasion of his retirement from NASA Glenn Research Center in Cleveland, Ohio. Dennis Pehotsky is retiring after nearly thirty years of dedicated service to the NASA Glenn Research Center.

Throughout his tenure, Mr. Pehotsky reflected dedication not only to the mission of NASA, but also to his union, serving as the Vice President of the LESA's IFPTE, Local 28. His commitment to safety issues, ranging from cancer concerns in buildings to his contributions to NASA's ''Safe Return to Flight'' has served to place the welfare of all NASA employees as the top priority.

Mr. Pehotsky began his tenure in 1982 as a Voucher Examiner Purchasing Agent. Over the years, he was entrusted with thousands of the most complex orders and purchases. His outstanding performance on the job, innovative techniques and community outreach led to his appointment to the NASA Safety Committee and also led to outstanding performance ratings and several professional awards. Mr. Pehotsky was honored with the Silver Snoopy Award, NASA's most coveted award. This award, presented by NASA astronauts, honors an individual for enhancing the safety of space flight.

Madam Speaker and Colleagues, please join me in honor and celebration of Dennis Pehotsky, whose commitment to NASA, to his union and to the rights and safety of all workers is reflected throughout his professional career. His exceptional work ethic, ability to bring people together and his leadership in championing the cause of worker protection—from the electrician on the ground to the flight commander poised for take-off—has raised the bar of safety, excellence and innovation throughout NASA.

INTRODUCTION OF H.R. 795, THE DOROTHY I. HEIGHT AND WHITNEY M. YOUNG, JR. SOCIAL WORK REINVESTMENT ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. TOWNS. Madam Speaker, I rise today to give my remarks on the reintroduction of the Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act, which I first introduced in the 110th Congress. Once again, I am immensely honored and privileged to recognize the historic efforts and legacies of two of my personal heroes in supporting a profession that each of us has been proud to call our own. Moreover, I rise in support of the millions of Americans served daily by the nation's social workers. As a professional social worker, I am acutely aware of the significant contributions that social workers have made to the socio-economic fabric of our nation. Sadly, I am equally aware of the troubling challenges that prevent my professional colleagues from continuing to deliver essential social services and interventions to Americans most in need of such support.

This measure could not be introduced at a more critical moment. Our nation is experiencing challenges of a magnitude we have not faced in decades. Unemployment rates are rising, banks across the country are failing, millions of houses are in foreclosure, and a middle-class lifestyle is no longer within reach for the average American. This is placing extreme pressure on families and creating an ever-increasing need for a workforce adept at tackling issues of poverty and inequality, particularly during moments of crisis. The workforce that has historically led this charge in times of turmoil is social work.

My social work colleagues provide essential services to individuals across the lifespan and have long been the workforce to guide people to critical resources, counsel them on important life decisions, and help them reach their full potential. Social workers are society's safety net, and with our current economic challenges, the need for this safety net has grown to include and protect a diverse group of people from all walks of life.

Yet, as I stand before you today, our nation's social workers face daunting challenges, challenges that compromise the ability of these dedicated professionals to provide their clients with unparalleled service and care. These challenges are preventing students from choosing a degree in social work and causing experienced social workers to leave the field. Competing policy priorities, fiscal constraints, safety concerns, significant educational debt, comparatively insufficient salaries, increased administrative burdens, and unsupportive work environments are just a few of the common obstacles encountered by our nation's social workers. Yet, our nation's social workers do not suffer alone. Indeed, just as America's social workers struggle daily to confront mounting barriers impeding the delivery of essential services, so must millions of Americans absorb the direct impact of this compromised access to necessary care. There are already documented social work shortages in the fields of aging and child welfare.

The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act is designed to address these challenges to the social work profession, thereby helping to ensure that millions of individuals and families throughout the nation can continue to receive necessary social work services. This legislation creates the foundation for a professional workforce to meet the ever-increasing demand for the essential services that social workers provide. Professional social workers have the unique expertise and experience to help solve the social and economic challenges that our nation is facing.

I rise today with grave concern, yet resolute optimism. On one hand, I am convinced that workforce challenges, if left unaddressed, will result in a social work corps ill-equipped to provide comprehensive service to underserved communities throughout the country. Nonetheless, I recognize that we have a unique opportunity to outline, develop, and implement strategies that help the people of America. Like Dr. Dorothy I. Height, I believe that ''we hold in our hands the power . . . to shape not only our own but the nation's future,'' a future that is founded upon the dissolution of imaginary distinctions within our growing society and a renewed commitment to those struggling to keep pace.

Thus, in the words of Whitney M. Young, Jr., I stand today to ''Support the strong, give courage to the timid, remind the indifferent, and warn the opposed.'' In the name and spirit of Dorothy I. Height and the late Whitney M. Young, Jr., then, I come before you to propose a dramatic reinvestment in our nation's social work community.

I invite my colleagues in the House and Senate to consider the far-reaching effects of the ongoing conflict in the Middle East, to say nothing of the persistent echoes of years of conflict in Vietnam and Southeast Asia. More than any other group of professionals, America's social workers provide our armed services and combat veterans with mental health interventions, housing and financial counseling, case management, and advocacy, among other services. Yet, across America, social workers with unmanageable, excessive caseloads cannot properly serve the millions of veterans who will return from the Iraq War experiencing post-traumatic stress disorder, depression, suicide, and drug and alcohol addiction. Indeed, despite our best wishes, America will continue to see war-weary soldiers whose otherwise thankful homecoming may be marred by post traumatic stress disorder, traumatic brain injury, or substance abuse.

Much the same, social workers with intractable educational debt must balance the burden of repaying student loans with ever-expanding and complex caseloads, leaving young social workers struggling to assist the one in seven adults with dementia, and the hundreds of thousands of older Americans who rely upon their invaluable skills and service. With a full quarter of the American population suffering from a diagnosable mental illness, important caregiver, family, and health counseling, as well as mental health therapy will continue to suffer as professional social workers struggle to repay student loans and are forced into better paying careers.

In addition to these and other invaluable services provided to our nation's veterans and senior citizens, however, the efforts of America's social workers have a direct and measurable impact upon communities throughout the nation. A brief sampling of these efforts includes:

Child Welfare: The Children's Defense Fund has found that an American child is confirmed as abused or neglected every 36 seconds. Similarly, a recent estimate by U.S. Administration for Children and Families indicates that 510,000 children are currently living within the U.S. foster care system, with most children placed under the care of foster parents due to parental abuse or neglect. Research shows that professional social workers in child welfare agencies are more likely to find permanent homes for children who were in foster care for 2 or more years. Unfortunately, fewer than 40 percent of child welfare workers are professional social workers.

Health: The American Cancer Society estimates that there were 1,437,180 new cases of cancer and 565,650 cancer deaths in 2008 alone, while the incidence of cancer will increase dramatically as the population grows older. Similarly, the Centers for Disease Control and Prevention report that as many as 1,285,000 Americans are living with HIV or AIDS. In 2006, 1.3 million people received

care from one of the nation's hospice providers. Health care and medical social workers practice in all of these areas and provide outreach for prevention, help individuals and their families adapt to their circumstances, provide grief counseling, and act as a liaison between individuals and their medical team, helping patients make informed decisions about their care.

Education: The National Center for Education Statistics states that, in 2005, the national dropout rate for high school students totaled 9.3 percent. White students dropped out at a rate of 5.8 percent, while African American students dropped out at a rate of 10.7 percent, and Hispanic students dropped out at a rate of 22.1 percent. Some vulnerable communities have drop out rates of 50 percent or higher. Social workers in school settings help at-risk students through early identification, prevention, intervention, counseling and support.

Criminal Justice: According to the United States Department of Justice, every year more than 650,000 ex-offenders are released from Federal and State prisons. Social workers employed in the corrections system address disproportionate minority incarceration rates, provide treatment for mental health problems and drug and alcohol addiction, and work within as well as outside the prison environment to reduce recidivism and increase positive community reentry.

For these reasons, and innumerable others, America will increasingly demand the services of a highly skilled professional social work community. Unfortunately, this community is not currently equipped to keep pace with this increasing demand for vital services throughout the country. The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act will provide the necessary insight and perspective to guide current and future investment in this indispensable profession and the individuals and families they serve, while providing immediate support for demonstration programs throughout the country.

I am proud to introduce the Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act and must acknowledge the passionate advocacy of the National Association of Social Workers (NASW), Action Network for Social Work Education and Research (ANSWER), Association of Baccalaureate Social Work Program Directors (BPD), Association of Oncology Social Work (AOSW), Clinical Social Work Association (CSWA), Council on Social Work Education (CSWE), Group for the Advancement of Doctoral Education in Social Work (GADE), Institute for the Advancement of Social Work Research (IASWR), National Association of Black Social Workers (NABSW), National Association of Deans and Directors of Schools of Social Work (NADD), Social Welfare Action Alliance (SWAA), and the Society for Social Work and Research (SSWR) on behalf of this legislation. As drafted, this bill will create a Social Work Reinvestment Commission to provide a comprehensive analysis of current trends within the professional and academic social work communities. Specifically, the Commission will develop recommendations and strategies to maximize the ability of America's social workers to serve individuals, families, and communities with expertise and care. The recommendations will be delivered to Congress and the Executive Branch.

This Commission will investigate in greater detail the numerous areas where social workers have a profound impact upon their client population, including aging, child welfare, military and veterans affairs, mental and behavioral health and disability, criminal justice and correctional systems, health and issues affecting women and children. More significantly, the Commission established within this legislation will provide needed guidance to protect the profession that has historically protected the most vulnerable in society. These concerns are also directly related to national discussions affecting entitlement programs such as Social Security, Medicare and Medicaid, and the Temporary Assistance for Needy Families program, to name only a few.

While the Social Work Reinvestment Commission included within the proposed legislation will work to ensure that America's underserved families and individuals receive professional care and social services in the years to come, I urge my colleagues to recognize the urgency of the pervasive challenges confronting our nation's 600,000 professional social workers at this very moment. The Dorothy I. Height and Whitney M. Young, Jr. Social Work Reinvestment Act will also create demonstration programs to address relevant ''on the ground'' realities experienced by our nation's professional social workers. The competitive grant programs will prioritize activities in the areas of workplace improvements, research, education and training, and community based programs of excellence. These grants programs will provide Congress guidance on the establishment of best practices and the replication of successful programs nationally and as such, this initial investment will be returned many times over both in supporting ongoing efforts to establish efficacious social service solutions and in direct service to affected client communities.

While the singular goal of this legislation is the delivery of vital services to our nation's underserved communities by means of a reenergized and emergent academic and professional social work corps, it is essential to undertake preliminary efforts to assess the best means by which to confront ongoing challenges cutting across diverse communities.

Finally, in bringing this measure before my esteemed House colleagues, I would be remiss to neglect the heroes in whose name this vital reinvestment in our nation's social workers is made—Dr. Dorothy I. Height and Mr. Whitney M. Young, Jr. The exemplary efforts undertaken by model social work programs throughout the country and the forward-thinking initiative instilled within the Social Work Reinvestment Commission serve as a reflection of the common strengths of Dr. Height and Mr. Young, while the legislation I propose in their names will enable our most talented social workers to continue and broaden their collective efforts.

A lifelong advocate for racial and gender equality, Dorothy I. Height has applied the professional training she received at the New York School of Social Work to challenges dauntingly large and deceptively small. A confidant and protege of renowned activist and educator Dr. Mary McLeod Bethune, Dr. Height began her long and esteemed relationship with the National Council of Negro Women (NCNW) when then-Council President Dr. Bethune noticed a young African-American woman escorting First Lady Eleanor Roosevelt into a Council meeting. From that moment forward, Dr. Height served as a stalwart champion for the rights of African American women and the families they love and support. Leading both as NCNW President, and a crusader within the American Civil Rights Movement, Dr. Height's efforts obliged the nation to recognize the disturbing lack of basic social services within America's low-income and minority communities in her time and still today.

Bound by an undying commitment to women and families left unsupported by prevailing social services, Dr. Height's commitment to the study and practice of social work and faith in the power of direct care and intervention have remained indelible throughout her decades of service on behalf of both the NCNW and the YWCA. In fact, in many instances, such support for social work could be found at the forefront of these efforts, with Dr. Height serving as an advocate and professor of social work in developing countries throughout the world.

Much the same, Civil Rights leader, educator, and long-time President of the National Urban League, Whitney Young leveraged the skills and values strengthened within his advanced study and practice as a social worker to lead the Urban League to unprecedented successes in its ongoing commitment to provide economic opportunity for America's most disadvantaged. A close advisor to three Presidents—Democrats John F. Kennedy and Lyndon Johnson, as well as Republican Richard Nixon—Mr. Young brought a unique ability to work for change from within the often-contentious political paradigm of mid-century America. Expanding the size and influence of the National Urban League exponentially during his time as president, Mr. Young guided a once-fledgling, guarded organization to the vanguard of the American Civil Rights Movement.

In fact, his personal efforts and bold vision contributed significantly to the creation of President Lyndon Johnson's War on Poverty and similarly historic and transformative policy initiatives.

Yet, throughout and within each of his great accomplishments, Mr. Young brought with him a profound appreciation for the power of social services within communities historically neglected and underserved. In fact, in a formative moment during his tenure as Dean of Social Work at Atlanta University, Young stood as a vocal advocate for his alumni in their boycott of the Georgia Conference of Social Work. Aware of the great responsibilities of his colleagues and students, Mr. Young fought for a responsive and dedicated social work corps, the services of whom must be directed to those most in need. As President of both the National Conference on Social Welfare and the National Association of Social Workers, Young led efforts within the social work community to expand and more assiduously target services to low-income and minority communities neglected throughout our nation's history.

In this emboldened spirit, the legislation that today bears the names of Whitney M. Young, Jr. and Dorothy I. Height will enable an already active American social work workforce to overcome lingering barriers to the delivery of essential services to underserved client populations throughout the country. This investment in our nation's social workers is both a commitment to the continued support of their

critical role within American society, and an anticipation of the great advances still achievable within the field. I urge my colleagues in both Chambers to support this measure both in honor of Dr. Dorothy I. Height and the late Whitney M. Young, Jr. and in resolute defense of the ideals and the people to whom Dr. Height and Mr. Young have dedicated their lives.

IN HONOR OF REDA BENDA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Reda Benda, devoted wife, mother, grandmother and friend, whose spirit, positive attitude and service to others has left an indelible imprint upon our Cleveland community.

Mrs. Benda married Elmer Benda at Holy Name church in 1941, where she remained an active parishioner her entire adult life. Together they raised five children: James, Elmer, Kathleen, William and Rosemary. Mrs. Benda was the center of her family—always surrounded by the support and strength of her children, sixteen grandchildren and twenty great grandchildren.

Her devotion to her family extended into the community, throughout the North Broadway neighborhood where her leadership and concern for others lifted the lives of countless neighbors. Mrs. Benda was a founding member of the Jones Road Town Club, a member of the Orchard Civic Club and she logged nearly 7,000 hours as a volunteer at St. Alexis Hospital. She was active in several neighborhood senior organizations, including Holy Name, St. Stan's and St. Therese Senior Citizen Groups. Additionally, Mrs. Benda was a passionate participant in the democratic process. She was an active member of the Ward 12 Democratic Club and the Cleveland Women's Democratic Club. Moreover, Mrs. Benda was a Democratic Precinct Committeewoman for nearly twenty years.

Madam Speaker and Colleagues, join me in honor and remembrance of Reda Benda, whose joyous life is one to celebrate and emulate. I offer my heartfelt condolences to Mrs. Benda's children, grandchildren, great grandchildren, extended family and many friends. Although she will be greatly missed, her unwavering devotion to faith, family, friends and to the people of the North Broadway neighborhood has touched the lives of everyone who knew her, and she will never be forgotten.

SAN JOSE ELEMENTARY SCHOOL IN DUNEDIN, FLORIDA CELEBRATES ITS 50TH ANNIVERSARY

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. YOUNG of Florida. Madam Speaker, the students, parents, faculty and staff of San Jose Elementary School celebrate 50 years of educational excellence this week in Dunedin, Florida, which I have the honor to represent.

Monika Wolcott, San Jose's principal, and her staff take great pride in providing a close-knit family that works with parents and local businesses to challenge their students to achieve the highest standards. Their motto is Commitment to Character and SOS (self, others, school).

San Jose Elementary welcomed its first students on September 2, 1958 to a growing part of North Pinellas County and now has as its students the children of many of its alumni.

The school has been called one of Pinellas County's best kept secrets and sits on a very unique piece of property. It is immediately adjacent to the 75 acre Hammock Park, the Dunedin Nature Center, the Gulf of Mexico and the Pinellas Trail, a county-long recreational pathway.

Madam Speaker, it is my hope that my colleagues will join me in saying thank you to San Jose Elementary for providing a half-century of caring service to the thousands of students who have passed through its doors. As the times and technologies have changed over the years, one thing has remained constant. That is a commitment to a warm and caring learning environment which has led to a quality education for Pinellas County elementary students. My congratulations go out to the San Jose Hawks, their parents and teachers for a job well done.

IN HONOR OF MARLENE ELLIOTT BROWN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to pay tribute to Marlene Elliott Brown. In a state with many "firsts" in its history, we are proud of the fact that Marlene was the first female State Director for USDA Rural Development, and after eight years she has left big shoes to fill for those that will follow her. This amazing woman's nearly twenty-six years of tireless federal service have been nothing but extraordinary.

A native of Laurel, Delaware, Marlene's career in public service began in 1982, when she joined the staff of the late U.S. Senator William V. Roth. She became the Senator's State Director and served him faithfully for eighteen years. On March 14, 2001, she was appointed by President George W. Bush to serve as the Delaware/Maryland Director for USDA Rural Development. Marlene's eight years in this position are marked with many noteworthy accomplishments including: 1065 Delaware families or individuals becoming new homeowners; 2855 jobs created or saved; 44,188 homes and businesses that benefited from improved central water and wastewater systems; and 235 homes of individuals with disabilities that were repaired to remove health and safety hazards.

But Marlene's impact on those around her is certainly not limited to her professional career. She is a role model for others and is involved in many community organizations, having served as President for the Georgetown-Millsboro Rotary Club, Vice Chairman of the Republican State Committee, Honorary Commander at the Dover Air Force Base, Board Member of the Delmarva Christian High School, member of the Delaware Tech Educational Foundation Council, and through her faith as a member of Trinity UMC and the Delmar Christian Center.

Marlene once described the late Senator William Roth in the following words, "all were better for the time spent with him. He gave everyone opportunity, he led by example, and he showed the path for public service." I find Marlene Elliott Brown to be all of those things and more. She is a thoughtful leader, an insightful and honest woman, a tireless volunteer in her community and church, a dedicated public servant, and above all, a loyal and generous friend.

I congratulate Marlene for her years of extraordinary service to the state of Delaware and the countless citizens who have been touched in some way by her dedication. On behalf of all Delawareans, I would like to thank her parents—Marshall and Blanche Elliott; her husband—Jim; and her friends for sharing her with us over these many years. Marlene is an exemplary citizen and like other outstanding individuals before her, "we are better for the time spent with her."

IN HONOR OF JUDGE LARRY A. JONES, SR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Judge Larry A. Jones, Sr., who was recently sworn-in to serve as Judge with the Court of Appeals of Ohio, Eighth Appellate District, where he will hear cases on appeal in Cuyahoga County.

Judge Jones, a lifelong resident of the Cleveland area, has a multifaceted and rich history of public service, which began at Glenville High School, where he was elected President of the Student Council. Following High School, Judge Jones realized the importance of a solid educational foundation. He earned a Bachelor of Arts degree from Wooster College, then went on to earn a Juris Doctorate degree from Case Western Reserve University School of Law.

Judge Jones served as the Assistant County Prosecutor for Cuyahoga County from 1978 to 1981, when he was elected to the Cleveland City Council, where he represented the residents of Ward 10 for five years. In 1987, Judge Jones was elected Judge of the Cleveland Municipal Court, and was re-elected every six years thereafter. Throughout his tenure, Judge Jones created an atmosphere of teamwork among the judges, uniting to develop programs to pave the way for offenders to renew their lives, thereby reducing recidivism. In 1998, Judge Jones was selected by judicial leaders to preside as the Judge for the Greater Cleveland Drug Court, a multi-tiered program involving city and county agencies that focuses on drug offenders in two main ways: Accountability and treatment resources. This vital program continues to turn lives around and provides hope for individuals and families caught in the devastating web of drug abuse, providing them with the tools to break free and reclaim their lives.

Madam Speaker and colleagues, please join me in celebrating the work of Judge Larry A.

Jones, Sr. as he begins his service as Judge with the Court of Appeals of Ohio, Eighth Appellate District. His unwavering dedication, professionalism, integrity and sense of compassion will continue to empower, uplift and strengthen the lives of every person who may find herself or himself seated before him. His tenure as the Judge of the Greater Cleveland Drug Court has made an immeasurable impact on the lives of countless individuals throughout our community, and he will continue to do so as Judge with the Eighth Appellate District of Ohio.

A TRIBUTE TO CAROLYN M. CUSTARD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize Carolyn M. Custard and her achievements as the Principal of Cecil D. Hylton Senior High School in Woodbridge, Virginia.

Principal Custard treats her students and faculty as family. The school motto, ''We are Family Working Together for Total Success'' resonates through every interaction at Hylton Senior High School. There is mutual trust and respect amongst the students, parents, faculty and administration, and all strive to meet Principal Custard's signature high expectations. She leads with positivity; motivating those around her to excel with efforts that are earnest and determined.

Principal Custard's approach to education is remarkable and her success undeniable. The percentage of special education students who passed the Standards of Learning exams rose to 80% from 59% in just one year. In 2008, Ms. Custard was named the 2008 Outstanding High School Principal of Virginia, and Hylton Senior High School was recently placed in the top 5% of Newsweek's Top 1000 High Schools in the Nation.

Principal Custard preaches collaborative leadership and established the Principal's Advisory Council. Composed of parents, students and staff, the Council encourages engagement in the school's community. Principal Custard education system can only benefit as parents and students take ownership in the performance and future of their local schools.

In recognition of her innovation and sincere dedication to education, the National Association of Secondary School Principals named Principal Custard as one of their six finalists for the 2009 Principal of the Year Award.

Madam Speaker, I ask that my colleagues join my endorsement of Principal Custard's leadership in our nation's education system.

COMMEMORATION OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE'S 100TH ANNIVERSARY

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. SESTAK. Madam Speaker, I rise today to acknowledge the contributions of the following individuals, and the organizations they lead, for their consistent and essential support to my constituents in the 7th Congressional District of Pennsylvania.

I thank Darrell Jones, of West Chester; Sheila A. Carter of Darby; Reverend Albert G. Davis of the Mainline; Dr. Joan Duval-Flynn of Media; M. Lana Shells of Norristown; Jerome Whyatt Mondesire of Philadelphia; Alice H. Hammond of West Chester; and, Linda Osinupedia of Yeadon for their tireless efforts.

These 21st Century American patriots carry on the traditions of the NAACP whose mission ''to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination,'' remains as vital today as it was when founded a century ago.

HONORING ARMTEC DEFENSE PRODUCTS COMPANY

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mrs. BONO MACK. Madam Speaker, it is both an honor and a privilege to congratulate Armtec Defense Products Company on their 40th anniversary. For the past four decades, this organization has worked diligently with the U.S. military to create products to protect and defend our county.

Armtec Defense Company began with a simple technical innovation, combining nitrocellulose into inert paper products, a superior invention that remains the industry standard even today. In 1968, founder and innovator Pete DeLuca opened the Armtec facility in Coachella, California, and began production of combustible 152mm cartridge cases. This product was used by the U.S. Army for nearly 30 years on Armored Reconnaissance Vehicles, and I commend Armtec for supplying our armed forces with the vital support our troops deserve.

For the past 40 years, Armtec has developed numerous combustible ordnance products for the U.S. Army and U.S. Marine Corps. These products are utilized by a vast majority of U.S. tank, artillery and mortar rounds in our military, and have been supplied to our forces in past military engagements such as Vietnam, Desert Storm, Operation Enduring Freedom and Operation Iraqi Freedom.

Armtec Defense Products Company has been and continues to be a wonderful asset to the Coachella Valley. Over the decades, they have provided thousands of jobs to the local residents of the 45th Congressional District, which is crucial during these economic times. Additionally, Armtec supports numerous worthy causes throughout our community, like the U.S. Marine Scholarship Fund, Navy League, and the United Way.

Armtec Defense Products Company's dedication to our nation's military is invaluable. On behalf of the constituents of the 45th District and the greater United States, we thank you for your contributions to our country's past and future.

Again, congratulations on your 40th anniversary.

ON THE INTRODUCTION OF THE FEDERAL EMPLOYEE RETIREMENT SYSTEM (FERS) SICK LEAVE EQUITY ACT OF 2009

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to introduce the bipartisan ''Federal Employee Retirement System (FERS) Sick Leave Equity Act'' that I am offering with my colleague Representative FRANK WOLF (R–VA). The current sick leave policies for the civil service are inappropriately bifurcated between new and older systems, and the current system is costing the Federal Government millions in lost productivity each year.

Today, Federal employees enrolled in FERS may accrue annual sick leave over the course of their career, but under the current ''use-it or lose-it'' policy, all sick leave is eliminated at retirement. Representative WOLF and I believe that this policy serves as a disincentive to conserve sick leave—or an incentive to use sick leave at the end of careers when employees are not really sick. An August 2008 Congressional Research Service (CRS) report indicated that sick leave balances were significantly lower for FERS employees than CSRS employees, and a survey of FERS and CSRS employees showed that 85% of CSRS employees conserve as much sick leave as possible, whereas 75% of FERS employees said they would use as much sick leave as possible during their last years. The Office of Personnel Management confirmed the existence of this ''FERS flu'' phenomenon as well, asserting that the lost productivity and training of new employees to fill in for absent employees cost the Federal Government an estimated $68 million annually. This lost productivity accompanies the aging workforce nearing retirement over the next ten years.

The use of sick leave is a significant problem to the efficiency and effectiveness of the Federal Government, but it is also a challenge that has been overcome before. The story of how employees in CSRS got their sick leave benefit provides insight into the same challenges the Federal Government faces today. Originally CSRS employees had no benefit—they all forfeited any unused sick leave upon retirement. As a result, Federal employees were burning their sick leave at the end of their careers. The Civil Service Commission estimated that half of all retiring Federal employees had no sick leave; Congress reported that retiring employees used an average of 40 sick leave days in their last year before retirement.

In response to this problem, in 1969, Congress changed the law to permit employees to receive credit for any accrued sick leave. This policy has remained in place for CSRS—whatever accrued sick leave an employee has, that time is added to their annuity. Not surprisingly, Federal employees began conserving sick leave. A later GAO report showed that retiring employees had significantly higher sick leave balances than those who retired before the law was changed.

The Congress's failure to learn from the past has caused history to repeat itself. When the FERS retirement system was created in 1986, Congress explicitly eliminated the sick

leave incentive, though they were cognizant of the possible consequences. Report language accompanying the new statute indicate that Congress believed that ''without an incentive to save sick leave, the use of sick leave may increase substantially.''

The ''FERS Sick Leave Equity Act'' will reverse the growing trend of using sick leave by providing the same benefit to FERS retirees that CSRS retirees currently receive. Under the proposal, all FERS-eligible employees will add their accrued sick leave to the years of service that employee has worked in the Federal Government. These years of service are part of the FERS retirement benefits calculation, providing a real incentive to accrue as much sick leave as possible.

The proposal has gained widespread endorsement by Federal employees who know the problem firsthand: the managers who experience the problem every day and the organizations that know the negative effect of the ''use-it or lose-it'' policy. The supporting organizations include the American Federation of Government Employees (AFGE), American Foreign Service Association (AFSA), American Postal Workers Union (APWU), FAA Managers Association (FAAMA), Federal Managers Association (FMA), Federally Employed Women (FEW), Government Managers Coalition (GMC), Senior Executives Association (SEA), National Council of Social Security Management Associations (NCSSMA), Professional Managers Association (PMA), National Association of Government Employees (NAGE), National Association of Postal Supervisors (NAPS), National Active and Retired Federal Employees Association (NARFE), National Federation of Federal Employees (NFFE), National Rural Letter Carriers Association (NRLCA), and the National Treasury Employees Union (NTEU). I am proud and grateful to have this support for the proposal.

Madam Speaker, we need to incentivize the accrual of sick leave, not to keep a policy in place that encourages people to call in sick in the weeks leading up to retirement. It will save the Federal Government millions while providing sick leave parity for FERS employees and their CSRS counterparts. I look forward to working with the Committee on Oversight and Government Reform and the full House of Representatives on this pressing issue.

INTRODUCTION OF THE CHESAPEAKE GATEWAYS AND WATERFALLS NETWORK REAUTHORIZATION

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. SARBANES. Madam Speaker, I rise today to introduce legislation to reauthorize the Chesapeake Bay Gateways Network (CBGN), a program that connects those who live in the Bay watershed to the natural, cultural and historic resources of the Bay and thereby encourages individual stewardship of these resources.

The legislation I am introducing today is identical to the bill that passed the House of Representatives by an overwhelming and bipartisan vote of 321 to 86 during the 110th Congress. Unfortunately, we were not able to get the bill to the President's desk but I am hopeful that we will complete our work on this legislation during the 111th Congress.

Since 2000, Gateways has grown to include more than 150 sites and over 1500 miles of established and developing water trails in six states and the District of Columbia. Through grants to parks, volunteer groups, wildlife refuges, historic sites, museums, and water trails, the Network ties these sites together to provide meaningful experiences and foster citizen stewardship of the Chesapeake Bay.

Madam Speaker, for a very modest investment, the Gateways program helps foster the citizen stewardship that will be necessary to advance Bay cleanup and maintain the gains we hope to make in the coming years. By reauthorizing the Gateways program and providing access to the beautiful sites that make up the network, we can help develop the next generation of environmental stewards, which is one of the best ways to truly ''Save the Bay.'' I hope that my colleagues will support this legislation so the Park Service can continue to play a key role in the Bay cleanup effort.

DISTRICT OF COLUMBIA LEGISLATIVE AUTONOMY ACT OF 2009

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Ms. NORTON. Madam Speaker, last week, I introduced the District of Columbia Budget Autonomy Act. Today, I am introducing its fraternal twin, the District of Columbia Legislative Autonomy Act of 2009, to end discriminatory and unnecessary congressional review of District of Columbia legislation. I introduce these bills in sequence because Congress makes a mockery of self-government when it denies the citizens of the nation's capital the right to enact a local budget, as well as civil and criminal laws, free from interference.

In 2007, this bill was passed by the Committee on Oversight and Government Reform, and the Budget Autonomy bill was cleared by the subcommittee on Federal Workforce, Postal Service and District of Columbia that year as well. However, I decided to delay taking these bills to the floor because of threatened debilitating amendments and possible difficulties getting President Bush to sign these bills.

The legislative autonomy bill would eliminate the 30 day and 60 day congressional review period for civil and criminal bills, respectively. Because the period of Congressional review involves only days when Congress is in session, not ordinary calendar days, bills signed by the mayor laws typically do not become law for months. A required hold on all D.C. bills forces the D.C. City Council to pass most legislation using a cumbersome and complicated process in which bills are passed concurrently on an emergency, temporary, and permanent basis to ensure that the operations of this large and rapidly changing city continue uninterrupted. Because of the complications and timeframes involved, some bills do not become law at all. The Legislative Autonomy Act would eliminate the need for the D.C. City Council to engage in this Byzantine process.

The current law is an obsolete, demeaning, and cumbersome mechanism, which Congress no longer uses, and seldom used in the past. Yet, the D.C. City Council continues to be bound by Section 602 of the Home Rule Act, and therefore continues to abide by its awkward and debilitating rules. Our bill would do no more than align D.C. City Council and congressional practices. Instead of the cumbersome formal filing of disapproval resolutions that require processing in the House and the Senate, the Congress has preferred to use appropriations attachments. It is particularly unfair to require the D.C. City Council to engage in the tortuous process prescribed by the Home Rule Act that Congress itself has discarded. My bill would eliminate the formal review system that long ago died of old age and disuse. Congress has walked away from the layover review and should allow the city to do the same.

Today's bill, of course, does not prevent review of District laws by Congress. Under Article I, Section 8 of the Constitution, the House and the Senate could scrutinize every piece of legislation passed by the D.C. City Council, if desired, and could change or strike such legislation under its plenary constitutional authority over the District. However, since the Home Rule Act became effective in 1974, of the more than 2,000 legislative acts that have been passed by the D.C. City Council and signed into law by the Mayor, only three resolutions to disapprove of a D.C. bill have been enacted, and two of these involved a distinct federal interest. Placing a hold on our 2,000 D.C. bills has not only proved unnecessary, but has meant untold wasted costs in terms of money, staff and time to the District and the Congress. Although 36 years of Home Rule Act history shows that congressional review is unnecessary, this bill merely eliminates the automatic hold placed on local legislation and the need for the D.C. City Council to use a phantom process passed for the convenience of Congress, but one that Congress has eliminated in all but law.

Congress continually urges the District government to pursue efficiency and savings. It is time for Congress to do its part to promote greater efficiency, both here and in the District, by streamlining its own redundant and discarded review processes. Eliminating the hold on D.C. legislation would not only save scarce D.C. taxpayer revenue, but would benefit the city's bond rating, which is affected by the shadow of congressional review that delays the finality of District legislation. At the same time, Congress would not give up any of its plenary power because the Congress may intervene into any District matter at any time under the Constitution.

The limited legislative autonomy granted in this bill would allow the District to realize the greater measure of meaningful self-government and Home Rule it deserves and has more than earned in the 36 years since the Home Rule Act became effective. I urge my colleagues to pass this important measure.

HONORING ALISHA YOUNG, YOUTHBUILD LEADER

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. RAHALL. Madam Speaker, today I wish to recognize a dedicated and committed

young woman in West Virginia, Alisha Young. Ms. Young, a native of Montgomery, West Virginia, has overcome steep odds to gain an education and has tirelessly dedicated herself to the betterment of southern West Virginia and her neighbors.

Despite hardship early on, Ms. Young worked part-time in her local community to help her mother provide for their family and got herself through high school and into college. After a series of unfortunate choices, Alisha found herself back at home and joined YouthBuild, a youth and community development program which addresses low-income community challenges, including housing, education, employment, crime prevention, and leadership development.

Ms. Young speaks passionately about her work with YouthBuild. In a recent editorial in The Charleston Gazette, she highlighted the opportunity that participants have to obtain their GEDs or high school diplomas while learning career- and leadership-skills and earning money to build affordable homes for homeless and underprivileged families.

Now a self-proclaimed YouthBuild leader, Alisha has persevered and hopes to return to her education in the near future. She is currently serving in the AmeriCorps VISTA program and working with the YouthBuild USA Young Leaders Council.

It is from Alisha Young's example that I hope we can all learn. Her enthusiasm for her work and YouthBuild are a testament to the strong and compassionate spirit of volunteerism in West Virginia and America.

As citizens of this great Nation, it is our duty to help the less fortunate using our strengths and talents to help those in need, and to inspire those who are lost. Today, I am proud to recognize her hard work and determination and congratulate Ms. Young for her commitment to personifying the change she hopes to see in the world through her work.

THE BELLS OF BALANGIGA: IT IS TIME TO GO HOME

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. FILNER. Madam Speaker, I recently reintroduced my bill, H. Con. Res. 30, which urges the President to authorize the transfer of ownership to the Philippines of the bells taken in 1901 from the town of Balangiga in the Philippines. The bells are currently displayed at F.E. Warren Air Force Base in Cheyenne, Wyoming.

In the 108 years since the taking of the bells occurred, the citizens of the United States and the Philippines have shared many historic and political ties. The Philippines was a staunch ally of the United States during World War II. Brave Filipino soldiers were drafted into service by President Franklin D. Roosevelt, fought side-by-side with American soldiers, and were instrumental in the successful outcome of World War II. Filipino soldiers also fought along side our soldiers on the battlefields of Korea and Vietnam.

Since the independence of the Philippines in 1946, the U.S.-Philippine relationship has been largely one of friendship and cooperation. The Philippines is a republic patterned basically on our own system of government. The Philippines is a valuable trading partner of the U.S. and an ally in the war against terrorism. Approximately 2.9 million Americans are of Filipino descent and close to 250,000 United States citizens reside in the Philippines. The acts of conflict that surrounded the taking of the bells of Balangiga are not consistent with the friendship that is currently an integral part of the relationship between our two nations.

The Republic of the Philippines has repeatedly requested the return of the bells. They are an important symbol to the Filipino people, who wish to have them re-installed in the belfry of the Balangiga Church. I believe that it is time to resolve this situation in order to solidify the bonds between our two nations. My resolution would honor and promote the positive relationship our counties enjoy.

As the years pass, I am confident that relations between our two nations will grow even stronger. To that end, the United States Government which has final disposition over the bells of Balangiga should transfer ownership of the bells to the people of the Philippines as a measure of good will and co-operation.

LET'S PROTECT MOBILE HOMES

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. FILNER. Madam Speaker, I have re-introduced the Mobile Home Protection Act (H.R. 741). The purpose of this bill is to provide Section 8 assistance to low-income owners of mobile homes.

Owning one's home is a central part of the American Dream. For many low-income Americans, mobile homes provide the opportunity to achieve this goal of homeownership.

However, in many cases, while the family owns their home, they do not own the land on which the home sits. In some cases, the landlord will not accept section 8 vouchers for the land on which the mobile home sits.

I have introduced the Mobile Home Protection Act to correct this problem. This bill would provide this Section 8 assistance directly to the homeowners to apply towards their rent costs for the land on which their homes sit.

Many mobile home owners have invested their life savings into buying their mobile homes. As mobile home park rents increase these low-income homeowners are not able to keep up with this cost. This legislation will help keep these homeowners in their homes and maintain these established communities.

NO MORE NAVY BASES ON FAULT LINES

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. FILNER. Madam Speaker, I recently introduced legislation, H.R. 740, intended to prevent the Department of Defense from building new bases and facilities along seismic fault lines.

In San Diego, California, the Department of the Navy is planning a mixed-use development along the downtown waterfront that will incorporate not only a new Navy headquarters, but also business, commercial, and housing elements. It has come to my attention that the land in question is within the Uniform Building Code (UBC) Seismic Zone 4.

My bill requires the lease for this development to be revoked unless the Secretary of the Navy determines that seismic activity would not have any significant impact on any portion of the proposed development. My bill would also extend this requirement to other leases on which no substantial construction has already begun.

In my view, it is only reasonable to require a scientific review of this issue before construction begins. We should not allow the Department of Defense to build new bases on fault lines.

HONORING SLAIN LAW ENFORCEMENT OFFICERS!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 10, 2009

Mr. FILNER. Madam Speaker and colleagues, I rise today to speak about a concurrent resolution that I have reintroduced that recognizes the service and sacrifice of our law enforcement officers killed in the line of duty.

My legislation would express the sense of Congress that a stamp, called the Law Enforcement Officers Memorial Stamp, should be issued to honor law enforcement officers killed in the line of duty.

On average, a law enforcement officer is killed in America every other day. Since 1792, when recordkeeping started, more than 18,200 officers have lost their lives in service to their communities. In 2008, 140 officers were killed in the line of duty.

Too many police officers are killed or injured in the line of duty every day and this legislation is a way to thank those who put their lives in danger every time they put on their uniforms. I am proud to sponsor such a worthy legislation.

I invite my colleagues to join with me in commending our law enforcement officers. It is extremely important that we honor these everyday heroes! Please join me in supporting the Law Enforcement Officers Memorial Stamp Act (H. Con. Res. 31).

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1, American Recovery and Reinvestment Act.

Senate

Chamber Action

Routine Proceedings, pages S2037–S2089

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 402–408, and S.J. Res. 8–9. **Pages S2079–80**

Measures Passed:

American Recovery And Reinvestment Act: By 61 yeas to 37 nays (Vote No. 61), Senate passed H.R. 1, making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, after taking action on the following amendments proposed thereto: **Pages S2039–69**

Adopted:

Reid (for Collins/Nelson (NE)) Amendment No. 570, in the nature of a substitute. **Pages S2039–69**

During consideration of this measure today, Senate also took the following action:

By 61 yeas to 37 nays (Vote No. 60), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 201 of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to Reid (for Collins/Nelson (NE)) Amendment No. 570, in the nature of a substitute. The point of order that the amendment was in violation of section 201 of S. Con. Res. 21, FY08 Congressional Budget Resolution, was not sustained. **Page S2069**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Inouye, Baucus, Reid, Cochran, and Grassley. **Page S2069**

Appointments:

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senator as Vice Chairman of the Senate Delegation to the Canada-U.S. Interparliamentary Group conference during the 111th Congress: Senator Crapo. **Page S2089**

Messages From the House: **Page S2075**

Measures Referred: **Page S2075**

Executive Communications: **Pages S2075–79**

Additional Cosponsors: **Page S2080**

Statements on Introduced Bills/Resolutions: **Pages S2080–84**

Additional Statements: **Page S2075**

Amendments Submitted: **Pages S2084–88**

Notices of Hearings/Meetings: **Page S2088**

Authorities for Committees to Meet: **Pages S2088–89**

Record Votes: Two record votes were taken today. (Total—61) **Page S2069**

Adjournment: Senate convened at 10 a.m. and adjourned at 4:48 p.m., until 10 a.m. on Wednesday, February 11, 2009. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2089.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Austan Dean Goolsbee, of Illinois, and Cecilia Elena Rouse, of California, both to be Members of the Council of Economic Advisers.

Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

Also, committee announced the following subcommittee assignments:

Subcommittee on Financial Institutions: Senators Johnson (Chair), Reed, Schumer, Bayh, Menendez, Akaka, Tester, Kohl, Merkley, Bennet, Crapo, Bennett, Hutchison, Bunning, Martinez, Corker, and DeMint.

Subcommittee on Housing, Transportation, and Community Development: Senators Menendez (Chair), Johnson, Reed, Schumer, Akaka, Brown, Tester, Kohl, Warner, Merkley, Vitter, Hutchison, Bennett, Johanns, Crapo, Martinez, and DeMint.

Subcommittee on Securities, Insurance, and Investment: Senators Reed (Chair), Johnson, Schumer, Bayh, Menendez, Akaka, Brown, Warner, Bennet, Dodd, Bunning, Martinez, Bennett, Crapo, Vitter, Johanns, and Corker.

Subcommittee on Economic Policy: Senators Brown (Chair), Tester, Merkley, Dodd, and DeMint.

Subcommittee on Security and International Trade and Finance: Senators Bayh (Chair), Kohl, Warner, Bennet, Dodd, Corker, and Johanns.

TROUBLED ASSET RELIEF PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the financial rescue program, focusing on a new plan for the Trouble Asset Relief Program (TARP), after receiving testimony from Timothy F. Geithner, Secretary of the Treasury.

HEALTH REFORM BUDGET

Committee on the Budget: Committee concluded a hearing to examine issues and budget options for health reform, focusing on expanding health insurance coverage and the efficiency of the health care system, after receiving testimony from Douglas W. Elmendorf, Director, Congressional Budget Office.

RENEWABLE ELECTRICITY STANDARD PROPOSAL

Committee on Energy and Natural Resources: Committee concluded a hearing to examine renewable electricity standards proposal, after receiving testimony from David A. Wright, South Carolina Public Service Commissioner, Columbia, on behalf of the Southeastern Association of Regulatory Utility Commissioners; Ralph Izzo, Public Service Enterprise Group Incorporated, Newark, New Jersey; Donald N. Furman, Iberdrola Renewables, Inc., Portland, Oregon; Scott P. Jones, Forest Landowners Association, Atlanta, Georgia; and Lester B. Lave, Carnegie Mellon University, Pittsburgh, Pennsylvania.

NORTH KOREA

Committee on Foreign Relations: Committee met in closed session to receive a briefing on North Korea from officials of the National Security community.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Elena Kagan, of Massachusetts, to be Solicitor General of the United States, who was introduced by Senator Reed, and Thomas John Perrelli, of Virginia, to be Associate Attorney General, both of the Department of Justice, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 44 public bills, H.R. 930–973; 3 private bills, H.R. 974–976; and 19 resolutions, H.J. Res. 20; H. Con. Res. 41–46; and H.Res. 141–153, were introduced. **Pages H1156–59**

Additional Cosponsors: **Pages H1159–60**

Reports Filed: Reports were filed today as follows:

H.R. 787, to make improvements in the Hope for Homeowners Program, with an amendment (H. Rept. 111–12) and H.R. 788, to provide a safe harbor for mortgage servicers who engage in specified mortgage loan modifications, with an amendment (H. Rept. 111–13). **Page H1156**

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today. **Page H1083**

Recess: The House recessed at 1:12 p.m. and reconvened at 2 p.m. **Page H1088**

Committee Leave of Absence: Read a letter from Representative Smith (WA) wherein he notified the House that he would be taking a leave of absence from his position on the House Committee on Foreign Affairs. **Page H1090**

American Recovery and Reinvestment Act of 2009—Motion To Go to Conference: The House disagreed to the amendment of the Senate to H.R. 1, making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, and agreed to a conference. **Pages H1090–H1102**

Agreed to the Lewis (CA) motion to instruct conferees on the bill by a yea-and-nay vote of 403 yeas with none voting ''nay'', Roll No. 54.

Pages H1096–H1102

Later, the Chair appointed the following conferees: Representatives Obey, Rangel, Waxman, Lewis (CA), and Camp. **Page H1103**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Monday, February 9th:

Supporting the goals and ideals of "National Girls and Women in Sports Day": H. Res. 114, to support the goals and ideals of ''National Girls and Women in Sports Day'', by a ⅔ yea-and-nay vote of 398 yeas with none voting ''nay'', Roll No. 55; and **Page H1102**

Recognizing and commending University of Oklahoma quarterback Sam Bradford for winning the 2008 Heisman Trophy and for his academic and athletic accomplishments: H. Res. 60, to recognize and commend University of Oklahoma quarterback Sam Bradford for winning the 2008 Heisman Trophy and for his academic and athletic accomplishments, by a ⅔ yea-and-nay vote of 394 yeas with none voting ''nay'', Roll No. 56. **Page H1103**

Moment of Silence: The House observed a moment of silence in honor of the men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan, their families, and all who serve in the armed forces and their families.

Page H1102

Privileged Resolution: The House agreed to H. Con. Res. 41, providing for a joint session of Congress to receive a message from the President.

Pages H1103–04

Privileged Resolution: The House agreed to table H. Res. 143, raising a question of the privileges of the House, by a yea-and-nay vote of 242 yeas to 157 nays with 16 voting ''present'', Roll No. 57.

Pages H1128–29

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring Miami University for its 200 years of commitment to extraordinary higher education: H. Res. 128, amended, to honor Miami University for its 200 years of commitment to extraordinary higher education, by a ⅔ yea-and-nay vote of 413 yeas with none voting ''nay'', Roll No. 58;

Pages H1104–07, H1129–30

Recognizing the 50th Anniversary of Dr. Martin Luther King, Jr.'s visit to India, and the positive influence that the teachings of Mahatma Gandhi had on Dr. King's work during the Civil Rights Movement: H. Res. 134, to recognize the 50th Anniversary of Dr. Martin Luther King, Jr.'s visit to India, and the positive influence that the teachings of Mahatma Gandhi had on Dr. King's work during the Civil Rights Movement, by a ⅔ yea-and-nay vote of 406 yeas with none voting ''nay'', Roll No. 59; **Pages H1107–11, H1130**

Missing Alzheimer's Disease Patient Alert Program Reauthorization of 2009: H.R. 908, to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program; and **Pages H1118–20**

National Silver Alert Act 2009: H.R. 632, to encourage, enhance, and integrate Silver Alert plans throughout the United States and to authorize grants for the assistance of organizations to find missing adults. **Pages H1123–28**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 100th anniversary: H. Con. Res. 35, to honor and praise the National Association for the Advancement of Colored People on the occasion of its 100th anniversary; **Pages H1111–16**

Acknowledging the lifelong service of Griffin Boyette Bell to the State of Georgia and the United States as a legal icon: H. Res. 71, to acknowledge the lifelong service of Griffin Boyette Bell to the State of Georgia and the United States as a legal icon; and **Pages H1116–18**

Elder Abuse Victims Act of 2009: H.R. 448, amended, to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, and to establish programs that provide for emergency crisis response teams to combat elder abuse. **Pages H1120–23**

Senate Message: Message received from the Senate today appears on page H1088.

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today and appear on pages H1101–02, H1102, H1103, H1129, H1129–30, and H1130. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:03 p.m.

Committee Meetings

COMMITTEE'S OVERSIGHT PLAN; ISSUANCE OF A SUBPOENA

Committee on Energy and Commerce: Approved its Oversight Plan for the 111th Congress.

The Committee also approved a motion to issue a subpoena to Stewart Parnell in conjunction with the Subcommittee on Oversight and Investigations hearing tomorrow on the Salmonella Outbreak.

FEDERAL RESERVE BANK LIQUIDITY EFFORTS

Committee on Financial Services: Held a hearing entitled ''An Examination of the Extraordinary Efforts by the Federal Reserve Bank to Provide Liquidity in the Current Financial Crisis.'' Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 11, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings to examine protecting residents of the Devils Lake region from rising water, 9:30 a.m., SD–138.

Committee on the Budget: to hold hearings to examine policies to address the crises in financial and housing markets, 10 a.m., SD–608.

Committee on Energy and Natural Resources: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and subcommittee assignments for the 111th Congress, 11:30 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine foreign policy implications of the global economic crisis, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 160, to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives, S. 303, to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999, S. 69, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and S. 234, to designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the ''Colonel John H. Wilson, Jr. Post Office Building,'' an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress, 10 a.m., SD–342.

Committee on the Judiciary: to hold hearings to examine the need for increased fraud enforcement in the wake of the economic downturn, 10 a.m., SD–226.

Committee on Rules and Administration: organizational business meeting to consider committee's funding resolution for the 111th Congress, and other pending business, 10:30 a.m., SR–301.

Committee on Veterans' Affairs: to hold hearings to examine veterans' disability compensation, focusing on the appeals process, 9:30 a.m., SR–418.

Select Committee on Intelligence: closed business meeting to consider pending intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Defense, executive, hearing on Air Force Nuclear Enterprise, 10 a.m., and a hearing on Contract Services and Acquisition Management, 1:30 p.m., H–140 Capitol.

Committee on Education and Labor, to mark up H.R. 911, Stop Child Abuse in Residential Programs for Teens Act of 2009; and to consider the Committee Oversight Plan for the 111th Congress, 10:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing entitled ''The Salmonella Outbreak: The Continued Failure to Protect the Food Supply,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''TARP Accountability: Use of Federal Assistance by the First TARP Recipients,'' 10 a.m., 2128 Rayburn.

Committee on House Administration, hearing on Committee Funding for the 111th Congress, 10 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Youth Violence: Trends, Myths and Solutions, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, oversight hearing entitled, ''Offshore Drilling: Environmental and Commercial Perspectives,'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to meet for organizational purposes; and to mark up the following measures: H.R. 854, Over-Classification Reduction Act;

H. Res. 18, To recognize the life, achievements and contributions of Paul Newman; H. Res. 83, To recognize the significance of Black History Month, which is commemorated annually during the month of February; H. Res. 47, To express support for the goals and ideals of Peace Officers Memorial Day, which is commemorated annually on May 15th; H. Res. 110, To congratulate the National Football League champion Pittsburgh Steelers for winning Super Bowl XLIII (43) and becoming the most successful franchise in NFL history with their record 6th Super Bowl title; H. Res. 112, To express support for the goals and ideals of American Heart Month and National Wear Red Day; H.R. 516, To designate the facility of the United States Postal Service located at 2105 East Cook Street in Springfield, Illinois, as the ''Colonel John H. Wilson, Jr. Post Office Building;'' H.R. 657, To designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey as the ''Bishop E. Brower Post Office Building;'' and H.R. 663, To designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta Georgia, as the ''Yvonne Ingram-Ephraim Post Office Building,'' 10 a.m., 2154 Rayburn.

Committee on Rules, to consider a resolution providing for consideration of motions to suspend the rules, 5 p.m., H313 Capitol.

Committee on Science and Technology, hearing on Electronic Waste: Investing in Research and Innovation to Reuse, Reduce, and Recycle, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''The State of SBA's Entrepreneurial Development Programs and Their Role in Promoting an Economic Recovery,'' 1 p.m., 2360 Rayburn.

Subcommittee on Rural Development, Entrepreneurship and Trade, hearing entitled ''The Impact of Competitive Bidding on Small Businesses in the Durable Medical Equipment Community,'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on the FAA Reauthorization Act of 2009, 2 p.m., 2167 Rayburn.

Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on GSA's Economic Recovery Role: Job Creation, Repair, and Energy Efficiency in Federal Buildings and Accountability, 9 a.m., 2167 Rayburn.

Committee on Ways and Means, to meet for organizational purposes, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

10 a.m., Wednesday, February 11

Senate Chamber

Program for Wednesday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 11

House Chamber

Program for Wednesday: To be announced.

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